

## RÉSUMÉ DIGEST

ACT 598 (HB 653)

2018 Regular Session

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Existing law provides for the Inspection of Life Safety Systems and Equipment. "Life safety systems and equipment" includes, nonexclusively, fire sprinklers, fire alarms, fire suppression, special locking systems and equipment, and portable fire extinguishers.

Existing law provides for Life Safety and Property Protection Licensing.

New law expands the applicability of existing law to include conveyance devices. Adds other provisions relative to conveyance devices including but not limited to certifications, construction, programming, and dismantling of conveyance devices. Otherwise retains existing law.

Existing law provides for certain definitions.

New law modifies the following definitions: "certify" and "life safety and property protection contracting". Adds the following definitions: "ANSI", "ASCE", "ASME", "conveyance" or "conveyance device", "conveyance device inspector", and "conveyance device mechanic", and "false alarm".

Existing law authorizes the fire marshal to inspect and test all life safety systems and equipment in this state to determine compliance with applicable standards.

New law authorizes the fire marshal's certification of such systems and equipment. Otherwise retains existing law.

Existing law requires the owner of life safety systems and equipment to annually inspect and certify such systems and equipment.

New law expands existing law to require inspections and certifications of conveyance devices. Only with respect to conveyance devices, new law requires an owner to cause such inspections and certifications effective July 1, 2024. New law otherwise retains existing law.

New law provides that existing law and new law do not apply to the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside of the building. Alternatively, new law requires the owner of such a two-story building to cause the inspection and certification of a conveyance device in five-year intervals, effective July 1, 2024.

New law requires a licensed conveyance device mechanic to be onsite for the final acceptance inspection conducted by a conveyance device inspector.

Existing law provides that licensure requirements do not apply to any manufacturer, or his employee or representative, who acts as a consultant to a licensed firm in the certifying, inspecting, installation, integrating, selling, and servicing of life safety and property protection systems while under the direct supervision of the licensed firm.

New law adds programming to the provisions of existing law. Otherwise retains existing law.

Existing law provides that licensure requirements do not apply to a firm or person licensed by the State Licensing Board for Contractors to perform certain electrical work.

New law adds that this existing law licensing exemption is not applicable to a person or entity selling, installing, servicing, or maintaining wireless security and fire systems.

New law provides that existing law and new law are not applicable to conveyance devices located in one- or two-family dwellings.

Existing law authorizes the fire marshal to assess and collect certain fees relative to license endorsements in two categories: (1) Property Protection and (2) Life Safety.

New law adds Conveyance Devices as a division within the Life Safety category and requires a technical license endorsement for such devices.

New law provides the following technical license endorsements for persons. Provides an initial fee of \$100.00 and a renewal fee of \$50.00 for each, respectively:

- (1) Conveyance Device Inspector.
- (2) Conveyance Device Mechanic.

New law requires a person who obtains a technical license endorsement to receive certification developed and approved by the Life Safety and Property Protection Education Board or the fire marshal as provided for in new law, or one of the following:

- (1) Certified Elevator Technician (CET) certification provided by the National Association of Elevator Contractors.
- (2) Certification provided by the National Elevator Industry Educational Program.
- (3) Qualified Elevator Inspectors (QEI) certification provided by the National Association of Elevator Safety Authorities or the Qualified Elevator Inspectors Training Fund.

New law provides that a person who currently holds a technical license endorsement, but has not acquired the required certification, is not prohibited from actively working pursuant to the issuance of the license endorsement, but such person is required to obtain at least one of the certifications described in new law within one year from the date the technical endorsement was issued. Provides the one year grace period ceases Jan. 1, 2022.

New law requires continuing education for persons with technical endorsements to be developed and approved by the Life Safety and Property Protection Education Board or the fire marshal as provided for in new law.

New law requires the owner of a conveyance device installed prior to July 1, 2019, except those exempt pursuant to existing law and new law, to register the conveyance device with the office of state fire marshal. Requires a firm installing conveyance devices on or after July 1, 2019, to register the conveyance device with the office of state fire marshal within 30 days of its installation.

Existing law provides certain duties and powers of the fire marshal.

New law expands such duties and powers to include the ordering of a special investigation of any conveyance device accident resulting in human injury or death. Provides for special investigations upon notification by a fire chief or his designee. Otherwise retains existing law.

Prior law provided for the Life Safety and Property Protection Advisory Board. Provided for the board's composition of 13 members. Required 12 members to be appointed by the governor from a list of nominees submitted to the governor from particular entities. Further provided that five board members constituted a quorum.

New law changes prior law to provide for the Life Safety and Property Protection Education Board. Increases the number of board members from 13 to 15. Increases the number of members appointed by the governor from 12 to 14. Expands the entities authorized to submit nominees to the governor to include a licensed firm or any conveyance device trade association. Increases the number of board members necessary for a quorum from five to eight.

Existing law prohibits persons or firms from certifying, inspecting, installing, integrating, selling, or servicing life safety and property protection systems contrary to plans submitted for review, applicable NFPA codes, standards, or manufacturer specifications without specific written authorization from the office of state fire marshal.

New law adds dismantling and programming as prohibitions without proper authorization. Adds ASME, ANSI, or ASCE codes as applicable codes for compliance. Clarifies that "life safety and property protection" as stated in existing law refers to life safety and property protection systems.

New law authorizes local governing authorities of municipalities or parishes to enact ordinances governing false alarm activations and responses. Provides that security firms and security monitoring firms and respective employees are not liable for civil penalties and fines imposed by a municipality or parish for false alarms.

New law exempts a municipality or parish from the provisions of existing law and new law if the municipality or parish has adopted and is enforcing a nationally recognized standard or code for conveyance devices. Authorizes the municipality or parish to continue enforcing the national standard or code and requires no additional inspections. Further requires the national standard or code to contain requirements substantially equal to the fire marshal's code with respect to conveyance devices.

Effective January 1, 2019.

(Amends R.S. 40:1646(A)-(C), 1664.3(intro. para.), (4), and (37), 1664.5, 1664.9(A), (C)(intro. para.), and (D)-(J), 1664.11(A)(intro. para.), (1)(a), and (D), and 1664.12(intro. para.) and (3); Adds R.S. 40:1646(E) and (F), 1664.3(62)-(68), 1664.9(C)(11), (K), and (L), 1664.10(9), 1664.16(C), and 1664.17)