

2019 Regular Session

HOUSE BILL NO. 172

BY REPRESENTATIVE PIERRE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FIRE PROTECT/FIRE MARSHAL: Provides relative to the training, registration, and certification of fire-resistant material applicators

1 AN ACT

2 To enact R.S. 40:1603, relative to fire-resistant material applicators; to provide for training,
3 registration, and certification; to provide definitions; to provide for violations; to
4 provide for fines; to provide for enforcement; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1603 is hereby enacted to read as follows:

7 §1603. Fire-resistant material applicators; registration; fines

8 A. As used in this Section, the following terms shall have the meaning
9 ascribed as follows:

10 (1) "Fire-resistant material" means cementitious or fibrous materials that are
11 sprayed onto a surface to provide fire-resistant protection of the substrate.

12 (2) "Fire-resistant material applicator" means an individual who applies fire-
13 resistant material.

14 B.(1) Every fire-resistant material applicator shall undergo training to apply
15 fire-resistant material according to manufacturer specifications.

16 (2) Every fire-resistant material applicator shall annually register with the
17 office of the state fire marshal.

18 (3) When a fire-resistant material applicator satisfactorily completes training
19 and registers as required by this Subsection, the state fire marshal shall issue a

1 certificate which indicates that the fire-resistant material applicator is certified to
2 apply fire-resistant material.

3 C. Any person applying fire-resistant material who does not receive the
4 training, register, and obtain a certificate as required in Subsection B of this Section
5 shall be fined up to two hundred-fifty dollars per violation.

6 D. The provisions of this Section shall be implemented, including a
7 procedure for the appeal of penalties, and enforced pursuant to the Administrative
8 Procedure Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 172 Original

2019 Regular Session

Pierre

Abstract: Provides for a training, registration, and certification process for fire-resistant material applicators.

Proposed law provides that a fire-resistant material applicator is a person who applies fire-resistant material to a surface.

Proposed law requires that the fire-resistant material applicator obtain training in the application of fire-resistant material according to manufacturer recommendations.

Proposed law further requires fire-resistant material applicators to register with the state fire marshal's office.

Proposed law requires the fire marshal to issue certificates to fire-resistant material applicators who have completed the required training and registered with the fire marshal.

Proposed law establishes a fine of \$250 per violation for any person applying fire-resistant material without being certified.

Proposed law provides that implementation, including appellate procedures, and enforcement be pursuant to the Administrative Procedure Act.

(Adds R.S. 40:1603)