

2025 Regular Session

HOUSE BILL NO. 618

BY REPRESENTATIVE FONTENOT

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

FIRE PROTECT/FIRE MARSHAL: Provides relative to regulation of conveyance devices

1 AN ACT

2 To amend and reenact R.S. 40:1646(B) and to enact R.S. 40:1646(G) and 1664.9(C)(13) and
3 (N)(3) and to repeal R.S. 40:1646(B) and (F), relative to the regulation of
4 conveyance devices; to provide for inspections; to provide for the duties of the fire
5 marshal; to provide for fees; to provide for a certificate of operation; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1646(B) is hereby amended and reenacted and R.S. 40:1646(G)
9 and 1664.9(C)(13) and (N)(3) are hereby enacted to read as follows:

10 §1646. State fire marshal; owners; life safety systems and equipment inspections;
11 penalties; exceptions

12 * * *

13 B.(1) ~~Except as provided in Paragraph (2) of this Subsection, the owner of~~
14 ~~any building containing a life safety system and equipment, or the owner's~~
15 ~~designated representative, shall cause at a minimum an annual inspection and~~
16 ~~certification to be made of the life safety system and equipment in that building to~~
17 ~~assure compliance with applicable safety standards and to determine whether~~
18 ~~structural changes in the building or in the contents of the building mandate~~
19 ~~alteration of a system.~~ The owner of any building containing a life safety system and
20 equipment shall cause at a minimum an annual inspection and certification, to be

1 physically witnessed by an inspector appointed by the fire marshal, to be made of the
2 life safety system and equipment in that building to assure compliance with
3 applicable safety standards and to determine whether structural changes in the
4 building or in the contents of the building mandate alteration of a system.

5 ~~(2)(a) The provisions of Paragraph (1) of this Subsection shall not apply to~~
6 ~~the conveyance device of any building.~~ The provisions of this Subsection shall not
7 apply to the owner of a building with two stories occupied by a single tenant wherein
8 employees of the tenant are regularly inside of the building. The building described
9 in this Paragraph shall not be construed to include a one- or two-family dwelling as
10 defined in R.S. 40:1573.

11 (b) The owner of a building described in this Paragraph shall cause, at a
12 minimum, a safety test of the conveyance device in five-year intervals to assure
13 compliance with applicable safety standards and to determine whether structural
14 changes in the building or in the contents of the building mandate alteration of the
15 conveyance device.

16 * * *

17 G. The provisions of this Subsection apply only to inspections of conveyance
18 devices.

19 (1) When the fire marshal finds that the owner has failed to comply with the
20 provisions of this Section, he shall order the owner's compliance.

21 (2) When the fire marshal receives a report from an inspector licensed by the
22 office that a conveyance device is inoperable or not in compliance with applicable
23 safety standards, he shall order the owner to have the conveyance device inspected
24 and brought into compliance with applicable safety standards.

25 (3) Whoever fails to comply with an order issued by the fire marshal shall
26 be first issued a warning and ordered to comply with such order.

27 (4) The fire marshal may promulgate rules and regulation in accordance with
28 the Administrative Procedure Act to implement to provisions of this Subsection.

29 * * *

1 §1664.9. Fees; license endorsements for firms and persons; certifications; Louisiana
2 Life Safety and Property Protection Trust Dedicated Fund Account

3 * * *

4 C. The amount of licensing fees for a person are as follows:

5 Employee endorsement Initial fee Renewal fee

6 * * *

7 (13) Conveyance device inspection fee \$150 \$150

8 * * *

9 N.

10 * * *

11 (3) The owner or his designee of an installed conveyance device, except
12 those exempt pursuant to R.S. 40:1664.5, shall have the conveyance device inspected
13 yearly by a conveyance device inspector. A conveyance device inspector shall pay
14 the fees established in Paragraph (C)(13) of this Section in exchange for a certificate
15 of operation provided by the office of the fire marshal which will then be attributed
16 to a conveyance device that has passed inspection.

17 Section 2. R.S. 40:1646(B) as enacted by Section 2 of Act 339 of the 2020 Regular
18 Session of the Legislature is hereby repealed in its entirety.

19 Section 3. R.S. 40:1646(F) as enacted by Section 1 of Act 598 of the 2018 Regular
20 Session of the Legislature is hereby repealed.

21 Section 4. The inspection and certification requirements of R.S. 40:1646(B)(1) and
22 (2)(a) as amended and reenacted by Section 1 of this Act shall be fully applicable to the
23 owner of a building containing a conveyance device effective January 1, 2026.

24 Section 5. R.S. 40:1646(G) as amended and reenacted by Section 1 of this Act shall
25 be effective January 1, 2026.

26 Section 6. R.S. 40:1646(B)(2)(b) as enacted by Section 1 of this Act shall become
27 effective on July 1, 2028.

1 Section 7. R.S. 40:1646(B) of Section 1 of this Act supersede the provisions of
2 Section 1 of Act 598 of the 2018 Regular Session of the Legislature that amend and reenact
3 R.S. 40:1646(B).

4 Section 8. Section 4, 5, and 6 of this Act shall supersede the effective dates in
5 Section 4 and 5 of Act 598 of the 2018 Regular Session of the Legislature, Section 5(A) of
6 Act 339 of the 2020 Regular Session of the Legislature, and Section 1 of Act 753 of the 2024
7 Regular Session of the Legislature.

8 Section 9. R.S. 40:1664.9(C)(13) and (N)(3) as amended by Section 1 of this Act,
9 Sections 2, 3, 4, 5, 6, 7, 8, and this Section shall become effective upon signature by the
10 governor or, if not signed by the governor, upon expiration of the time for bills to become
11 law without signature by the governor, as provided by Article III, Section 18 of the
12 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
13 legislature, this Act shall become effective on the day following such approval.

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 618 Original

2025 Regular Session

Fontenot

Abstract: Provides relative to the inspection of conveyance devices.

Present law provides that the owner of any building containing a life safety system and equipment, or the owner's designated representative, shall cause at a minimum an annual inspection and certification to be made of the life safety system and equipment in that building to assure compliance with applicable safety standards and to determine whether structural changes in the building or in the contents of the building mandate alteration of a system.

Proposed law repeals present law and provides that the owner of any building containing a life safety system and equipment shall cause at a minimum an annual inspection and certification, to be physically witnessed by an inspector appointed by the fire marshal, to be made of the life safety system and equipment in that building to assure compliance with applicable safety standards and to determine whether structural changes in the building or in the contents of the building mandate alteration of a system.

Present law provides which part of present law shall not apply to the conveyance device of any building.

Proposed law repeals present law and adds that present law shall not apply to the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside the building.

Proposed law provides that the owner of a building described in present law shall cause, at a minimum, a safety test of the conveyance device in five-year intervals to assure compliance with applicable safety standards and to determine whether structural changes in the building or in the contents of the building mandate alteration of the conveyance device.

Proposed law provides for which provisions apply only to inspections of conveyance devices.

Present law provides for fees issued by the fire marshal.

Proposed law adds the fee for conveyance device inspection which is \$150 for both annual and renewal.

Present law provides for the registration of conveyance devices.

Proposed law adds the inspection requirements for a conveyance device in order to receive a certificate of operation.

Proposed law provides for what shall be superseded by proposed law.

Provides for effective dates for different provisions of proposed law.

(Amends R.S. 40:1646(B); Adds R.S. 40:1646(G) and 1664.9(C)(13) and (N)(3); Repeals R.S. 40:1646(B) and (F))