

GREEN SHEET REDIGEST

HB 683

2020 Regular Session

Cox

CONTRACTORS: Provides relative to life safety and property protection and conveyance device mechanic licenses

DIGEST

Present law requires the owner of any building containing life safety system equipment to annually inspect and certify the building.

Present law exempts the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside of the building from the annual inspection and certification requirements of life safety systems and equipment of the building.

Proposed law repeals the exemption provided by present law.

Present law requires the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside of the building to have at a minimum, a safety test of the building's conveyance device in five-year intervals, effective July 1, 2024.

Proposed law provides for exclusions for a one- or two-family dwelling and townhouse from meeting the minimum safety test of the building's conveyance device in five-year intervals.

Present law provides for definitions.

Proposed law retains present law but corrects the name of the Louisiana Life Safety and Property Protection Education Board.

Present 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.

Proposed law retains present law but prohibits electrical contractors from certifying, inspecting, or servicing any life safety and property protection system or equipment.

Present law provides that with respect to applicants for a property protection license, a conviction, plea of guilty or nolo contendere to, or receipt of a first-time offender pardon of a felony charge, if not a certain crime of violence enumerated in present law (R.S. 14:2(B)), a sex offense as defined in present law (R.S. 15:541(24)(a)) with certain exceptions (R.S. 14:92(A)(7) and 14:80), or certain felony crimes against property enumerated in present law (R.S. 14:51- 62.8), shall not constitute an automatic disqualification if 10 or more years have elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, period of probation or parole.

Proposed law retains present law and clarifies that a felony conviction includes a conviction for an equivalent offense under the laws of another state, or military, territorial, foreign, tribal, or federal law.

Proposed law removes a statutory reference to a repealed section of law (R.S. 14:62.9).

Proposed law provides that the state fire marshal shall issue a conveyance device mechanic license to a person who, through his licensed conveyance firm, submits an application on or before July 1, 2025, with either of the following:

- (1) A notarized affidavit attesting that the person seeking licensure has worked as a conveyance device mechanic for not less than four years and 6,000 hours within the last five years, without immediate or direct supervision.

- (2) A notarized affidavit attesting that the person seeking licensure has worked as a conveyance device mechanic for not less than two years and 3,000 hours within the last three years, without immediate or direct supervision and that the person has received a nationally accepted certification or is enrolled in a nationally accepted program.

Proposed law provides that the state fire marshal may issue a temporary conveyance device mechanic license upon receipt of either of the following from the requesting licensed conveyance device mechanic firm:

- (1) A notarized affidavit attesting that there is an insufficient number of licensed conveyance mechanics needed to perform or that there is an imminent increase in conveyance device mechanic activities.
- (2) A notarized affidavit attesting that the person who seeks temporary licensure has an acceptable combination of documented experience and education to perform conveyance device mechanic activities without direct or immediate supervision.

Further, proposed law provides that the temporary conveyance device mechanic license is valid for 180 days from the date of issuance and only valid for work performed for the requesting licensed conveyance device mechanic firm.

Proposed law provides that the office of the state fire marshal may renew the temporary license when the requesting conveyance mechanic firm provides a notarized affidavit attesting that there continues to be an insufficient number of licensed conveyance mechanics needed to perform or that there is an imminent increase in conveyance device mechanic activities. However, the office may refuse to renew the temporary license for a person that the office determines has had adequate opportunity to obtain a license.

Present law provides that the initial fee for a conveyance device mechanic license is \$100 and the renewal fee is \$50.

Proposed law retains present law and applies the same fees for the temporary license.

Proposed law provides that the state fire marshal may issue an emergency conveyance device mechanic license when the president of the U.S. or the governor declares an emergency in this state due to a natural disaster or there is a major work stoppage.

Proposed law provides that the state fire marshal may issue an emergency conveyance device mechanic license upon receipt of a notarized affidavit from the requesting licensed conveyance device mechanic firm attesting to each of the following:

- (1) The number of licensed conveyance device mechanics in the state is insufficient to cope with the emergency or work stoppage, creating a shortage.
- (2) The shortage of licensed conveyance device mechanics jeopardizes the safety of the public.
- (3) The person who seeks emergency licensure has an acceptable combination of documented experience and education to perform conveyance device mechanic activities without direct or immediate supervision.

Further, proposed law provides that the emergency conveyance device mechanic license is valid for 60 days from the date of issuance and only valid for work performed for the requesting licensed conveyance device mechanic firm.

Proposed law provides that the emergency license may be extended for a period not to exceed 365 days from the date of the initial issuance. The emergency license may be extended past 365 days of the initial issuance when there are mitigating circumstances recognized by the state fire marshal regarding the emergency declaration or work stoppage.

Present law provides that the initial fee for a conveyance device mechanic license is \$100 and the renewal fee is \$50.

Proposed law retains present law and applies the same fees for the emergency license.

Present law provides for the 15-member Life Safety and Property Education Board which develops and approves all training, certification, examination, and continuing education requirements for individuals licensed or who seek licensure in life safety and property protection. Present law provides that each member of the Life Safety and Protection Education Board serve for a two-year term.

Proposed law changes present law to a four-year term.

(Amends R.S. 40:1646(B), 1664.3(7), 1664.8, 1664.9(D)(3), (K), and (L), and 1664.11(B)(1); Adds R.S. 40:1664.5.1 and 1664.9(D)(4), (M), and (N); Repeals R.S. 40:1664.5(A)(12))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Clarify that Section 2 of this Act becomes effective when the provisions of Section 5 of Act No. 598 of the 2018 Regular Session of the Legislature become effective.
2. Provide other technical amendments.

The House Floor Amendments to the engrossed bill:

1. Correct the name of the Louisiana Life Safety and Property Protection Education Board.
2. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the reengrossed bill

1. Add an exception for the owner of a townhouse to meet the minimum safety test of the building's conveyance device in 5 year intervals.