

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

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1646(B)(2) is hereby amended and reenacted and R.S.
9 40:1646(B)(3), (G), and (H) and 1664.9(C)(13) and (N)(3) are hereby enacted to read as
10 follows:

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

13 * * *

14 B.

15 * * *

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

(3) The owner of any building containing a conveyance device shall cause
at a minimum an annual inspection and certification, as outlined in Paragraph (1) of
this Subsection, to be physically witnessed by an inspector appointed by the fire
marshal.

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

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

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

* * *

* * *

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

| | | | |
|---|--|--------------|--------------|
| 2 | Employee endorsement | Initial fee | Renewal fee |
| 3 | * * * | | |
| 4 | <u>(13) Conveyance device inspection fee</u> | <u>\$150</u> | <u>\$150</u> |
| 5 | * * * | | |

6 N.

7 * * *

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

14 Section 2. R.S. 40:1646(B) as enacted by Section 2 of Act No. 339 of the 2020
15 Regular Session of the Legislature is hereby repealed in its entirety.

16 Section 3. R.S. 40:1646(F) as enacted by Section 1 of Act No. 598 of the 2018
17 Regular Session of the Legislature is hereby repealed.

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

21 Section 5. R.S. 40:1646(B)(3), (G), and (H) as enacted by Section 1 of this Act shall
22 become effective January 1, 2026.

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

25 Section 7. R.S. 40:1646(B) of Section 1 of this Act shall supersede the provisions
26 of Section 1 of Act No. 598 of the 2018 Regular Session of the Legislature that amend and
27 reenact R.S. 40:1646(B).

28 Section 8. Sections 4, 5, and 6 of this Act shall supersede the effective dates in
29 Sections 4 and 5 of Act No. 598 of the 2018 Regular Session of the Legislature, Section 5(A)

1 of Act No. 339 of the 2020 Regular Session of the Legislature, and Section 1 of Act No. 753
2 of the 2024 Regular Session of the Legislature.

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

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 retains present law and provides that the owner of any building containing a conveyance device shall cause at a minimum an annual inspection and certification, as provided for in proposed law, to be physically witnessed by an inspector appointed by the fire marshal.

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.

Proposed law adds that present and proposed law shall not apply to a registered recreational camp.

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

Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Change references from life safety system and equipment to conveyance devices.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Revert to present law regarding life safety system and equipment inspections.
3. Add that inspections outlined in present law regarding conveyance devices shall be physically witnessed by an inspector appointed by the fire marshal.
4. Add that present and proposed law shall not apply to a registered recreational camp.
5. Provide for effective dates for certain language in proposed law.