

ACT No. 297

2025 Regular Session

HOUSE BILL NO. 618

BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 40:1646(B)(2), to enact R.S. 40:1646(B)(3), (G), and (H) and 1664.9(C)(13) and (N)(3), and to repeal R.S. 40:1646(B) as enacted by Section 2 of Act No. 339 of the 2020 Regular Session of the Legislature and R.S. 40:1646(F) as enacted by Section 1 of Act No. 598 of the 2018 Regular Session of the Legislature, relative to the regulation of conveyance devices; to provide for inspections; to provide for the duties of the fire marshal; to provide for fees; to provide for a certificate of operation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

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

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B.

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~~(2)(a) The provisions of Paragraph (1) of this Subsection shall not apply to the conveyance device of any building. The provisions of this Subsection shall not apply to the owner of a building with two stories occupied by a single tenant wherein~~

1 employees of the tenant are regularly inside of the building. The building described
2 in this Paragraph shall not be construed to include a one- or two-family dwelling as
3 defined in R.S. 40:1573.

4 (b) The owner of a building described in this Paragraph shall cause, at a
5 minimum, a full-load safety test of the conveyance device in five-year intervals to
6 assure compliance with applicable safety standards and to determine whether
7 structural changes in the building or in the contents of the building mandate
8 alteration of the conveyance device.

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

13 * * *

14 G.(1) The provisions of this Subsection apply only to inspections of
15 conveyance devices.

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

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

22 (4) Whoever fails to comply with an order issued by the fire marshal shall
23 be first issued a warning and ordered to comply with such order.

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

26 H. This Section shall not apply to private outdoor recreational structures
27 pursuant to R.S. 40:1730.30.

28 * * *

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

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

Employee endorsement	Initial fee	Renewal fee
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<u>(13) Conveyance device inspection fee</u>	<u>\$150</u>	<u>\$150</u>
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N.

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

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

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

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

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

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

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

1 Section 8. Sections 4, 5, and 6 of this Act shall supersede the effective dates in
2 Sections 4 and 5 of Act No. 598 of the 2018 Regular Session of the Legislature, Section 5(A)
3 of Act No. 339 of the 2020 Regular Session of the Legislature, and Section 1 of Act No. 753
4 of the 2024 Regular Session of the Legislature.

5 Section 9. R.S. 40:1646(B)(2)(a), 1664.9(C)(13) and (N)(3) as amended by Section
6 1 of this Act, Sections 2, 3, 4, 5, 6, 7, 8, and this Section shall become effective upon
7 signature by the governor or, if not signed by the governor, upon expiration of the time for
8 bills to become law without signature by the governor, as provided by Article III, Section
9 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
10 by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____