
DIGEST

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HB 419 Reengrossed

2018 Regular Session

Edmonds

Abstract: Authorizes designated representatives to cause certain inspections, testing, and certification of life safety systems and equipment and provides penalties for violations.

Present law authorizes the fire marshal to provide inspections and testing of all life safety systems and equipment in the state of La.

Proposed law retains present law.

Proposed law authorizes the fire marshal's certification of life safety systems. Provides that authorized actions of the fire marshal may be performed upon his receipt of a complaint. Authorizes the fire marshal's designee to perform inspections, testing, and certification.

Present law requires the owner of any building containing a life safety system and equipment to have an annual inspection of such system and equipment to assure compliance with applicable safety standards and related matters.

Proposed law retains present law.

Proposed law authorizes the fire marshal to provide certification of life safety systems and equipment within an owner's building. Authorizes the owner's designated representative to provide for the annual inspection or certification.

If an inspecting officer finds that the owner has failed to comply with the provisions of present and proposed law, proposed law requires the officer to order the owner's compliance.

If an inspecting officer finds life safety systems and equipment to be inoperable or not in compliance with applicable safety standards, proposed law requires the inspecting officer to order the owner to have the life safety systems and equipment inspected and brought into compliance with applicable safety standards.

Proposed law provides that persons who fail to comply with an order issued by the fire marshal may be given a warning and ordered to comply with the initial order. Provides that persons who fail to comply with a second order issued by the fire marshal may be fined not more than \$500 or imprisoned for not more than 6 months, or both.

Proposed law authorizes the fire marshal to allow fire prevention bureaus to enforce the provisions

of present and proposed law.

Proposed law provides for nothing in present and proposed law to be construed to prevent the fire marshal from enforcing the provisions of present law (R.S. 40:1621).

(Amends R.S. 40:1646(A) and (B); Adds R.S. 40:1646(E))

Summary of Amendments Adopted by House

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

1. Provide that a person who fails to comply with an order issued by the fire marshal may be issued a first warning and ordered to comply with the initial order.
2. Remove language relative to the fire marshal's authorized representative.
3. Give the fire marshal discretion relative to the issuance of criminal penalties for failure to comply with an order.
4. Provide that persons who fail to comply with a second order issued by the fire marshal may be fined not more than \$500 or imprisoned for not more than six months, or both.
5. Redesignate language relative to the fire marshal's authorization of fire prevention bureaus to enforce the provisions of present and proposed law.
6. Provide for nothing in present and proposed law to be construed to prevent the fire marshal from enforcing the provisions of present law (R.S. 40:1621).
7. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Remove language that would constitute each day's violation of an order as separate offense and punishable as such at the court's discretion.