

2020 Regular Session

HOUSE BILL NO. 821

BY REPRESENTATIVE COUSSAN

FIRE PROTECT/FIRE MARSHAL: Provides relative to the training, registration, and certification of fire-stopping material applicators

1 AN ACT

2 To amend and reenact R.S. 40:1603, relative to fire-resistant material applicators and fire-  
3 stopping material applicators; to provide for training, registration, and certification;  
4 to provide for definitions; to provide for violations; to provide for fines; to provide  
5 for enforcement; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1603 is hereby amended and reenacted to read as follows:

8 §1603. Fire-resistant material applicators and fire-stopping material applicators;  
9 registration; fines

10 A. As used in this Section, the following terms ~~shall~~ have the meaning  
11 ascribed as follows:

12 (1) "Fire-resistant material" means cementitious, intumescent, or fibrous  
13 materials that are sprayed or applied onto a surface to provide fire-resistant  
14 protection of the substrate.

15 (2) "Fire-resistant material applicator" means an individual who applies fire-  
16 resistant material.

17 (3) "Firestops" or "Fire-stopping material" means a listed and approved  
18 material used as a form of passive fire protection that is utilized for sealing around  
19 openings and penetrations in fire-rated walls or flooring. The purpose of the  
20 utilization of firestops or fire-stopping material is to impede the spread of fire and

1 smoke from one room or area to an adjacent room or area. This term does not  
2 include fire-resistant material.

3 (4) "Fire-stopping material applicator" means an individual who applies fire-  
4 stopping material.

5 B.(1)(a) Every fire-resistant material applicator shall undergo training to  
6 apply fire-resistant ~~material~~ materials according to manufacturer specifications.

7 (b) Every fire-stopping material applicator shall undergo training to apply  
8 fire-stopping materials according to manufacturer specifications.

9 (2) Every fire-resistant material applicator and fire-stopping material  
10 applicator shall annually register with the office of ~~the~~ state fire marshal.

11 (3)(a) When a fire-resistant material applicator satisfactorily completes  
12 training and registers as required by this Subsection, the state fire marshal shall issue  
13 a certificate which indicates that the fire-resistant material applicator is certified to  
14 apply fire-resistant ~~material~~ materials in accordance with manufacturer  
15 specifications.

16 (b) When a fire-stopping material applicator satisfactorily completes training  
17 and registers as required by this Subsection, the state fire marshal shall issue a  
18 certificate which indicates that the fire-stopping material applicator is certified to  
19 apply fire-stopping materials in accordance with manufacturer specifications.

20 C. Any person applying fire-resistant ~~material~~ materials or fire-stopping  
21 materials who does not receive the training, register, and obtain a certificate as  
22 required in Subsection B of this Section shall be fined up to two hundred fifty dollars  
23 per violation.

24 D. The provisions of this Section shall be implemented, including a  
25 procedure for the appeal of penalties, and enforced pursuant to the Administrative  
26 Procedure Act.

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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)]

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HB 821 Original

2020 Regular Session

Coussan

**Abstract:** Provides relative to the training, registration, and certification of fire-stopping material applicators.

Present law provides for a training, registration, and certification process for fire-resistant material applicators.

Proposed law retains present law.

Proposed law defines "firestops" or "fire-stopping material".

Proposed law provides that a fire-stopping material applicator is a person who applies fire-stopping material. Further, proposed law requires that the fire-stopping material applicator obtain training in the application of fire-stopping materials according to manufacturer recommendations. Proposed law requires fire-stopping material applicators to register with the office of state fire marshal.

Proposed law requires the state fire marshal to issue certificates to fire-stopping material applicators who have completed the training and registered with the state fire marshal.

Proposed law establishes a fine of \$250 per violation for any person applying fire-stopping material without being certified.

(Amends R.S. 40:1603)