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1 A bill to be entitled
 2 An act relating to construction contracting; amending s.
 3 489.103, F.S.; exempting the sale or installation of
 4 garage doors from construction contracting regulation;
 5 amending s. 489.105, F.S.; revising contractor definitions
 6 to authorize Class A and Class B air-conditioning
 7 contractors to disconnect or reconnect changeouts of
 8 liquefied petroleum or natural gas fuel lines within
 9 buildings, mechanical contractors to install, maintain,
 10 fabricate, repair, alter, extend, or design, when not
 11 prohibited by law, liquefied petroleum gas lines within
 12 buildings, and plumbing contractors to install liquefied
 13 petroleum gas lines; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Subsection (6) of section 489.103, Florida
 18 Statutes, is amended to read:

19 489.103 Exemptions.--This part does not apply to:

20 (6) The sale or installation of any finished products,
 21 materials, or articles of merchandise that are not fabricated
 22 into and do not become a permanent fixed part of the structure,
 23 such as awnings or garage doors. However, this subsection does
 24 not exempt in-ground spas and swimming pools that involve
 25 excavation, plumbing, chemicals, or wiring of any appliance
 26 without a factory-installed electrical cord and plug. This
 27 subsection does not limit the exemptions provided in subsection
 28 (7).

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29 Section 2. Paragraphs (f), (g), (i), and (m) of subsection
 30 (3) of section 489.105, Florida Statutes, are amended to read:

31 489.105 Definitions.--As used in this part:

32 (3) "Contractor" means the person who is qualified for,
 33 and shall only be responsible for, the project contracted for
 34 and means, except as exempted in this part, the person who, for
 35 compensation, undertakes to, submits a bid to, or does himself
 36 or herself or by others construct, repair, alter, remodel, add
 37 to, demolish, subtract from, or improve any building or
 38 structure, including related improvements to real estate, for
 39 others or for resale to others; and whose job scope is
 40 substantially similar to the job scope described in one of the
 41 subsequent paragraphs of this subsection. For the purposes of
 42 regulation under this part, "demolish" applies only to
 43 demolition of steel tanks over 50 feet in height; towers over 50
 44 feet in height; other structures over 50 feet in height, other
 45 than buildings or residences over three stories tall; and
 46 buildings or residences over three stories tall. Contractors are
 47 subdivided into two divisions, Division I, consisting of those
 48 contractors defined in paragraphs (a)-(c), and Division II,
 49 consisting of those contractors defined in paragraphs (d)-(q):

50 (f) "Class A air-conditioning contractor" means a
 51 contractor whose services are unlimited in the execution of
 52 contracts requiring the experience, knowledge, and skill to
 53 install, maintain, repair, fabricate, alter, extend, or design,
 54 when not prohibited by law, central air-conditioning,
 55 refrigeration, heating, and ventilating systems, including duct
 56 work in connection with a complete system only to the extent
 57 such duct work is performed by the contractor as is necessary to

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58 make complete an air-distribution system, boiler and unfired
59 pressure vessel systems, and all appurtenances, apparatus, or
60 equipment used in connection therewith, and any duct cleaning
61 and equipment sanitizing which requires at least a partial
62 disassembling of the system; to install, maintain, repair,
63 fabricate, alter, extend, or design, when not prohibited by law,
64 piping, insulation of pipes, vessels and ducts, pressure and
65 process piping, and pneumatic control piping; to replace,
66 disconnect, or reconnect power wiring on the load side of the
67 dedicated existing electrical disconnect switch; to install,
68 disconnect, and reconnect low voltage heating, ventilating, and
69 air-conditioning control wiring; and to install a condensate
70 drain from an air-conditioning unit to an existing safe waste or
71 other approved disposal other than a direct connection to a
72 sanitary system. The scope of work for such contractor shall
73 also include any excavation work incidental thereto, but shall
74 not include any work such as liquefied petroleum or natural gas
75 fuel lines within buildings, except for disconnecting or
76 reconnecting changeouts, potable water lines or connections
77 thereto, sanitary sewer lines, swimming pool piping and filters,
78 or electrical power wiring.

79 (g) "Class B air-conditioning contractor" means a
80 contractor whose services are limited to 25 tons of cooling and
81 500,000 Btu of heating in any one system in the execution of
82 contracts requiring the experience, knowledge, and skill to
83 install, maintain, repair, fabricate, alter, extend, or design,
84 when not prohibited by law, central air-conditioning,
85 refrigeration, heating, and ventilating systems, including duct
86 work in connection with a complete system only to the extent

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87 such duct work is performed by the contractor as is necessary to
88 make complete an air-distribution system being installed under
89 this classification, and any duct cleaning and equipment
90 sanitizing which requires at least a partial disassembling of
91 the system; to install, maintain, repair, fabricate, alter,
92 extend, or design, when not prohibited by law, piping and
93 insulation of pipes, vessels, and ducts; to replace, disconnect,
94 or reconnect power wiring on the load side of the dedicated
95 existing electrical disconnect switch; to install, disconnect,
96 and reconnect low voltage heating, ventilating, and air-
97 conditioning control wiring; and to install a condensate drain
98 from an air-conditioning unit to an existing safe waste or other
99 approved disposal other than a direct connection to a sanitary
100 system. The scope of work for such contractor shall also include
101 any excavation work incidental thereto, but shall not include
102 any work such as liquefied petroleum or natural gas fuel lines
103 within buildings, except for disconnecting or reconnecting
104 changeouts, potable water lines or connections thereto, sanitary
105 sewer lines, swimming pool piping and filters, or electrical
106 power wiring.

107 (i) "Mechanical contractor" means a contractor whose
108 services are unlimited in the execution of contracts requiring
109 the experience, knowledge, and skill to install, maintain,
110 repair, fabricate, alter, extend, or design, when not prohibited
111 by law, central air-conditioning, refrigeration, heating, and
112 ventilating systems, including duct work in connection with a
113 complete system only to the extent such duct work is performed
114 by the contractor as is necessary to make complete an air-
115 distribution system, boiler and unfired pressure vessel systems,

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116 lift station equipment and piping, and all appurtenances,
 117 apparatus, or equipment used in connection therewith, and any
 118 duct cleaning and equipment sanitizing which requires at least a
 119 partial disassembling of the system; to install, maintain,
 120 repair, fabricate, alter, extend, or design, when not prohibited
 121 by law, piping, insulation of pipes, vessels and ducts, pressure
 122 and process piping, pneumatic control piping, gasoline tanks and
 123 pump installations and piping for same, standpipes, air piping,
 124 vacuum line piping, oxygen lines, nitrous oxide piping, ink and
 125 chemical lines, fuel transmission lines, liquefied petroleum gas
 126 lines within buildings, and natural gas fuel lines within
 127 buildings; to replace, disconnect, or reconnect power wiring on
 128 the load side of the dedicated existing electrical disconnect
 129 switch; to install, disconnect, and reconnect low voltage
 130 heating, ventilating, and air-conditioning control wiring; and
 131 to install a condensate drain from an air-conditioning unit to
 132 an existing safe waste or other approved disposal other than a
 133 direct connection to a sanitary system. The scope of work for
 134 such contractor shall also include any excavation work
 135 incidental thereto, but shall not include any work such as
 136 ~~liquefied petroleum gas fuel lines within buildings~~, potable
 137 water lines or connections thereto, sanitary sewer lines,
 138 swimming pool piping and filters, or electrical power wiring.

139 (m) "Plumbing contractor" means a contractor whose
 140 contracting business consists of the execution of contracts
 141 requiring the experience, financial means, knowledge, and skill
 142 to install, maintain, repair, alter, extend, or, when not
 143 prohibited by law, design plumbing. A plumbing contractor may
 144 install, maintain, repair, alter, extend, or, when not

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145 prohibited by law, design the following without obtaining any
 146 additional local regulatory license, certificate, or
 147 registration: sanitary drainage or storm drainage facilities;
 148 venting systems; public or private water supply systems; septic
 149 tanks; drainage and supply wells; swimming pool piping;
 150 irrigation systems; or solar heating water systems and all
 151 appurtenances, apparatus, or equipment used in connection
 152 therewith, including boilers and pressure process piping and
 153 including the installation of water, natural gas, liquefied
 154 ~~(excluding liquid petroleum gas gases)~~, and storm and sanitary
 155 sewer lines; and water and sewer plants and substations. The
 156 scope of work of the plumbing contractor also includes the
 157 design, when not prohibited by law, and installation,
 158 maintenance, repair, alteration, or extension of air-piping,
 159 vacuum line piping, oxygen line piping, nitrous oxide piping,
 160 and all related medical gas systems; fire line standpipes and
 161 fire sprinklers to the extent authorized by law; ink and
 162 chemical lines; fuel oil and gasoline piping and tank and pump
 163 installation, except bulk storage plants; and pneumatic control
 164 piping systems, all in such a manner as to comply with all
 165 plans, specifications, codes, laws, and regulations applicable.
 166 The scope of work of the plumbing contractor shall apply to
 167 private property and public property, shall include any
 168 excavation work incidental thereto, and shall include the work
 169 of the specialty plumbing contractor. Such contractor shall
 170 subcontract, with a qualified contractor in the field concerned,
 171 all other work incidental to the work but which is specified
 172 herein as being the work of a trade other than that of a
 173 plumbing contractor. Nothing in this definition shall be

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174 construed to limit the scope of work of any specialty contractor
175 certified pursuant to s. 489.113(6). Nothing in this definition
176 shall be construed to require certification or registration
177 under this part of any authorized employee of a public natural
178 gas utility or of a private natural gas utility regulated by the
179 Public Service Commission when disconnecting and reconnecting
180 water lines in the servicing or replacement of an existing water
181 heater.

182 Section 3. This act shall take effect July 1, 2004.