

**Department of Legislative Services**  
 Maryland General Assembly  
 2009 Session

**FISCAL AND POLICY NOTE**

Senate Bill 82 (Chair, Finance Committee)(By Request - Departmental - Labor,  
 Licensing and Regulation)

Finance

Economic Matters

**Inflatable Amusement Attractions - Inspections**

This departmental bill exempts “inflatable amusement attractions” from mandatory inspection before beginning operation at a new location. Instead, under the bill, inflatable amusement attractions are subject to annual inspection.

**Fiscal Summary**

**State Effect:** Special fund expenditures decrease by \$5,800 in FY 2010 to reflect reductions in overtime costs and the bill’s October 1 effective date. Future years reflect inflation and annualized savings. No effect on revenues.

| (in dollars)   | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 |
|----------------|---------|---------|---------|---------|---------|
| Revenues       | \$0     | \$0     | \$0     | \$0     | \$0     |
| SF Expenditure | (5,800) | (8,000) | (8,400) | (8,800) | (9,100) |
| Net Effect     | \$5,800 | \$8,000 | \$8,400 | \$8,800 | \$9,100 |

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** The Department of Labor, Licensing, and Regulation (DLLR) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

**Analysis**

**Current Law:** An amusement attraction may not be operated without a certificate of inspection issued by the Commissioner of Labor and Industry, who is authorized to issue

citations and impose civil penalties. The commissioner is required to inspect each amusement attraction if modified or moved, with annual inspections required of permanent amusement attractions at an amusement park. The commissioner may delegate inspection authority to a municipal corporation, political subdivision, or unit of State government.

Each amusement owner is required to keep records of the operations of amusement attractions and report a death or serious physical injury to the commissioner within 24 hours of the incident. The commissioner is authorized to prohibit the use of an attraction that violates State law or poses a risk to the public. An amusement owner is required to maintain liability insurance for an injury that arises out of the use of an amusement attraction.

Permanent amusement attractions that meet inspection and insurance requirements are issued a certificate of inspection by the commissioner for up to one year. Fair or carnival amusement attractions that meet requirements are issued a certificate of inspection for up to 30 days.

**Background:** Amusement attractions, including inflatable attractions, have to be inspected each time they are moved to a new location. DLLR advises that a single inflatable amusement attraction may be relocated several times in one day or week, requiring an inspection at each new location.

Inspections of inflatable amusement attractions require a disproportionate amount of resources, as many of the attractions operate during the weekend when inspectors are entitled to overtime pay. As there have been no reports of injuries on these attractions in the past four years, the commissioner has determined that the frequency of inspection can be reduced without an appreciable effect on public safety.

**State Expenditures:** DLLR estimates that amusement inspection overtime expenditures could be reduced by 15% if inflatable amusement attractions were inspected on an annual basis, a savings of \$7,700. Given the October 1 effective date, savings in fiscal 2010 are estimated at \$5,775. In future years, savings are annualized and reflect inflation. As part of the Safety Inspection Program, these overtime expenditures are supported with special funds from the Workers' Compensation Commission; thus, savings ultimately accrue to the Workers' Compensation Fund.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader - January 29, 2009  
ncs/mcr

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Inflatable Amusement Attractions - Inspections

BILL NUMBER: SB 82

PREPARED BY: Department of Labor, Licensing and Regulation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.