

SENATE BILL 226

C2

2lr0028

By: **Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

Introduced and read first time: January 20, 2012

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 14, 2012

CHAPTER _____

1 AN ACT concerning

2 **Commissioner of Labor and Industry – Inflatable Amusement Attractions –**
3 **Inspection**

4 FOR the purpose of altering the application of a provision of law relating to
5 inspections of inflatable amusement attractions to require certain inflatable
6 amusement attractions to be inspected annually; establishing that a certain
7 provision relating to the expiration of a certain certificate of inspection applies
8 only to certain inflatable amusement attractions; and generally relating to
9 inflatable amusement attractions and inspections by the Commissioner of Labor
10 and Industry.

11 BY repealing and reenacting, with amendments,
12 Article – Business Regulation
13 Section 3–402
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2011 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Business Regulation**

19 3–402.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Commissioner shall inspect:

2 (1) **ANNUALLY**, each amusement attraction at an amusement park
3 [annually];

4 (2) **ANNUALLY**, each inflatable amusement attraction **IN WHICH,**
5 **WHILE IN CONTACT WITH THE ATTRACTION, AN INDIVIDUAL IS 4 FEET OR MORE**
6 **ABOVE THE GROUND** [annually];

7 (3) except for an inflatable amusement attraction, each amusement
8 attraction, if moved, before it begins operation at another location; and

9 (4) each new or modified amusement attraction before it begins public
10 operation.

11 (b) (1) An amusement owner shall notify the Commissioner before
12 operating an amusement attraction that is new, modified, or reconstructed.

13 (2) An owner or lessee of a carnival or fair shall:

14 (i) notify the Commissioner in writing at least 30 days before
15 opening the carnival or fair at each location; and

16 (ii) give the Commissioner immediate notice of a change in the
17 schedule of locations or dates if the schedule changes after notification.

18 (c) The Commissioner shall issue to an amusement owner a certificate of
19 inspection for each amusement attraction at a carnival, fair, or amusement park if:

20 (1) after inspection the Commissioner finds that the amusement
21 attraction complies with this title and the regulations adopted under it; and

22 (2) the amusement owner submits to the Commissioner a certificate of
23 insurance for the amusement attraction as required by § 3-403 of this subtitle.

24 (d) (1) A certificate of inspection for an amusement attraction at an
25 amusement park expires not more than 1 year after the date of issuance.

26 (2) A certificate of inspection for an amusement attraction at a fair or
27 carnival expires not more than 30 days after the date of issuance.

28 (3) A certificate of inspection for an inflatable amusement attraction
29 **IN WHICH, WHILE IN CONTACT WITH THE ATTRACTION, AN INDIVIDUAL IS 4 FEET**
30 **OR MORE ABOVE THE GROUND** expires not more than 1 year after the date of
31 issuance.

1 (e) The certificate of inspection shall be posted in plain view on the
2 amusement attraction.

3 (f) On information or notification of an accident or complaint that involves
4 an amusement attraction, the Commissioner shall investigate the accident or
5 complaint and inspect the amusement attraction.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.