

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 1095  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “State Amusement Ride Safety Advisory Board - Membership” and substitute “Amusement Rides”; in line 4, after the first “of” insert “altering the definition of “amusement ride” as it relates to the types of devices to be regulated by the Commissioner of Labor and Industry; prohibiting the Commissioner of Labor and Industry from adopting any regulation requiring the owner or operator of a certain amusement ride to equip the ride with any type of restraining device;”; in line 9, after “Board” insert “and the operation of amusement rides”; after line 14, insert:

“BY adding to

Article - Business Regulation

Section 3-407

Annotated Code of Maryland

(2004 Replacement Volume and 2005 Supplement)”;

and in line 12, strike “3-304” and substitute “3-101 and 3-304”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“3-101.

(a) In this title the following words have the meanings indicated.

(b) (1) “Amusement attraction” means:

(i) an amusement ride; or

(Over)

(ii) a structure that gives amusement, excitement, pleasure, or thrills to people who move around, over, or through the structure without the aid of a moving device integral to the structure.

(2) “Amusement attraction” does not include a structure that is devoted principally to exhibitions related to agriculture, the arts, education, industry, religion, or science.

(c) “Amusement owner” means a person, the State, or a political subdivision of the State that owns an amusement attraction or, if the amusement attraction is leased, the lessee.

(d) “Amusement park” means an area that is used principally for 1 or more permanently-erected amusement attractions.

(e) (1) “Amusement ride” means a device that is intended to give amusement, excitement, pleasure, or thrills to passengers whom the device carries:

[(1)] (I) along or around a fixed or restricted course; or

[(2)] (II) within a defined area.

(2) “AMUSEMENT RIDE” INCLUDES A RIDE NOT INTENDED FOR USE BY A MINOR THAT IS DESIGNED TO SIMULATE A RODEO BULL RIDE OR SIMILARLY CHALLENGING RIDE UPON ANOTHER TYPE OF ANIMAL BY SUBJECTING THE RIDER TO A WIDE RANGE OF ABRUPT MOTION PRODUCED BY MECHANICAL, ELECTRICAL, OR HYDRAULIC MEANS.

(f) “Carnival” means an itinerant enterprise that consists principally of 1 or more temporarily located amusement attractions.

(g) “Commissioner” means the Commissioner of Labor and Industry.

(h) “Fair” means an enterprise that:

(1) is devoted principally to periodic exhibitions related to agriculture, the arts, education, industry, religion, or science; and

(2) has 1 or more amusement attractions operated along with the exhibitions.”.

AMENDMENT NO. 3

On page 2, after line 18, insert:

“3-407.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE COMMISSIONER MAY NOT ADOPT ANY REGULATION REQUIRING THE OWNER OR OPERATOR OF AN AMUSEMENT RIDE DESCRIBED IN § 3-101(E)(2) OF THIS TITLE TO EQUIP THE RIDE WITH ANY TYPE OF RESTRAINING DEVICE.”.