

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 1095

(Senator Pipkin )

Finance

Economic Matters

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**Business Regulation - Amusement Rides**

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This bill requires that the composition of the State Amusement Ride Safety Advisory Board, as to the race and gender of its members, reflect the composition of the population of the State and prohibits a member of the board from serving more than two consecutive terms. The bill also modifies the definition of an “amusement ride” to include a ride not intended for use by a minor that is designed to simulate a rodeo bull, or a similar ride. However, the Commissioner of Labor and Industry may not adopt any regulation requiring an owner or operator of a rodeo bull ride, or similar ride, to equip the ride with a restraining device.

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**Fiscal Summary**

**State Effect:** The bill would not directly affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The board consists of nine members appointed by the Governor with the advice and consent of the Senate. One member must be a mechanical engineer, one must represent owners of carnivals, one must represent the State fair and county fairs, two must represent owners of amusement parks, and four must be consumers. In choosing the members of the board, the Governor must make every effort to ensure each region of the State is represented. A chairman is designated by the Governor from among the

consumer members of the board and members serve staggered, four-year terms. At the end of a term, a member continues to serve until a successor is appointed and qualifies.

An “amusement ride” is defined as a device intended to give amusement, excitement, pleasure, or thrills to passengers whom the device carries along or around a fixed or restricted course or within a defined area.

An owner or lessee of an amusement ride must maintain a minimum of \$350,000 of insurance coverage for a mechanical amusement ride; must comply with inspection, recordkeeping, and reporting requirements; and is subject to civil and criminal penalties for violations of the law.

Except for testing and inspection, an amusement ride may not be operated without a certificate of inspection issued by the commissioner.

**Background:** The State Amusement Ride Safety Advisory Board has the responsibility of advising and consulting with the Commissioner of Labor and Industry on amusement ride safety regulations. The board may hold hearings to receive information from the public on which to base recommendations to the commissioner.

The Governor’s Workforce Investment Board and the State Board of Professional Counselors and Therapists are subject to State law requirements that involve the composition of the board reflecting the race and gender of the population of the State.

The Division of Labor and Industry considers rodeo bull rides to meet the definition of “amusement ride” under current law but does not certify the rides, primarily due to the lack of safety information about the rides, and instead prohibits them from being operated in public venues. The division advises the bill’s inclusion of rodeo bull rides under the definition of “amusement ride” would not affect its operations or finances. Such rides would still not be able to be operated in public venues since they would not have a certificate of inspection.

The division had previously advised, with regard to SB 741 of 2005, a bill that had identical language to this bill regarding rodeo bull rides, that it would experience an increase in expenditures due to the cost of hiring an additional inspector. The division’s estimate, however, was based on its understanding at the time that SB 741’s changes would allow the rides to operate in the State and that it would be required to inspect the rides, which it now advises was incorrect.

## **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 - March 21, 2006  
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