

# SENATE BILL 226

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

Introduced and read first time: January 20, 2012

Assigned to: Finance

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## A BILL ENTITLED

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.

20 (a) The Commissioner shall inspect:

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

6           (4) each new or modified amusement attraction before it begins public  
7 operation.

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

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

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

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

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

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

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

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

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

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

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

31           (f) On information or notification of an accident or complaint that involves  
32 an amusement attraction, the Commissioner shall investigate the accident or  
33 complaint and inspect the amusement attraction.

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