

## Chapter 48

(Senate Bill 226)

AN ACT concerning

### **Commissioner of Labor and Industry – Inflatable Amusement Attractions – Inspection**

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

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

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

#### **Article – Business Regulation**

3–402.

(a) The Commissioner shall inspect:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Approved by the Governor, April 10, 2012.**