

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

Senate Bill 226

(Chair, Finance Committee)(By Request - Departmental -  
Labor, Licensing and Regulation)

Finance

Economic Matters

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**Commissioner of Labor and Industry - Inflatable Amusement Attractions -  
Inspection**

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This departmental bill exempts an inflatable amusement attraction from required annual inspections if the attraction is designed so that an individual is lower than four feet above the ground while in contact with the attraction.

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**Fiscal Summary**

**State Effect:** None. To the extent the bill results in fewer certificate inspections, staff within the Department of Labor, Licensing, and Regulation's (DLLR) Safety Inspection Program will be reassigned to other inspection duties. No effect on revenues because there is no fee for certificate inspections.

**Local Effect:** None.

**Small Business Effect:** DLLR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** Prior to 2009, inflatable amusement attractions, like mechanical attractions, had to be inspected before they could be used at a new location. Chapter 21 of 2009 exempted inflatable amusement attractions from mandatory inspections before operating at a new location, and instead subjected them to annual inspections.

Each amusement owner is required to keep records of the operations of amusement attractions and report a death or serious physical injury to the Commissioner of Labor and Industry within 24 hours of the incident. The commissioner is authorized to prohibit the use of an attraction that violates State law or poses a risk to the public. An amusement owner is required to maintain liability insurance for an injury that arises out of the use of an amusement attraction.

**Background:** The Safety Inspection Program within DLLR conducts approximately 4,000 certificate inspections of amusement rides and attractions each fiscal year, of which about one-third are for inflatable amusement attractions.

Over the past year, there have been several instances around the country of inflatable attractions being blown over or carried by strong wind, often resulting in serious injuries to people inside the attractions as well as spectators on the ground. None of these has occurred in Maryland. DLLR requires that inflatable attractions be secured during operation, either with stakes or weights applied in accordance with manufacturer specifications. DLLR also advises operators not to use inflatable attractions in gusty wind.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Labor, Licensing, and Regulation; ABC News; Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2012  
ncs/ljm

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Commissioner of Labor and Industry – Inflatable Amusement Attractions – Inspection

BILL NUMBER: SB 226

PREPARED BY: Department of Labor, Licensing and Regulation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.