

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 299
Economic Matters

(Delegate Kipke, *et al.*)

Finance

Amusement Parks - Safety Warnings

This bill requires the State Amusement Ride Safety Advisory Board, in consultation with the State Traumatic Brain Injury Advisory Board, to determine (1) whether amusement parks should be required to warn passengers who have recently suffered a concussion of the dangers of riding amusement attractions; (2) which rides should carry such warnings; and (3) the appropriate methods for providing such warnings. The board must report its findings to the appropriate committees of the General Assembly by December 1, 2012.

Fiscal Summary

State Effect: Any expense reimbursements for members of the two advisory boards to meet to develop the required recommendations are expected to be minimal and absorbable within existing budgeted resources. However, given the two-month timeframe for the boards to report their recommendations, additional meetings may need to be scheduled, resulting in additional costs for reimbursements.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 844 of 1976 established the Amusement Safety Advisory Board, which was subsequently renamed the State Amusement Ride Safety Advisory Board. The nine-member board is responsible for advising and consulting with the Commissioner of Labor and Industry within the Department of Labor, Licensing, and Regulation (DLLR) regarding amusement ride safety regulations and industry standards.

The board holds hearings to receive public comment and information on which to base recommendations to the commissioner.

DLLR's Safety Inspection Program inspects fixed-site amusement rides at least annually; mobile rides must be inspected and certified prior to operation any time they are moved and set up at a new location. Inflatable attractions (*e.g.*, bounce houses, inflatable slides) are inspected once a year.

The 36-member Maryland Traumatic Brain Injury Advisory Board was established in 1999, codified in statute for three years by Chapter 306 of 2005, and made permanent by Chapter 236 of 2008. The advisory board examines issues affecting individuals with brain injuries and makes policy and funding recommendations to the Director of the Mental Hygiene Administration and the Secretary of Health and Mental Hygiene. It is tasked with (1) investigating the needs of citizens with traumatic brain injuries (TBI); (2) identifying gaps in services to citizens with TBI; (3) facilitating collaboration among State agencies serving individuals with TBI; (4) facilitating collaboration among organizations and entities serving individuals with TBI; and (5) encouraging and facilitating community participation in program implementation.

Background: There is no comprehensive source of data on injuries sustained on amusement park rides. The federal Consumer Product Safety Commission (CPSC) collects data on accidents on mobile rides, but fixed-site amusement parks are exempt from reporting requirements. CPSC has not reported on the incidence of accidents on mobile amusements since 2006. The commission estimates that, unlike Maryland, eight states do not inspect mobile amusement parks and eight states plus the District of Columbia do not inspect fixed-site parks. Based on data collected and extrapolated from 10 states, *The Daily Beast* estimates that more than 2,000 people sustained injuries nationwide on amusement park rides, including water parks, in calendar 2009.

DLLR's Safety Inspection Program reports that two or three amusement ride accidents occurred in each of the last three fiscal years; none resulted in fatalities. There are no reliable national or statewide data on the incidence of brain injuries from amusement park rides.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene; Department of Labor, Licensing, and Regulation; *The Daily Beast*; Consumer Product Safety Commission; Department of Legislative Services

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