

1 **AMUSEMENT RIDE SAFETY AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Timothy D. Hawkes**

5 Senate Sponsor: Michael K. McKell

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions and deadlines related to the Utah Amusement Ride Safety
10 Committee.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ amends provisions related to the required initiation of certain rulemaking required
14 of the Utah Amusement Ride Safety Committee;

15 ▶ extends the deadline of implementation of certain requirements related to the
16 operation of an amusement ride; and

17 ▶ amends a provision related to notification regarding the operation of an amusement
18 ride at an additional location.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **72-16-203**, as last amended by Laws of Utah 2020, Chapter 423

26 **72-16-301**, as last amended by Laws of Utah 2020, Chapter 423

28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **72-16-203** is amended to read:

30 **72-16-203. Rulemaking.**

31 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
32 the provisions of this chapter the committee may make rules:

33 (a) establishing:

34 (i) the form of an application and a renewal application for:

35 (A) a qualified safety inspector certification;

36 (B) an annual amusement ride permit; and

37 (C) a multi-ride annual amusement ride permit;

38 (ii) the procedure to apply for and renew:

39 (A) a qualified safety inspector certification;

40 (B) an annual amusement ride permit; and

41 (C) a multi-ride annual amusement ride permit;

42 (iii) standards for a daily inspection under Section [72-16-302](#);

43 (iv) the form of a report of a reportable serious injury to the director;

44 (v) the procedure for reporting a reportable serious injury to the director;

45 (vi) the procedure to suspend and revoke:

46 (A) a qualified safety inspector certification;

47 (B) an annual amusement ride permit; and

48 (C) a multi-ride annual amusement ride permit;

49 (vii) a retention schedule that applies to each qualified safety inspector for records

50 related to a qualified safety inspector's duties under this chapter;

51 (viii) a retention schedule that applies to each owner-operator for records related to an

52 owner-operator's duties under this chapter;

53 (ix) fees;

54 (x) minimum insurance requirements for certified inspectors; and

55 (xi) fines or administrative penalties for lack of compliance with this chapter.

56 (b) regarding the experience required to obtain a qualified safety inspector certification

57 under Subsection [72-16-303\(3\)\(a\)](#); and

58 (c) adopting nationally recognized:
59 (i) amusement ride inspection standards; and
60 (ii) qualified safety inspector qualification standards.
61 (2) Notwithstanding Subsection 63G-3-301(13), no later than December 1, 2020, the
62 committee shall initiate rulemaking proceedings, as defined in Section 63G-3-301, to make
63 rules under this section [~~no later than December 1, 2020~~].

64 Section 2. Section 72-16-301 is amended to read:

65 **72-16-301. Requirements for amusement ride operation.**

66 (1) Beginning on April 1, [~~2022~~] 2023, a person may not operate an amusement ride in
67 the state that is open to the public, unless the person obtains:

68 (a) an annual amusement ride permit for the amusement ride in accordance with this
69 section; or

70 (b) a multi-ride annual amusement ride permit that includes the amusement ride, in
71 accordance with this section.

72 (2) To obtain or renew an annual amusement ride permit for a mobile amusement ride,
73 the owner-operator shall submit an application to the director that contains the following and is
74 in a form prescribed by the director:

75 (a) the owner-operator's name and address;

76 (b) a description of the mobile amusement ride, including the manufacturer's name, the
77 serial number, and the model number;

78 (c) each known location in the state where the owner-operator intends to operate the
79 mobile amusement ride during the 12-month period for which the annual amusement ride
80 permit is valid, updated in accordance with Subsection (5);

81 (d) for each location identified under Subsection (2)(c), the name and contact
82 information of the fair, show, landlord, or property owner;

83 (e) the date on which the owner-operator intends to set up the mobile amusement ride
84 at each location identified under Subsection (2)(c);

85 (f) the dates on which the owner-operator intends to operate the mobile amusement

86 ride for use by the general public at each location identified under Subsection (2)(c);

87 (g) proof of compliance with the insurance requirement described in Section
88 72-16-305;

89 (h) a safety inspection certification dated no more than 30 days before the day on which
90 the owner-operator submits the application; and

91 (i) a fee established by the committee in accordance with Section 63J-1-504.

92 (3) To obtain or renew an annual amusement ride permit for a permanent amusement
93 ride, the owner-operator shall submit an application to the director that contains the following
94 information and is in a form prescribed by the director:

95 (a) the owner-operator's name and address;

96 (b) a description of the permanent amusement ride, including the manufacturer's name,
97 the serial number, and the model number;

98 (c) the location in the state where the owner-operator will operate the permanent
99 amusement ride;

100 (d) the first date on which the owner-operator intends to operate the permanent
101 amusement ride for use by the general public;

102 (e) proof of compliance with the insurance requirement described in Section
103 72-16-305;

104 (f) a safety inspection certification dated no more than 30 days before the day on which
105 the owner-operator submits the application; and

106 (g) a fee established by the committee in accordance with Section 63J-1-504.

107 (4) To obtain or renew a multi-ride annual amusement ride permit for all amusement
108 rides located at an amusement park that employs more than 1,000 individuals in a calendar
109 year, the amusement park shall submit an application to the director that contains the following
110 information and is in a form prescribed by the director:

111 (a) the amusement park's name and address;

112 (b) a list of each amusement ride located at the amusement park, including a
113 description of each amusement ride;

114 (c) the first date on which the amusement park will operate each amusement ride
115 identified in Subsection (4)(b);

116 (d) proof of compliance with the insurance requirement described in Section
117 72-16-305;

118 (e) a safety inspection certification for each amusement ride identified in Subsection
119 (4)(b) that is dated no more than 30 days before the day on which the amusement park submits
120 the application; and

121 (f) a fee for each amusement ride identified under Subsection (4)(b) established by the
122 committee in accordance with Section 63J-1-504.

123 (5) (a) In accordance with committee rule, an owner-operator of a mobile amusement
124 ride shall update the information described in Subsection (2)(c) if the owner-operator learns of
125 a new location where the owner-operator intends to operate the mobile amusement ride during
126 the 12-month period for which the annual amusement ride permit is valid.

127 (b) An owner-operator may not operate a mobile amusement ride that is open to the
128 public at a location in the state, unless the owner-operator includes the location:

129 (i) in the owner-operator's application or renewal for an annual amusement ride permit
130 for the mobile amusement ride in accordance with Subsection (2)(c); or

131 (ii) in an update described in Subsection (5)(a) that the owner-operator submits to the
132 director [~~at least 30 days before the day on which the owner-operator sets up~~] before operation
133 of the mobile amusement ride at the location.

134 (6) The director shall issue:

135 (a) an annual amusement ride permit for each amusement ride for which the
136 owner-operator submits a complete application or renewal application that satisfies the
137 requirements of this chapter and any applicable rules and fees; and

138 (b) a multi-ride annual amusement ride permit to each amusement park that employs
139 more than 1,000 individuals in a calendar year and submits a complete application or renewal
140 application that satisfies the requirements of this chapter and any applicable rules and fees.

141 (7) An annual amusement ride permit or a multi-ride annual amusement ride permit

142 expires one year after the day on which the director issues the annual amusement ride permit or
143 the multi-ride annual amusement ride permit.

144 (8) An owner-operator or amusement park shall maintain a copy of a current annual
145 amusement ride permit or multi-ride annual amusement ride permit and upon request,
146 reasonable notice, and payment of reasonable copying expense, if applicable:

147 (a) make the copy available for examination; or

148 (b) provide a copy of the annual amusement ride permit or multi-ride annual
149 amusement ride permit.