



**State Representatives
John Patterson & Jim Hughes**

House Bill 631
Sponsor Testimony
House Agriculture and Rural Development Committee
June 27, 2018

Chairman Hill, Vice-Chair Koehler, Ranking Member Patterson, and distinguished members of the House Agriculture and Rural Development Committee, thank you for the opportunity to offer sponsor testimony on House Bill 631, legislation that would revise amusement ride operation and safety laws through the expansion of current standards and inspector qualifications.

As you may recall, last July, at the Ohio State Fair, student and future Marine, Tyler Jarrell, lost his life after an amusement ride—The Fireball--malfunctioned. This was a tragedy—a young life cut short, a family left to grieve, an indelible mental and emotional imprint upon those who responded, and the greater community mired in a state of disbelief and shock. There are simply no words to describe the collective loss that all of us felt on so many different levels.

The aim of this legislation, to be certain, is not to focus on the past. Quite simply, that pathway would serve no useful purpose. Rather, HB 631 focuses on the future, to better ensure the safety of Ohioans for years to come by revisiting current legislation to provide a more robust approach to ride safety and inspection. With the blessings of Tyler's parents and with the input of various interested parties, we bring before you this bill to do just that.

The focus of HB 631 is three-fold: revise current safety inspection standards, define the qualifications for ride inspectors, and require ride owners to maintain current records for all amusement rides.

HB 631 narrows the standards for ride inspection in two vital ways. First, it expands the Director of Agriculture's rule-making authority regarding amusement ride safety. Specifically, it requires a minimum number of inspectors be assigned to inspect a ride, ensuring that number is reasonable and adequate given the size, complexity, and nature of the ride. Second, it requires the Director to adopt the standards of the American Society for Testing and Materials (ASTM), or any other equivalent standards, in whole. Current law does not require the Director to adopt these standards, neither in whole or part.

Through the authority of the Director, HB 631 also addresses the qualifications for newly hired inspectors. The bill requires the Director, when employing a new Chief Inspector or an additional amusement ride inspector, to give preference to individuals who are registered professional engineers. If no registered professional engineer seeks employment as an inspector, the Director must give preference to individuals who have been issued a level one or higher inspector certification from the National Association of Amusement Ride Safety Officials. This requirement applies only with regard to persons hired after the bill's effective date, and would not negatively impact those who are currently employed. The bill retains current law's requirement that the Director must provide the necessary training for inspectors to administer and enforce the laws governing amusement ride safety. Similarly, the bill still allows the Director to appoint or contract other persons to perform inspections of amusement rides, provided that they meet the qualifications for inspectors and are not owners, or employees of any amusement ride subject to inspection.

Record keeping is the final focus of HB 631. The bill requires the Chief Inspector to keep an electronic manual for each amusement ride that is inspected in Ohio, if that manual is available. Likewise, current law requires a ride owner to maintain a current record for each amusement ride in accordance with rules established by the Director. With HB 631, the Director may require the owner to also include detailed written descriptions or photographs of all maintenance, repairs, and inspections in the record.

Finally, HB 631 prohibits ride owners from knowingly failing to keep a record or knowingly failing to make records available to the Department or ride inspector, and it imposes a fine of \$100 to \$500 for a violation of the prohibition. While current law requires an owner to keep records and make them available for inspection, it does not establish a specific penalty for failure to do so.

In conclusion, we recognize the precautions already exercised by the Department of Agriculture, and believe that the revisions outlined in HB 631 will continue to put the safety of Ohioans first. Thank you for allowing us to offer sponsor testimony on House Bill 631 today. We would be happy to answer any questions or address any concerns you may have.