



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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H.B. 631

132nd General Assembly
(As Introduced)

Reps. Hughes and Patterson

BILL SUMMARY

- Requires the minimum number of inspectors assigned to inspect an amusement ride to be reasonable and adequate given the number, size, complexity, and nature of the ride.
- With regard to amusement ride inspection standards, requires the Director of Agriculture to adopt the standards of the American Society for Testing and Materials (ASTM) or any other equivalent national standards.
- Authorizes the Director to require an amusement ride owner to take photographs of each amusement ride repair and include the photographs in the ride's maintenance, repair, and inspection record.
- Authorizes the Director to require the amusement ride owner to prepare detailed written descriptions of all repairs and include those descriptions in the record.
- Prohibits an amusement ride owner from knowingly failing to keep a record and make it available for inspection, and imposes a fine of \$100 to \$500 for a violation of the prohibition.
- Requires the Director, when employing a new Chief Inspector or new additional inspectors of amusement rides, to give preference to individuals who are registered professional engineers.
- If no registered professional engineer seeks employment as a Chief Inspector or inspector, requires the Director to give preference to individuals who have been issued a level one or higher inspector certification from the National Association of Amusement Ride Safety Officials.

- Requires the Chief Inspector and any additional inspector to keep an electronic manual for each amusement ride if a manual is available.
- Declares an emergency.

CONTENT AND OPERATION

Amusement ride safety

Safety inspection standards

The bill expands the Director of Agriculture's rule-making authority regarding amusement ride safety. Specifically, the Director must do both of the following when adopting rules regarding amusement ride inspections:

(1) Require the minimum number of inspectors assigned to inspect a ride or rides to be reasonable and adequate given the number, size, complexity, and nature of the ride or rides; and

(2) Adopt by reference, in whole, the standards of the American Society for Testing and Materials (ASTM) or any other equivalent standards of nationally recognized technical or scientific authorities. (Current law authorizes, but does not require, the Director to adopt the ASTM standards by reference in whole or part.)¹

Inspector qualifications

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 the Chief Inspector or 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.² This requirement applies only with regard to persons hired after the bill's effective date.

The bill retains current law's requirement that the Director must employ and provide for training of a Chief Inspector and additional inspectors and employees as may be necessary to administer and enforce the laws governing amusement ride safety. Current law also allows the Director to appoint or contract with other persons to perform inspections of amusement rides, provided that the persons meet the

¹ R.C. 1711.53(A)(2).

² R.C. 1711.53(D)(1); see <http://www.naarso.com/CERTIFICATION.html>.

qualifications for inspectors established by rules and as long as those persons are not owners, or employees of owners, of any amusement ride subject to inspection.³

Amusement ride manuals

The bill requires the Chief Inspector and any additional inspectors employed by the Department of Agriculture to keep an electronic manual for each amusement ride that is inspected in Ohio, if a manual is available.⁴

Maintenance, repair, and inspection records for every amusement ride

Under the bill, the Director may require an amusement ride owner to take photographs prior to and after each repair and include the photographs in the maintenance, repair, and inspection record ("record") that the owner is currently required to maintain. The Director also may require the owner to prepare detailed written descriptions of all repairs and include those descriptions in the record. Current law requires an amusement ride owner to maintain a current record for each amusement ride in accordance with rules established by the Director.⁵

The bill prohibits an amusement ride owner from knowingly failing to keep a record or knowingly failing to make records available to the Department or to any amusement ride inspector, and it imposes a fine of \$100 to \$500 for a violation of the prohibition. Current law requires an owner to keep records and make them available for inspection, but does not establish a specific penalty for failure to do so.⁶

HISTORY

ACTION	DATE
Introduced	05-03-18

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³ R.C. 1711.53(D)(1).

⁴ R.C. 1711.552.

⁵ R.C. 1711.55(A)(1).

⁶ R.C. 1711.55(A)(2) and 1711.99(C).

