

**The Testimony Of**

*David D. Dexter, PE, Fellow NSPE  
Past President, Ohio Society of Professional Engineers*

**Presented To**

*The Senate Agriculture and Natural Resources Committee  
The Honorable Frank Hoagland, Chairman*

**Date**

*September 25, 2019*

**Regarding**

*Ohio House Bill 189, Tyler's Law  
(Amusement Ride Operation & Safety)*

Chairman Hoagland, Vice-Chair Schaffer, Ranking Member O'Brien, and distinguished members of the Senate Agriculture and Natural Resources Committee, thank you for the opportunity to provide testimony on House Bill 189. This legislation revises amusement ride operation and safety laws through the expansion of current standards and inspector qualifications.

My name is David D. Dexter. I am an Ohio-registered professional engineer (PE) working in private practice and a past president of the Ohio Society of Professional Engineers (OSPE).

**OSPE supports House Bill 189, specifically an amendment that places a professional engineer on the Ohio Advisory Council on Amusement Ride Safety in an advisory role.**

In House Bill 189, fair and carnival rides (fixed or portable rides) and inflatable activities (bouncy houses, etc.) are of primary concern. On a regular basis, these rides and their associated equipment and entertainment are assembled, operated, disassembled, stored, transported and, to start the process over again, reassembled. This happens again and again. This repeated activity increases wear on the mechanical and electrical components and impacts the ride's structural integrity – particularly as the ride ages or encounters environmental factors that cause corrosion. Hence there is a great need for experienced and technically qualified people to advise on the safety of these rides and for experienced and qualified personnel to monitor and inspect these pieces of equipment on a regular and frequent basis.

It is critical that oversight on amusement ride safety is made through a consensus process with input from all interested parties and technical experts.

With that in mind, I submit the following:

A typical Ohio-registered professional engineer has graduated from an ABET-accredited engineering program, taken an eight-hour Fundamentals of Engineering examination, earned a minimum of four years of experience under the supervision of a professional engineer and taken another exam on the Principles and Practice of the profession. Only professional engineers may oversee or supervise engineering work for government or private practice work. Only professional engineers may sign and seal design plans – and only if they have personal, professional knowledge of that work and direct supervisory control over that work.

Furthermore, professional engineers are ethically bound by law – Ohio Administrative Code 4733-35-03 – to hold the public safety, health, and welfare above all other interests. This legal requirement exceeds the PE's fiduciary obligations to any and all other interests. Truly, as a professional, the PE is obligated by law to first and foremost protect the public.

With these traits and obligations of the professional engineer in mind, the Ohio Society of Professional Engineers supports House Bill 189 with the hope that the PE may be of further service to the public.

Thank you again for allowing me this opportunity to address the Committee.

Now, please allow me to introduce fellow OSPE member Henry Dammeyer, PE, to continue our testimony.

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**David D. Dexter, PE, FNSPE**

**September 25, 2019**

**Re: Ohio House Bill 189**