

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 2088**Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
Legislative Fiscal OfficePrepared by: Matt Stayner
Reviewed by: Steve Bender, Susie Jordan
Date: 2/21/2011**Measure Description:**

Requires person engaging in occupation of inspecting amusement rides, amusement devices or rental amusement devices to possess professional qualifications as established by Department of Consumer and Business Services.

Government Unit(s) Affected:

Department of Consumer and Business Services (DCBS), Department of Parks and Recreation

Summary of Expenditure Impact

	2011-13 Biennium	2013-15 Biennium
Other Funds	105,732	107,201
Total Funds	\$105,732	\$107,201
Positions	1	1
FTE	0.75	0.75

Summary of Revenue Impact

	2011-13 Biennium	2013-15 Biennium
Other Funds	129,800	129,800
Total Funds	\$129,800	\$129,800

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

The proposed legislation expands current statute and creates new provisions related to the inspection and certification of amusement rides, devices, and rental amusement devices. It requires DCBS to adopt rules regarding and for operators to establish and maintain programs for quality control of rides and devices. Changes and adds to certification and inspection requirements, expands reasons for denial of permit, and defines civil penalties for non-compliance.

The bill creates a more robust certification and inspection program related to amusement rides and devices. Currently DCBS provides an operating permit if the operator has shown proof of insurance and an inspection by the insurance carrier within the previous 90 days. There has been no mechanism, by which the qualifications of the inspector are verified, for the verification of permit compliance, or the monitoring of ride safety.

To fund the requirements of the proposed legislation, DCBS would increase the current amusement ride permit from \$25 to \$75 and require the permit for inflatable devices. Quality control plans as required by the measure would be charged an annual review fee of \$400.

In order to accomplish the required inspection work, the agency would require an additional .75 FTE structural/mechanical inspector. This position would be responsible for performing the review of quality control manual and performing permit checks and compliance inspections.

Section 4 of the proposed legislation requires that in the case of an accident caused by a ride or device, that ride must be taken out of service until repairs are re-inspection is completed. Oregon Parks and Recreation Department believes that this provision could have a negative revenue impact on the agency from their operation of the Oregon State Fair.

DCBS does not expect significant revenue or expenditure impacts due to the allowance of civil penalties for program violations.