

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended, Be Printed Engrossed, and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	8 - 0 - 0
Yeas:	Conger, Doherty, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler
Nays:	0
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	2/18, 3/11

WHAT THE MEASURE DOES: Requires a person who inspects amusement rides, amusement devices or rental amusement devices to possess professional qualifications as established by the Department of Consumer and Business Services (DCBS). Allows the Department to establish a certification system. Requires a ride or device owner to establish and maintain a quality control program and maintain records demonstrating compliance with the quality control program. Requires owners to ensure that ride or device operators are trained to report to the owner any serious incident or accident caused by the ride or device. Clarifies that the owner of a ride or device cannot operate or allow another to operate the ride or device without first obtaining insurance. Outlines items that must be included in an application for an amusement ride, amusement device, and rental amusement device operating permit. Outlines criteria for inspection of rides and devices. Allows DCBS to cancel, revoke, or suspend an operating permit under specified circumstances. Requires DCBS to adopt rules for quality control programs; record keeping requirements; time period for a serious incident or accident to be reported to the Department; contents of the amusement ride inspector's investigation report to the Department; contents of an operating permit application and payment of fees; and overall administration and enforcement of the measure's provisions. Authorizes DCBS to require inspection of compliance records. Requires initial rules establishing professional qualification requirements for amusement ride inspectors to be adopted no later than July 1, 2012. Allows amusement ride inspectors to inspect rides and devices without meeting the established professional qualification requirements until January 1, 2013. Establishes an operative date of January 1, 2013.

ISSUES DISCUSSED:

- Level of regulation in other states and local jurisdictions
- Examples of rides covered under the measure
- Current level of oversight on rental inflatable devices
- Safety record of the amusement industry
- Current and proposed fees
- Frequency of inspections

EFFECT OF COMMITTEE AMENDMENT: Clarifies the intent of the measure. Establishes criteria for model railroad equipment to be included in definition of "amusement ride."

BACKGROUND: Oregon amusement ride operators currently apply for annual operating permits with the Department of Consumer and Business Services, and the permits are issued by the Department's Building Codes Division (BCD). The permits are issued with the receipt of a \$25 fee, proof of insurance coverage, and proof that the insurance carrier has inspected rides within the previous 90 days prior to the permit application. However, the division's role is limited to the clerical functions of collecting applications and issuing permits, and the division does not have the authority for verifying permit compliance or monitoring ride safety. House Bill 2088-A expands the Department's oversight of amusement rides and clarifies the scope of regulated rides, and also expands regulation to rental amusement devices (i.e. "bounce houses"). The expanded program is funded through permit fees, which allows the Department to maintain the annual ride permits, require ride operators to submit annual event itineraries of where the rides will be operated, require operators to develop and maintain quality control programs, which will be developed via administrative rule, and other provisions.

3/16/2011 10:49:00 AM

This summary has not been adopted or officially endorsed by action of the committee.