

SENATE BILL REPORT

SB 5307

As Passed Senate, March 8, 2005

Title: An act relating to amusement rides.

Brief Description: Modifying requirements for the operation of amusement rides.

Sponsors: Senators Keiser, Eide and Kohl-Welles.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/1/05, 2/3/05 [DP, DNP].

Passed Senate: 3/8/05, 27-21.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Parlette, Ranking Minority Member; Brown and Keiser.

Minority Report: Do not pass.

Signed by Senators Hewitt and Honeyford.

Staff: John Dziedzic (786-7784)

Background: Amusement rides and structures must be inspected for safety by inspectors meeting qualifications set by the Department of Labor and Industries (L&I) at least annually or when materially modified. Operators of such rides and structures must maintain at least \$1 million insurance per occurrence, covering the owner and any local jurisdiction upon whose property the ride or structure is operated, and obtain an operating permit, or decal from L&I.

Generally, amusement rides are mechanical devices that move on or within a structure, and include carousels, ferris wheels, roller coasters, parachute towers, bungee jumping devices, climbing walls, etc. Single-passenger, coin-operated rides not requiring an operator and certain other devices (ski lifts, etc.) are explicitly excluded from the definition of amusement ride.

Summary of Bill: "Amusement apparatus" is defined to include go carts, bumper cars and all amusement rides or amusement structures, as currently defined that are operated for revenue, except dual-passenger kiddie rides, which are added to the list of exempt devices.

L&I is authorized to: (1) adopt rules regarding amusement apparatus safety; (2) issue citation and penalties for violations; and (3) increase the annual application fee from \$100 to up to \$150 for bungee jumping devices, and from \$10 to up to \$20 for all apparatus. All fees and penalties are deposited to the electrical license fund, a dedicated account subject to appropriation.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Reputable amusement device operators generally comply with these regulations, but the few who do not are able to avoid enforcement because the only sanctions currently available require prosecution as a misdemeanor. Amending definitions in the statute and granting authority to L&I to write rules and issue citations for violations will enhance L&I's enforcement capability.

Testimony Against: No testimony was presented against the bill.

Who Testified: PRO: Sen. Tracey Eide; Clell A. Woodcock, CAW Technical Services. Ron Fuller, Chief Electrical Inspector, L&I, responded to questions.