



# House of Representatives

General Assembly

**File No. 41**

February Session, 2004

House Bill No. 5065

*House of Representatives, March 15, 2004*

The Committee on Public Safety reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE REGULATION OF AMUSEMENT RIDES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-132 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 All amusement rides and devices in the state shall be inspected at  
4 least once in each calendar year, and as often as the Commissioner of  
5 Public Safety directs. The commissioner shall approve one or more  
6 qualified inspectors or civil engineers familiar with the construction  
7 and use of gravity and other amusement rides and devices to conduct  
8 such inspections. A reasonable fee for such inspection, to be  
9 determined by the commissioner, shall be paid to such inspector or  
10 engineer by the owner, lessee or operator of such ride or device. No  
11 amusement ride or device used for the carrying of passengers shall be  
12 operated in the state unless the same has been inspected by such an  
13 inspector or engineer and the inspector or engineer has certified to the  
14 commissioner that, in his judgment, the same is reasonably safe for

15 public use. Any person aggrieved by the refusal of such inspector or  
16 engineer to grant such certificate of safety shall have the right of  
17 appeal to the commissioner, who may, after due hearing, if he is of the  
18 opinion that such ride or device is safe for public use, issue a license  
19 therefor. Upon receipt of such certificate, if the applicant has complied  
20 with the provisions of sections 29-129 to 29-143a, inclusive, as  
21 amended by this act, a license shall be issued by the commissioner, and  
22 he may issue temporary licenses to operate such rides or devices  
23 pending inspection or final hearing upon the application when, in his  
24 judgment, fairness and equity require it.

25 Sec. 2. Section 29-136 of the general statutes is repealed and the  
26 following is substituted in lieu thereof (*Effective October 1, 2004*):

27 (a) On receipt of an application for an amusement license, the  
28 Commissioner of Public Safety shall cause a full investigation and  
29 inspection of the location, equipment, paraphernalia, mechanical  
30 amusement rides and devices in respect to such amusement and all  
31 other matters relating thereto to be made and shall determine whether  
32 or not such amusement will be reasonably safe for public attendance  
33 and may make reasonable orders concerning alterations, additions or  
34 betterments to the equipment, paraphernalia, mechanical amusement  
35 rides and devices, and concerning the character and arrangement of  
36 the seating, means of egress, lighting, fire-fighting appliances, fire and  
37 police protection and such other provisions as shall make the  
38 amusement reasonably safe against both fire and casualty hazards.

39 (b) When any serious physical injury, as defined in subdivision (4)  
40 of section 53a-3, or death occurs in connection with the operation of  
41 any amusement ride or device, the owner of such ride or device shall,  
42 within four hours after such occurrence, report the injury or death to  
43 the commissioner or his designee. Within four hours after receipt of  
44 any such report, the commissioner or his designee shall cause an  
45 investigation of the occurrence and an inspection of the ride or device  
46 to determine the cause of such serious physical injury or death. The  
47 commissioner or his designee may enter into any place or upon any

48 premises so licensed in furtherance of such investigation and  
 49 inspection. Unless otherwise authorized by the commissioner, no  
 50 amusement ride or device subject to the provisions of this chapter may  
 51 be operated or altered nor shall it be removed from the location where  
 52 such injury or death occurred for seventy-two hours after the time of  
 53 the receipt of the report.

54 (c) The commissioner may adopt regulations in accordance with the  
 55 provisions of chapter 54 to carry out the provisions of this section.

56 (d) The Commissioner of Public Safety may grant variations or  
 57 exemptions from, or approve equivalent or alternate compliance with,  
 58 particular provisions of this section or any regulation adopted under  
 59 the provisions of subsection (c) of this section where strict compliance  
 60 with such provisions would entail practical difficulty or unnecessary  
 61 hardship, or is otherwise adjudged unwarranted, provided any such  
 62 variation, exemption or approved equivalent or alternate compliance  
 63 shall, in the opinion of the Commissioner of Public Safety, secure the  
 64 public safety.

This act shall take effect as follows:	
Section 1	October 1, 2004
Sec. 2	October 1, 2004

**PS**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Public Safety, Dept.	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

Passage of the bill is not anticipated to result in any fiscal impact to the state. The bill allows the Commissioner of Public Safety to approve qualified inspectors to conduct amusement ride inspections. Under current law, the commissioner can only approve certain qualified civil engineers. Furthermore, ride owners pay those costs associated with the actual inspections. The bill also allows the commissioner to grant modifications and exemptions from amusement ride regulations in certain circumstances.

**OLR Bill Analysis**

HB 5065

***AN ACT CONCERNING THE REGULATION OF AMUSEMENT RIDES*****SUMMARY:**

This bill requires the public safety commissioner to approve qualified inspectors, instead of just civil engineers, to conduct the required annual inspection of amusement rides and devices, under the same standards that apply to civil engineers.

The bill also allows the commissioner to grant variations or exemptions from, or approve equivalent or alternate compliance with, particular amusement ride standards or Department of Public Safety regulations if strict compliance would entail practical difficulty or unnecessary hardship or is unwarranted. The commissioner's action must, in his opinion, secure the public safety.

EFFECTIVE DATE: October 1, 2004

**COMMITTEE ACTION**

Public Safety Committee

Joint Favorable Report

Yea 22 Nay 0