



Senate

General Assembly

File No. 28

February Session, 2006

Substitute Senate Bill No. 74

Senate, March 20, 2006

The Committee on Public Safety and Security reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute 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 Section 29-133 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 When used in sections 29-134 to 29-142, inclusive:

4 (1) "Amusement" means any circus or carnival presented in the
5 open, including a place where one or more [mechanical] rides or
6 devices capable of accommodating [five or more persons] one or more
7 passengers and normally requiring the supervision or services of an
8 operator are presented for amusement or entertainment purposes, and
9 any circus, carnival or other portable show or exhibition presented
10 under any single tent, air-supported plastic or fabric or other portable
11 shelter, and involving the assembly of one hundred or more persons.
12 "Amusement" does not include an inflatable device leased for private
13 residential use;

14 (2) "Commissioner" means the Commissioner of Public Safety;

15 (3) "Insurance commissioner" means the state Insurance
16 Commissioner;

17 (4) "Grandstand" means any structure, either with or without a roof,
18 providing seating for one hundred or more persons;

19 (5) "Owner" means the proprietor, operator, agent or possessor of
20 such amusement;

21 (6) "Tent" means any structure with or without side panels having
22 wood or metal supports and using any kind of a textile or similar
23 material for coverage, and having a capacity sufficient to shelter one
24 hundred or more persons or covering a ground area of more than one
25 thousand two hundred square feet.

26 Sec. 2. Section 29-136 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2006*):

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

42 (b) When any serious physical injury, as defined in subdivision (4)
43 of section 53a-3, or death occurs in connection with the operation of
44 any amusement ride or device, the owner of such ride or device shall,

45 within four hours after such occurrence, report the injury or death to
 46 the commissioner or [his] the commissioner's designee. [Within] Not
 47 later than four hours after receipt of any such report, the commissioner
 48 or [his] the commissioner's designee shall cause an investigation of the
 49 occurrence and an inspection of the ride or device to determine the
 50 cause of such serious physical injury or death. The commissioner or
 51 [his] the commissioner's designee may enter into any place or upon
 52 any premises so licensed in furtherance of such investigation and
 53 inspection. Unless otherwise authorized by the commissioner, no
 54 amusement ride or device subject to the provisions of this chapter may
 55 be operated or altered nor shall it be removed from the location where
 56 such injury or death occurred for seventy-two hours after the time of
 57 the receipt of the report.

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

66 [(c)] (d) The commissioner may adopt regulations in accordance
 67 with the provisions of chapter 54 to carry out the provisions of this
 68 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	29-133
Sec. 2	October 1, 2006	29-136

PS *Joint Favorable Subst.*

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:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Public Safety, Dept.	GF - Revenue Gain	5,000-7,500	5,000-7,500

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill expands the types of amusement rides, from a device capable of accommodating five or more individuals, to a device capable of accommodating one individual, subject to licensing and inspection by the Department of Public Safety (DPS). The expanded definition does not include inflatable devices leased for private residential use.

The fee associated with licensing amusement ride owners is \$50 annually. It is anticipated that the expanded definition will generate an additional 100-150 licenses and inspections, which will result in a revenue gain of approximately \$5,000-\$7,500.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 74*****AN ACT CONCERNING THE REGULATION OF AMUSEMENT RIDES.*****SUMMARY:**

This bill expands the types of amusement rides subject to Department of Public Safety (DPS) licensing and regulation. It exempts inflatable devices leased for private residential use. It allows the DPS commissioner to grant variations from, or approve equivalent or alternate compliance with, amusement ride laws or regulations if strict compliance would entail practical difficulty or unnecessary hardship or is otherwise considered unwarranted. The variation or alternate compliance must, in the commissioner's opinion, secure the public safety.

EFFECTIVE DATE: October 1, 2006

RIDES SUBJECT TO REGULATION

By law, DPS must license amusement ride owners for a fee of \$50 annually. They must provide proof of financial responsibility and meet licensing standards, including annual inspections and reporting requirements. Under current law, the requirements apply to circuses or carnivals presented in the open and include any place where mechanical rides or devices capable of holding five or more people are presented for amusement or entertainment. The bill broadens the definition of rides, eliminating the mechanical standard and minimum passenger requirement. It instead applies the standard to all passenger rides normally requiring supervision or operator services.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/07/2006)