

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture and Forestry to which was referred House  
3 Bill No. 780 entitled “An act relating to the inspection of amusement rides”  
4 respectfully reports that it has considered the same and recommends that the  
5 bill be amended by striking out all after the enacting clause and inserting in  
6 lieu thereof the following:

7 Sec. 1. FINDINGS

8 The General Assembly finds that:

9 (1) Fairs are essential to the character, community life, and economy of  
10 Vermont, and amusement rides help to increase fair attendance.

11 (2) Attendance at Vermont fairs exceeds 375,000 people a year, and the  
12 total budget for all Vermont fairs exceeds \$7 million a year. Vermont fairs  
13 generate over \$85,000.00 of sales tax revenue per year.

14 (3) An inspection regime for amusement rides based upon standards that  
15 are nationally recognized and used in other states will increase the safety of  
16 fair rides and help ensure the continued popularity of Vermont fairs.

17 Sec. 2. 31 V.S.A. § 721 is amended to read:

18 § 721. DEFINITIONS

19 As used in this chapter:

20 (1) “Amusement ride” means a portable mechanical device that carries  
21 or conveys passengers along, around, or over a fixed or restricted route or

1 course for the purpose of giving the passengers amusement, pleasure, thrills, or  
2 excitement. ~~In addition, for the purposes of this chapter, amusement ride shall~~  
3 ~~also include bungee jumping.~~

4 (2) “Operator” or “owner” means a person who owns or controls or has  
5 the duty to control the operation of amusement rides.

6 (3) ~~“Certificate” or “certificate of operation” means a document issued~~  
7 ~~by the Secretary of State authorizing the operation of one or more amusement~~  
8 ~~rides, indicating thereon the following information for each amusement ride:~~  
9 ~~the proper ride model, serial number, passenger capacity of the ride, the~~  
10 ~~recommended maximum speed of the ride, and recommended direction of~~  
11 ~~travel of the ride. The Secretary of State may amend a certificate to add other~~  
12 ~~amusement rides to be operated in the State during a calendar year.~~

13 Sec. 3. 31 V.S.A. § 722 is amended to read:

14 § 722. CERTIFICATE OF OPERATION

15 (a) An amusement ride may not be operated in this State unless the  
16 ~~Secretary of State~~ Agency of Agriculture, Food and Markets has issued a  
17 certificate of operation to the owner or operator within the preceding  
18 12 months.

19 (b) An application for a certificate of operation shall be submitted to the  
20 Agency not fewer than 30 business days before an amusement ride is operated  
21 in this State.



1           (4) charge one fee for the filing of each application form, regardless of  
2           the number of rides listed on the application.

3           Sec. 4. 31 V.S.A. § 723a is added to read:

4           § 723a. SAFETY INSPECTIONS

5           (a) A portable amusement ride shall not be operated in this State unless:

6           (1) The ride has been inspected in the State within the preceding  
7           12 months by a person who is:

8                   (A) certified:

9                           (i) by the National Association of Amusement Ride Safety  
10                          Officials as a Level II Inspector;

11                           (ii) by the Amusement Industry Manufacturers and Suppliers  
12                          International at a level that is equivalent to the certification pursuant to  
13                          subdivision (i) of this subsection (a); or

14                           (iii) in a manner that the Agency of Agriculture, Food and  
15                          Markets determines is equivalent to the certifications pursuant to subdivision  
16                          (i) or (ii) of this subsection (a); and

17                          (B) not the owner or operator of the ride or an employee or agent of  
18                          the owner or operator.

19           (2) The inspection complied with the applicable standards  
20           determined by:

21                          (A) the National Association of Amusement Ride Safety Officials;

1           (B) the Amusement Industry Manufacturers and Suppliers  
2           International; or

3           (C) another organization that the Agency determines is equivalent to  
4           the National Association of Amusement Ride Safety Officials or the  
5           Amusement Industry Manufacturers and Suppliers International.

6           (3) A valid certificate of operation has been issued for the ride pursuant  
7           to section 722 of this title.

8           (b) After a ride has been inspected pursuant to subsection (a) of this  
9           section:

10           (1) The owner or operator shall submit the certificate or other record of  
11           inspection to the Agency within 15 business days following the date of  
12           inspection.

13           (2) An adhesive sticker shall be affixed to the ride or the ride shall be  
14           stamped or otherwise marked in a manner that indicates:

15           (A) the date and location the inspection was completed; and

16           (B) the name of the inspector.

17           (c) A ride shall be inspected by the owner or operator:

18           (1) after the ride has been set up but before being used to carry or  
19           convey passengers; and

20           (2) every day thereafter that the ride is used to carry or convey  
21           passengers.

1           (d) The owner or operator of an amusement ride shall:

2                   (1) keep records of all safety inspections;

3                   (2) make those records available to the Agency promptly upon  
4 request; and

5                   (3) keep a paper or electronic copy of all safety inspections conducted  
6 by the owner or operator during the preceding 12 months for each ride:

7                           (A) on or near that ride; or

8                           (B) at the office of the amusement ride operator.

9           Sec. 5. 31 V.S.A. § 723 is amended to read:

10           § 723. ~~OPERATIONS~~ OPERATOR AND PATRON RESPONSIBILITIES

11           (a) An operator of an amusement ride shall:

12                   (1) be at least 18 years of age;

13                   (2) operate only one amusement ride at a time; ~~and~~

14                   (3) be in attendance at all times that the ride is operating; and

15                   (4) exercise good judgement and act in a responsible and safe manner

16 while operating an amusement ride.

17           (b) An operator of an amusement ride may deny any person entrance to an

18 amusement ride if the operator believes that entrance by that person may

19 jeopardize the safety of the person or other persons.

20           (c) A patron shall:

21                   (1) understand that there are risks in riding an amusement ride;

- 1           (2) exercise good judgement and act in a responsible and safe manner  
2           while riding an amusement ride; and  
3           (3) obey all written and verbal warnings and directions from ride  
4           operators or owners.

5           Sec. 6. EFFECTIVE DATE

6           This act shall take effect on July 1, 2019.

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9           (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

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Representative \_\_\_\_\_

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FOR THE COMMITTEE