

An act to amend Section 7924 of the Labor Code, relating to amusement rides.

SECURED
COPY

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7924 of the Labor Code is amended to read:

7924. (a) On an annual basis, ~~each~~ an owner of a permanent amusement ride shall submit to the division a certificate of compliance on a form prescribed by the division, which shall include the following:

(1) The legal name and address of the owner and his or her representative, if any, and the primary place of business of the owner.

(2) A description of, the name of the manufacturer of, and, if given by the manufacturer, the serial number and model number of, the permanent amusement ride.

(3) A written declaration, executed by a qualified safety inspector, stating that, within the preceding 12-month period, the permanent amusement ride was inspected by the qualified safety inspector and that the permanent amusement ride is in material conformance with ~~the requirements~~ of this section and all applicable rules and regulations adopted by the division and standards board.

(b) The owner of multiple permanent amusement rides at a single site may submit a single certificate of compliance that provides the information required by subdivision (a) for each permanent amusement ride at that site.

(c) A certificate of compliance shall not be required until one year following the promulgation of any rules or regulations by the division governing the submission of the certificates.

(d) ~~No~~ A person shall not operate a permanent amusement ride that ~~has been~~ was inspected by a qualified safety inspector or division inspector and found to be

unsafe; unless all necessary repairs or modifications, or both, to the ride have been completed and certified as completed by a qualified safety inspector.

(e) For the purposes of satisfying this section, a qualified safety inspector shall meet the requirements in subdivision (c) of Section 7921 and shall be certified by the division. ~~Each~~ A qualified safety inspector shall be recertified every two years following his or her initial certification. A qualified safety inspector may be an in-house, full-time safety inspector of the owner of the permanent amusement ride, an employee or agent of the insurance underwriter or insurance broker of the permanent amusement ride, an employee or agent of the manufacturer of the amusement ride, or an independent consultant or contractor.

(f) The owner of a permanent amusement ride shall maintain all of the records necessary to demonstrate that the requirements of this section have been met, including, but not limited to, employee training records, maintenance, repair, and inspection records for each permanent amusement ride, and records of accidents of which the operator has knowledge, ~~resulting that resulted~~ from the failure, malfunction, or operation of a permanent amusement ride, ~~requiring ride and that required~~ medical service other than ordinary first aid, and shall make ~~them~~ those records available to a division inspector upon request. The owner shall make those records available for inspection by the division during normal business hours at the owner's permanent place of business. ~~The owner, owner~~ or representative of the ~~owner, owner~~ may be present when the division inspects the records. ~~In conjunction with an inspection of records conducted pursuant to this subdivision, the~~ The division shall conduct an inspection of the operation of ~~the rides~~ each ride at the permanent amusement park in conjunction

with an inspection of records conducted pursuant to this subdivision, except that the division is not required to conduct an operational inspection of a ride pursuant to this subdivision if a qualified safety inspector employed by the division has already inspected the operation of that ride in connection with the execution of the current annual certificate of compliance pursuant to subdivision (a).

(g) Upon receipt of a certificate of compliance, the division shall notify the owner of the permanent amusement ride or rides for which a certificate is submitted whether the certificate meets all the requirements of this section, and if not, what requirements must still be met.

(h) The division shall, in addition to the annual inspection performed by the division pursuant to subdivision (f), inspect the records for a permanent amusement ride or the ride, or both, under either of the following circumstances:

(1) The division finds that the certificate of compliance submitted pursuant to this section for the ride is fraudulent.

(2) The division determines, pursuant to regulations it has adopted, that a permanent amusement ride has a disproportionately high incidence of accidents required to be reported pursuant to Section 7925.

(i) The division shall conduct its inspections with the least disruption to the normal operation of the permanent park.

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Permanent amusement rides.

Existing law requires the Division of Occupational Safety and Health to inspect the operation of the rides at a permanent amusement park annually. Existing law requires operators to submit to the division an annual certificate of compliance, including a prescribed declaration by a qualified safety inspector, and to maintain prescribed records and make them available for inspection by the division. Existing law requires the division to conduct an inspection of the operation of the rides in conjunction with an inspection of records.

This bill would exempt the division from that requirement to conduct an operational inspection of a ride in conjunction with an inspection of records if a qualified safety inspector employed by the division has already inspected the operation of the ride in connection with the execution of the current annual certificate of compliance.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.