

Bill No. CS for SB 2066

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Thomas moved the following amendment:

Senate Amendment

On page 17, line 26, through page 23, line 13, delete those lines

and insert:

Section 22. Paragraph (b) of subsection (5), paragraph (a) of subsection (8), and paragraph (a) of subsection (10) of section 616.242, Florida Statutes, 1998 Supplement, are amended, paragraph (i) is redesignated as paragraph (j), a new paragraph (i) is added to subsection (11), and paragraph (e) is added to subsection (17) of said section, to read:

616.242 Safety standards for amusement rides.--

(5) ANNUAL PERMIT.--

(b) To apply for an annual permit an owner must submit to the department a written application on a form prescribed by rule of the department, which must include the following:

1. The legal name, address, and primary place of business of the owner.
2. A description, manufacturer's name, serial number,

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1 model number and, if previously assigned, the United States
2 Amusement Identification Number of the amusement ride.

3 3. A valid certificate of insurance or bond for each
4 amusement ride.

5 4. An affidavit of compliance that the amusement ride
6 was inspected in person by the affiant and that the amusement
7 ride is in general conformance with the requirements of this
8 section and all applicable rules adopted by the department.
9 The affidavit must be executed by a professional engineer or a
10 qualified inspector no earlier than 60 days before, but not
11 later than, the date of the filing of the application with the
12 department. The owner shall request inspection and permitting
13 of the amusement ride within 60 days of the date of filing the
14 application with the department. The department shall inspect
15 and permit the amusement ride within 60 days of the date the
16 affidavit was executed.

17 5. If required by subsection (6), an affidavit of
18 nondestructive testing dated and executed no earlier than 60
19 days prior to, but not later than, the date of the filing of
20 the application with the department. The owner shall request
21 inspection and permitting of the amusement ride within 60 days
22 of the date of filing the application with the department. The
23 department shall inspect and permit the amusement ride within
24 60 days of the date the affidavit was executed.

25 6. A request for inspection.

26 7. Upon request, the owner shall, at no cost to the
27 department, provide the department a copy of the
28 manufacturer's current recommended operating instructions in
29 the possession of the owner, the owner's operating fact sheet,
30 and any written bulletins in the possession of the owner
31 concerning the safety, operation, or maintenance of the

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1 amusement ride.

2 (8) FEES.--

3 (a) The department may ~~shall~~ by rule establish fees to
4 cover the ~~100 percent of all~~ costs and expenditures associated
5 with the Bureau of Fair Rides Inspection, including all direct
6 costs, and all indirect costs, ~~and all division, data center,~~
7 ~~and administrative overhead~~. The fees must be deposited in the
8 General Inspection Trust Fund.

9 (10) EXEMPTIONS.--

10 (a) This section does not apply to:

11 1. Permanent facilities that employ at least 1,000
12 full-time employees and that maintain full-time, in-house
13 safety inspectors. Furthermore, the permanent facilities must
14 file an affidavit of the annual inspection with the
15 department, on a form prescribed by rule of the department
16 ~~required by paragraph (5)(b)~~. Additionally, the Department of
17 Agriculture and Consumer Services may consult annually with
18 the permanent facilities regarding industry safety programs.

19 2. Any playground operated by a school, local
20 government, or business licensed under chapter 509, if the
21 playground is an incidental amenity and the operating entity
22 is not primarily engaged in providing amusement, pleasure,
23 thrills, or excitement.

24 3. Museums or other institutions principally devoted
25 to the exhibition of products of agriculture, industry,
26 education, science, religion, or the arts.

27 4. Conventions or trade shows for the sale or exhibit
28 of amusement rides if there are a minimum of 15 amusement
29 rides on display or exhibition, and if any operation of such
30 amusement rides is limited to the registered attendees of the
31 convention or trade show.

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1 5. Skating rinks, arcades, lazer or paint ball war
2 games, bowling alleys, miniature golf courses, mechanical
3 bulls, inflatable rides, trampolines, ball crawls, exercise
4 equipment, jet skis, paddle boats, air boats, helicopters,
5 airplanes, parasails, hot air or helium balloons whether
6 tethered or untethered, theatres, batting cages, stationary
7 spring-mounted fixtures, rider-propelled merry-go-rounds,
8 games, side shows, live animal rides, or live animal shows.

9 6. Go-karts operated in competitive sporting events if
10 participation is not open to the public.

11 7. Nonmotorized playground equipment that is not
12 required to have a manager.

13 8. Coin-actuated amusement rides designed to be
14 operated by depositing coins, tokens, credit cards, debit
15 cards, bills, or other cash money and which are not required
16 to have a manager, and which have a capacity of six persons or
17 less.

18 9. Facilities described in s. 549.09(1)(a) when such
19 facilities are operating cars, trucks, or motorcycles only.

20 (11) INSPECTION STANDARDS.--An amusement ride must
21 conform to and must be inspected by the department in
22 accordance with the following standards:

23 (i) Signs that advise or warn patrons of age
24 restrictions, size restrictions, health restrictions, weight
25 limitations, or any other special consideration or use
26 restrictions required or recommended for the amusement ride by
27 the manufacturer shall be prominently displayed at the patron
28 entrance of each amusement ride.

29 (17) PROHIBITIONS RELATED TO BUNGY OPERATIONS.--The
30 following bungee operations are prohibited:

31 (e) The practice of bungee catapulting or reverse bungee

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