

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 564
91ST GENERAL ASSEMBLY

Reported from the Committee on Agriculture, Conservation, Parks and Tourism, March 6, 2001, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

TERRY L. SPIELER, Secretary.

2154S.02C

AN ACT

To repeal section 316.210, RSMo 2000, relating to amusement rides, and to enact in lieu thereof one new section relating to the same subject, with a termination date and an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 316.210, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 316.210, to read as follows:

316.210. 1. A person shall not operate an amusement ride unless the owner:

(1) Has the amusement ride inspected at least once annually by a qualified inspector, whom the owner or an insurer has provided to perform such inspection, and obtains from such qualified inspector written documentation that the inspection has been made and that the amusement ride meets nationally recognized inspection standards and is covered by the insurance required by subdivision (2) of this subsection;

(2) Has:

(a) An insurance policy currently in force written by an insurance company authorized to do business in this state in an amount of not less than one million dollars per occurrence;

(b) A bond in the same amount as such person's policy from paragraph (a) of this subdivision, provided that the aggregate liability of the surety under such bond shall not exceed the face amount of the bond; or

(c) Cash or other surety acceptable to the department;

(3) Files with the department the inspection report and certificate of insurance verifying the policy required by this section or a photocopy of such documentation or certificate; and

(4) Has been issued a state operating permit by the department and affixed such permit

to the designated amusement ride. Such permit fee shall not exceed actual administrative costs.

2. The inspection required pursuant to subdivision (1) of subsection 1 of this section shall be conducted at a minimum to meet the manufacturer's or engineer's recommendations.

3. **The department shall maintain and provide owners with a list of qualified inspectors qualified to perform inspections pursuant to subsection 1 of this section. Should the department have no one qualified and reasonably available to perform inspections, the owner or the owner's designated representative of the amusement ride shall inspect the amusement ride pursuant to subdivision (1) of subsection 1 of this section, and will be required to have the amusement ride reinspected within sixty days of being notified by the department of the availability of a qualified reasonably available inspector. The provisions of this subsection shall terminate on December 31, 2003.**

4. All fees collected pursuant to this section shall be deposited to the credit of the general revenue fund.

Section B. Because of the need to protect public safety while allowing businesses to continue operation, section 316.210 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 316.210 of this act shall be in full force and effect upon its passage and approval.

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