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MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: March 13, 2018

Subject: SB 307 – Amendments to the Kansas Amusement Ride Act.

Senate Bill No. 307 (SB 307) makes various amendments to the Kansas Amusement Ride Act. Most of the amendments relate to the creation of two subcategories of amusement rides: home-owned amusement rides and registered agritourism activities (collectively the "exempted rides"). The bill makes several amendments regarding the statutory requirements for these types of rides.

First, section 1 of the bill provides for permits and registration for exempted rides. Permits and owner registration for such exempted rides would be required only once and the documents would be valid until ownership of the ride changed. Manufacturer certification would not be required for permits for exempted rides. There is also a reduction in the amount of fees for such exempted rides.

Section 2 of SB 307 provides that the exempted rides would be required to carry liability insurance with \$750,000 per occurrence and a \$1,000,000 annual aggregate amount. Current law requires \$1,000,000/\$2,000,000, and would still apply to all other amusement rides.

Under SB 307, the term amusement ride would no longer include all rides and devices included under the ASTM international F24 committee standards. It would also not include hayrack rides or barrel trains, in addition to the exempted rides. All four types of rides that are excluded from the definition of "amusement ride" are further defined in the bill.

Section 5 of SB 307 requires that the exempted rides only be inspected once every two years instead of annually.

SB 307 contains certain provisions regarding inflatable devices erected at temporary locations. First, a person who has at least five years of experience working with inflatable

devices and has attained an advanced inflatable safety operations certification, or similar qualification, would be a qualified inspector for purposes of inspecting such inflatable devices. Also, SB 307 would require any operator of such inflatable devices to have a basic inflatable safety operations certification, or similar qualification, in order to operate such inflatable devices.

The bill amends the definition of "water slide" to increase the minimum height to 20 feet from 15 feet. SB 307 also excludes any water slide owned or operated by a municipality.

Under SB 307, amusement rides would only be required to have manufacturers certification for a permit if the ride was manufactured after July 1, 2018. Any ride manufactured before such date could provide documentation that the ride qualifies as service proven for the permit application.

Finally, SB 307 as introduced contained a provision providing liability protection for qualified inspectors unless the inspector's misconduct was intentional or willful. The Senate struck this provision of the bill.

If enacted, SB 207 would become effective on July 1, 2018.