

To: House Federal and State Affairs Committee
From: Eric B. Smith, Deputy General Counsel
Date: March 13, 2018
Re: Testimony in support of SB 307

I want to thank Chairman Barker and the Committee members for allowing the League of Kansas Municipalities, on behalf of its member cities, to provide testimony in support of SB 307.

Last session, the League testified neutral on the changes to the amusement ride act (Act) and expressed our concern regarding the unknown costs associated with the changes. As our members attempted to comply with the Act, several problems became apparent. SB 307 addresses several of these problems.

One major issue in complying with the current Act has been finding qualified inspectors to stay in compliance with the Act and the League understands inspectors were brought in from Texas to meet the certification requirements. The League supports the change from a level II to a level I certification requirement for inspectors. This change will increase the number of qualified inspectors available in the state of Kansas.

The inspectors who did certify many of the water slides last year have indicated that if there is no change made to the Act they will not certify the water slides in the future. The inspectors have reported that only the manufacturer of the water slide is qualified to certify the slide meets the current Act requirements. The change to certifying a water slide meets the "service proven" requirements will allow for local inspector certification because the service proven standard can be certified by a level I inspector.

The change in defining "serious injury" will ensure an amusement ride will only be shut down when a true serious injury occurs. Under the current definition the term "immediate medical treatment" is vague and could be interpreted to require an amusement ride to be shut down simply because a user requested first aid treatment for a small scrape or a wasp sting.

The Senate amended the original bill and exempted municipally owned water slides from the act. The reasoning was that most if not all municipal water slides use water to reduce friction and not to propel the patron at a great increase in speed. The League understands there may be some who do not support this exemption and if the exemption does not survive this committee we would ask for you to consider an amendment. The League would ask for an amendment increasing the height of a water slide to 30 feet before it must meet the requirements of the Act.

By making this amendment we know of at least 123 water slides that would no longer have to register as an amusement ride.

Based on the above reasons, the League respectfully requests the Committee pass SB 307 out of Committee with a recommendation to the full House for approval.