

Regulatory Analysis Form

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INDEPENDENT REGULATORY
REVIEW COMMISSION

(1) Agency

Department of Agriculture

(2) I.D. Number (Governor's Office Use)

2 - 102

IRRC Number:

2616

(3) Short Title

Amusement Rides and Attractions Erected Permanently or Temporarily at Carnivals, Fairs and Amusement Parks

(4) PA Code Cite

7 Pa. Code Chapter 139

(5) Agency Contacts & Telephone Numbers

Primary Contact: John Dillabaugh, Tel. (717) 787-6772

Secondary Contact: Joe Filoromo, Tel. (717) 787-6772

(6) Type of Rulemaking (check one)

- Proposed Rulemaking
 Final Order Adopting Regulation
 Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No
 Yes: By the Attorney General
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation is intended to update the Department of Agriculture's (Department's) amusement ride and amusement attraction regulations to reflect developments in the amusement ride and amusement attractions industry in the 19 years since current regulations were last updated, move these regulations into greater conformity with well-regarded national industry standards for the safe erection and operation of amusement rides and amusement attractions (the *American Society for Testing Materials International F-24 Committee Standards*), and provide a clearer set of standards for the regulated community.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

The Amusement Ride Inspection Act (4 P.S. §§ 401 – 419) (Act) provides the legal authority for this regulation. The Act (in 4 P.S. § 404) prescribes the powers and duties of the Department with respect to amusement rides, and authorizes the Department to adopt regulations necessary to its administration of the provisions of that statute.

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(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

No.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The proposed rulemaking is a much-needed update of the Department's amusement ride and amusement attraction regulations. The ultimate objective of the proposed rulemaking is to help protect the health and safety of the riding public.

The amusement ride and amusement attraction industry is an evolving industry. Amusement rides that are common today – such as inflatable bounce rides, climbing walls and water rides – have become common in this industry since the current regulations were last updated. In addition, as the Department has carried-out its responsibilities in administering and enforcing the current regulations over the years, it has identified provisions that are unclear, or that are inconsistent with the Act, or that are not as comprehensive or detailed as their counterpart provisions in the *American Society for Testing Materials International F-24 Committee Standards* – a well-regarded set of standards for the safe design and operation of amusement rides and amusement attractions.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

The regulations will update, clarify and strengthen the Department's authority with respect to amusement rides and amusement attractions, and provide the regulated community a clearer understanding of its responsibilities, as well. Although Pennsylvania is generally regarded as a leader among States in amusement ride and amusement attraction safety, the regulation would ultimately make amusement rides and amusement attractions operated within this Commonwealth safer.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The riding public will benefit from the regulation, in that the regulation is expected to enhance the safety of those persons who enjoy amusement rides or amusement attractions within this Commonwealth. This benefit is not readily quantifiable.

The amusement ride and amusement attraction industry will benefit from the regulation, in that the regulation would provide a clearer set of standards, would link many Pennsylvania safety standards to the widely-used and well-regarded *American Society for Testing Materials International F-24 Committee Standards*, and would likely decrease the number of rider injuries and the expenses associated with these injuries. This benefit is not readily quantifiable.

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(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

No persons are expected to be adversely affected by the regulation.

Since the regulation will require that an owner or lessee of an amusement ride or attraction have at least the minimum number of operators and attendants as recommended by the ride or attraction's manufacturer, if is possible that some amusement ride or amusement attraction owners would have to incur costs in hiring additional operators or attendants. The Department is not aware of whether any rides or attractions are currently being operated without the manufacturer's recommended number of operators and attendants, and for this reason cannot quantify this potential adverse effect.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

The owners, lessees and operators of amusement rides and amusement attractions within this Commonwealth comprise the group that will be required to comply with the regulation.

There are approximately 675 owners or lessees of amusement rides or amusement attractions who register rides or attractions with the Department. This group includes such diverse operations as amusement parks with many complex rides and attractions, itinerant carnival operations (that provide amusement rides for fire department carnivals, church fairs and similar events), seasonal water parks, rental centers that rent inflatable amusement rides, and variations on these.

There are approximately 7400 amusement rides or amusement attractions registered with the Department.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Act established the Amusement Ride Safety Advisory Board (Board). The Board represents a solid cross-section of the amusement ride and amusement attraction industry, and has collective experience in the field that the Department does not. The Department worked with the Board in developing the proposed regulation and, in particular, with a regulations subcommittee designated by the Board.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

The Department cannot provide a good faith estimate of the costs and/or savings to the regulated community that will result from the regulation. For most of the regulated community, the regulations will have negligible impact on their operations. Over time, there will likely be some savings to the regulated community from fewer rider injuries, but these cannot be quantified. As stated in response to Question 14, above, there may be some costs associated with compliance with the regulation's ride and attraction staffing requirements, but these are not quantifiable, either.

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(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

The regulation is not expected to result in any such costs or savings.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

The regulation is not expected to result in any such costs or savings.

Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$0	\$0	\$0	\$0	\$0	\$0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Savings	0	0	0	0	0	0
COSTS:	0	0	0	0	0	0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Costs	0	0	0	0	0	0
REVENUE LOSSES:	0	0	0	0	0	0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Revenue Losses	0	0	0	0	0	0

(20a) Explain how the cost estimates listed above were derived.

It is expected that the regulation will be "neutral" in terms of costs, savings or revenue losses among the entities described in Question 20, above. The answers to Questions 14, 17, 18 and 19 explain the basis for the neutral financial impact estimates set forth above.

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Amusement Rides Division	\$322,439 (2003-4)	\$324,145 (2004-5)	\$385,548 (2005-6)	\$338,033 (2006-7)

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The primary benefit of the regulation will be the protection of human health and safety. Balanced against the negligible (or nonexistent) new costs of implementing the regulation, the Department is well-satisfied that the benefits of the regulation will ultimately outweigh its costs.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

No nonregulatory alternatives were considered.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

No alternative regulatory schemes were considered.

Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No. There are no such Federal standards.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

Pennsylvania is generally regarded as one of the leading States with respect to amusement ride and amusement attraction safety. The regulation will only serve to *improve* the safety of amusement rides and amusement attractions operated within this Commonwealth.

The regulations will not put Pennsylvania at a competitive disadvantage with other States.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

Although no public hearings or additional informational meetings are presently scheduled with respect to the regulation, the department will consult with the Amusement Ride Safety Advisory Board as the regulation moves through the promulgation process.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

Yes. The regulation will allow for the regulated community to submit certain documents (such as amusement ride/attraction inspection reports and itineraries) to the Department by electronic means. The paperwork changes that will be made by the regulations will be minimal, and will not have appreciable impact on the regulated community or the Department.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

No such special provisions have been developed.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

It is anticipated that the regulation will take effect upon the date of publication of the final-form regulation in the *Pennsylvania Bulletin*.

(31) Provide the schedule for continual review of the regulation.

The efficacy of the regulation will be reviewed on a continuous basis.

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Copy below is hereby approved as to form and legality.
Attorney General

By: Amy M. Elliott
(Deputy Attorney General)

JUN 06 2007

DATE OF APPROVAL

Check if applicable
Copy not approved. Objections attached.

Copy below is hereby certified to be true and
correct copy of a document issued, prescribed or
promulgated by:

(AGENCY)

DOCUMENT/FISCAL NOTE NO. 2-102

DATE OF ADOPTION 1/17/07

BY Dennis C Wolff
DENNIS C WOLFF

TITLE
SECRETARY
Pennsylvania Department of Agriculture

Copy below is hereby approved as to form and legality
Executive or Independent Agencies

BY Andrew C. Clark
MAR 28 2007
DATE OF APPROVAL

(Deputy General Counsel)
(Chief Counsel - Independent Agency)
(Strike inapplicable title)

Check if applicable. No Attorney General Approval
or objection within 30 days after submission.

Notice of Proposed Rulemaking

**Title 7 – AGRICULTURE
7 Pa. Code Chapter 139**

**Amusement Rides and Attractions
Erected Permanently or Temporarily
at Carnivals, Fairs and Amusement Parks**

DEPARTMENT OF AGRICULTURE

PROPOSED RULEMAKING

DEPARTMENT OF AGRICULTURE

AMUSEMENT RIDES AND ATTRACTIONS ERECTED PERMANENTLY OR TEMPORARILY AT CARNIVALS, FAIRS AND AMUSEMENT PARKS [7 PA. CODE CH. 139]

The Department of Agriculture (Department) proposes to change the current regulation at 7 Pa. Code Chapter 139, to read as set forth in Annex A.

Statutory Authority

The Amusement Ride Inspection Act (4 P.S. §§ 401 – 419) (Act) provides the legal authority for this regulation.

The Act (in 4 P.S. § 404) prescribes the powers and duties of the Department with respect to amusement rides, and authorizes the Department to adopt regulations necessary to its administration of the provisions of that statute.

Purpose

The proposed rulemaking is intended to update the Department's amusement ride and amusement attraction regulations to reflect developments in the amusement ride and amusement attractions industry in the 19 years since current regulations were last updated, move these regulations into greater conformity with well-regarded national industry standards for the safe erection and operation of amusement rides and amusement attractions (the *American Society for Testing Materials International F-24 Committee Standards*), and provide a clearer set of standards for the regulated community.

Background

The amusement ride and amusement attraction industry is a vital, evolving industry. Amusement rides that are common today – such as inflatable bounce rides, climbing walls and water rides – were not in widespread use when the current regulations were last updated. In addition, as the Department has carried-out its responsibilities in administering and enforcing the current regulations over the years, it has identified provisions that are unclear, or that are inconsistent with the Act, or that are not as comprehensive or detailed as their counterpart provisions in the *American Society for Testing Materials International F-24 Committee Standards*.

Drafts of the proposed rulemaking have been in existence for several years, and have been circulated among the members of the Amusement Ride Safety Advisory Board

(Board) on several occasions. The Board was established under the Act, and is an advisory body representing a broad cross-section of amusement ride and amusement attraction industry experience. The Department has used this strong resource in preparing the proposed rulemaking, and intends to make use of the collective expertise and experience of the Board throughout the regulatory promulgation process.

Need for the Proposed Rulemaking

The proposed rulemaking is a much-needed update of the Department's amusement ride and amusement attraction regulations. The ultimate objective of the proposed rulemaking is to help protect the health and safety of the riding public.

The Department is satisfied there are no reasonable alternatives to proceeding with the proposed rulemaking. The Department is also satisfied the proposed rulemaking meets the requirements of Executive Order No. 1996-1, "Regulatory Review and Promulgation."

Overview of the Major Provisions of the Proposed Rulemaking

Proposed § 139.2 (relating to definitions) would add two new definitions to distinguish between the types of "qualified inspectors" of amusement rides and amusement attractions. These types are defined as "affiliated qualified inspectors" and "general qualified inspectors." The Act was amended in 1996 (act of February 7, 1996, P.L. 11, No. 4) to address the required reporting of certain injuries sustained in the operation of amusement rides and amusement attractions, and established several new defined terms which are repeated in proposed § 139.2. These include definitions of "ASTM standards" and "serious injury or illness."

Proposed § 139.4 (relating to registration) would provide a more detailed explanation of the process by which an owner of an amusement ride or amusement attraction may comply with the statutory requirement that the ride or attraction be registered with the Department prior to its operation within this Commonwealth. It would also provide more detailed guidance on the type of professional engineer's report that would be required in support of an application for registration of a ride or attraction that had not previously been successfully registered with the Department.

The Act (in 4 P.S. § 414) requires the Department to divide amusement rides into one of two classifications – "Class I" or "Class II" – for purposes of establishing the minimum insurance requirements applicable to the ride or attraction, and requires that a certificate of insurance be provided to the Department. Proposed § 139.5 (relating to insurance) would add language to clearly prescribe the content of the certificate of insurance, and to require that the Department be identified as a "certificate holder" for purposes of notification by the insurance carrier in the event of a cancellation of coverage.

Proposed § 139.6 (relating to itinerary) would allow for the filing of required itineraries by electronic means, and would provide a reference to the appropriate e-mail and fax numbers by which this filing might be accomplished.

Proposed § 139.7 (relating to inspection) would restate the amusement ride and amusement attraction inspection requirements set forth in the Act (in 4 P.S. § 407), provide the ride or attraction owner or lessee with a good understanding of the document and record keeping requirements necessary to demonstrate compliance with this requirement, and affirmatively state the Department's authority to inspect the ride or attraction and review records of inspections.

The Department provides credentials to persons to act as "qualified inspectors" of amusement rides and amusement attractions. Proposed § 139.9 (relating to qualified inspectors) would make several revisions and clarifications. It would: (1) allow currently-certified qualified inspectors to continue conducting inspections under their credentials expire (at which time they would have to be certified in accordance with the new process prescribed in proposed § 139.9); (2) provide the Department flexibility to establish categories of amusement rides or attractions (such as water rides, inflatable rides, etc...) with respect to which it would certify qualified inspectors and establish training requirements; (3) clarify the application process, the renewal of certification and continuing education requirements; and (4) establish standards for revocation of a certification issued under that section.

Proposed § 139.11 (relating to accident reporting) would make that section track with changes that were made in the 1996 revision of the Act, referenced above.

Proposed § 139.13 (relating to penalties) would provide more detail on the procedure by which the Department may pursue civil penalties relating to violations of the Act or its attendant regulations, and prescribe a process by which a civil penalty could be challenged.

Proposed § 139.41 (relating to general) would clarify the design and construction standards that are applicable to a given amusement ride or amusement attraction. The ASTM International F-24 Committee Standards are an evolving set of highly-regarded industry standards for the safe design and operation of amusement rides and amusement attractions. Since these standards change over time, the proposed section would clarify which version of these standards is applicable to a given ride or attraction.

Proposed § 139.71 (relating to general requirement) would require that amusement rides and amusement attractions be operated in conformance with ASTM International F-24 Committee Standards.

Proposed § 139.76 (relating to ride and attraction operators and attendants) would formalize a requirement that there be an adequate number of operators and attendants present when a ride or attraction is in operation, and would require that operators and

attendants be present in at least the numbers recommended by the ride or attraction manufacturer.

The proposed rulemaking would also make a number of technical or grammatical corrections.

Affected Individuals and Organizations

The proposed rulemaking would impact upon the amusement ride and amusement attraction industry, as well as upon the riding public. There are approximately 7400 registered amusement rides and amusement attractions that are either located within this Commonwealth or that are brought into this Commonwealth (for events such as fairs and carnivals) each year. There are approximately 675 owners or lessees of these rides and attractions. This community of ride and attraction owners and lessees would be impacted by the proposed rulemaking, as would the riding public.

Fiscal Impact

Commonwealth: The proposed rulemaking would impose no costs and have no fiscal impact on the Commonwealth.

Political Subdivisions: The proposed rulemaking would impose no costs and have no fiscal impact upon political subdivisions.

Private Sector: The proposed rulemaking might impose some new costs on amusement ride or amusement attraction owners or operators. The proposed regulation might require some such owners or operators to hire additional operators or attendants for their rides and attractions in order to meet or exceed the minimum number recommended by the ride or attraction manufacturer. The other changes that would be established by the proposed rulemaking would not have appreciable fiscal impact upon the private sector. Since the document would move Pennsylvania's standards into greater conformity with the ASTM International Y-24 Committee Standards, and these ASTM Standards are the widely-accepted industry standards for amusement ride and amusement attraction design, construction and operation, the related industry is either already in compliance with these ASTM Standards or can readily come into compliance with these standards without appreciable costs.

General Public: The proposed rulemaking would impose no costs and have no fiscal impact on the general public. The proposal would enhance public safety.

Paperwork Requirements

The proposed rulemaking is not likely to appreciably impact upon the paperwork generated by the Department or the regulated community.

Effective Date

The proposed rulemaking will be effective upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.

Sunset Date

There is no sunset date for the proposed rulemaking. The Department will review the efficacy of this regulation on an ongoing basis.

Public Comment Period / Contact Person

Interested persons are invited to submit written comments regarding the proposed regulation within 30 days following publication in the *Pennsylvania Bulletin*. Comments are to be submitted to the Department of Agriculture, Bureau of Ride and Measurement Standards, Division of Ride Safety, 2301 North Cameron Street, Harrisburg, PA 17110-9408, Attention: Joe Filoromo.

Regulatory Review

The Department submitted a copy of the proposed regulation to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs on June 13, 2007, in accordance with section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)). The Department also provided IRRC and the Committees a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If IRRC has an objection to any portion of the proposed regulation, it must so notify the Department within 30 days of the close of the public comment period.

The notification shall specify the regulatory criteria that have not been met by that portion. The Regulatory Review Act sets forth detailed procedures for review of these objections by the Department, the General Assembly and the Governor prior to the final publication of the proposed regulation.

DENNIS C WOLFF, *Secretary*

Annex A

Amusement Rides and Attractions 7 Pa. Code Chapter 139

PART V-D. AMUSEMENT RIDES AND AMUSEMENT ATTRactions

CHAPTER 139. AMUSEMENT RIDES AND ATTRactions [ERECTED PERMANENTLY OR TEMPORARILY AT CARNIVALS, FAIRS AND AMUSEMENT PARKS]

Subchapter A. REGISTRATION AND INSPECTION

§ 139.1. Scope.

(a) This chapter prescribes policies and procedures relating to administration of safety standards for installation, assembly, repair, maintenance, use, operation, disassembly and inspection of amusement rides and amusement attractions erected permanently or temporarily at carnivals, fairs, [and] amusement parks or any other location in this Commonwealth.

(b) This chapter applies to new and existing commercially used amusement rides and attractions subject to the act.

(c) This chapter does not apply to:

* * *

(2) Single passenger, coin-operated, manually, mechanically[,] or electrically operated rides except where admission is charged for the use of the equipment.

* * *

(6) Ski lifts, elevators or rides to the extent they are registered and regulated by [the Department of Labor and Industry] any other agency of the Commonwealth of Pennsylvania.

(7) Amusement attractions, and amusement rides regulated by another Commonwealth agency and waterslides, to the extent that they are regulated by the Department of [Environmental Resources] Health for [water quality,] pool design, sanitary facilities[, lifeguards] and similar features.

§ 139.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings [unless the context clearly indicates otherwise]:

* * *

Affiliated qualified inspector—A qualified inspector with a Department-issued certificate and credential card authorizing that person to act as a qualified inspector only with respect to the amusement rides or amusement attractions of the owner or lessee designated on that certificate and credential card. An affiliated qualified inspector is not a general qualified inspector.

* * *

Amusement ride—A device that carries, suspends or conveys passengers along, around[,] or over a fixed or restricted route or course[,] or within a defined area, for the purpose of giving its passengers amusement, pleasure, thrills[,] or excitement.

ASTM—American Society for Testing Materials. This organization is currently named and known as ASTM International.

ASTM International—The organization formerly known as ASTM or the American Society for Testing Materials.

ASTM standards—[ASTM Standards on Amusement Rides and Devices F698-83, F747-82, F770-82, F846-83, F853-83 and F893-84, published October 1984, in pamphlet format in the Annual Book of ASTM Standards] Standards promulgated by the ASTM entitled Standard Guide for the Classification of Amusement Ride and Device Related Injuries and Illnesses, designation ASTM F 1305, or its successor, which provide procedures for the uniform classification of data related to amusement ride and device injuries and illnesses.

ASTM International F-24 Committee Standards—The ASTM standards promulgated by the ASTM International F-24 Committee, as published in the current annual book of ASTM International Standards Volume 15.07, or its successor document

Attendant—A person having responsibility for some aspect of the operation of an amusement ride or attraction, but who is not an operator.

* * *

Class I amusement ride or amusement attraction - A type of amusement ride or amusement attraction with respect to which all of the following are correct:

(i) The ride or attraction is on the Department's most current list of approved rides.

(ii) The ride or attraction is a comparatively simple ride such as bumper cars, bumper boats, a multi-passenger coin-operated kiddie ride, go-carts, a live animal

ride, a manually powered ride, a miniature train, an inflatable bounce ride, slide or similar device.

(iii) The Department has, on its most current list of approved rides, designated the ride or attraction as belonging within "Class I" for purposes of establishing the appropriate required minimum liability insurance coverage required with respect to that ride or attraction, in accordance with § 14(a)(1) of the Act (4 P.S. § 414(a)(1)).

Class II amusement ride or amusement attraction - A type of amusement ride or amusement attraction with respect to which all of the following are correct:

(i) The ride or attraction is on the Department's most current list of approved rides.

(ii) The Department has, on its most current list of approved rides, designated the ride or attraction as belonging within "Class II" for purposes of establishing the appropriate required minimum liability insurance coverage required with respect to that ride or attraction, in accordance with § 14(a)(2) of the Act (4 P.S. § 414(a)(2)).

Commercially used—In the context of amusement rides and amusement attractions, the term includes any such ride or attraction offered for use by persons in consideration of payment of a ticket fee, an entry fee, a rental fee or any other fee or charge as a condition of use of the ride or attraction.

Department—The Department of Agriculture of the Commonwealth. The term includes employees of the Department.

* * *

General qualified inspector—A qualified inspector with a Department-issued certificate and credential card authorizing that person to act as a qualified inspector, without limiting the exercise of that inspection authority to the amusement rides or amusement attractions of a particular owner or lessee. A general qualified inspector is not an affiliated qualified inspector.

Inspection—Inspection by a qualified [certified] inspector of an amusement ride, device or attraction for compliance with the act and this chapter.

Kiddy ride or kiddie ride—An amusement ride or attraction designed primarily for use by children up to 12 years of age.

Lessee — A person who leases an amusement ride or attraction from its owner, or from an authorized representative of an owner.

Major modification—A change in either the structural or operational characteristics of [the ride or device which will] an amusement ride or amusement attraction which can alter its performance from that specified in the manufacturer's design criteria.

* * *

National Electrical Code—The National Electrical Code NFPA No. [70-1984] 70-E, as revised, amended or corrected.

New amusement ride or amusement attraction—An amusement ride or attraction of a design not [previously] previously operated in this Commonwealth and for which no regulations have been adopted.

Operation -- When used in the context of an amusement ride or attraction, includes the loading of persons onto the ride or attraction, the physical movement of the ride or - in the case of non-mechanical rides (such as slides) or attractions - the movement of persons

on or through the ride or attraction, and the unloading of persons from the ride or attraction. The term does not include the portion of a patron line that extends outside of any fence, wall, guardrail or gate that limits access to the amusement ride or amusement attraction and that is required to meet the ASTM International F-24 Committee Standards.

* * *

Owner—A person who owns an amusement ride or attraction[, or the lessee if the amusement ride or attraction is leased]. The term excludes the Commonwealth or its political subdivisions.

Pennsylvania Construction Code Act--The act of November 10, 1999 (P.L.491, No.45) (35 P.S. §§ 7210.101 – 7210.1103).

Permanent structure—A structure, enclosure or arrangement of parts, used or intended to be used[,] for or as an amusement ride or attraction, that is erected to remain a lasting part of the premises.

Person—Includes a corporation, partnership, limited liability company, business trust, other association, government entity (other than the Commonwealth), estate, trust, foundation or natural person.

Professional engineer—An individual licensed and registered under the Engineer, Land Surveyor and Geologist Registration Law (63 P.S. §§ 148 – 158.2) or a successor statute to engage in the practice of engineering.

Qualified inspector—A person certified by the Department who by education, training or experience is knowledgeable with amusement ride operating manuals and the psychological effects a ride has upon a passenger. The person shall also be experienced in

the erection and dismantling of amusement rides and shall be familiar with the specific equipment with that particular operator.

* * *

Serious injury or illness—[Permanent or prolonged impairment of the body in which part of the body is made functionally useless or substantially reduced in efficiency]

(i) An injury or illness that requires any of the following:

(A) Offsite emergency first aid.

(B) Offsite medical treatment, whether it is administered or recommended or may be required at a future date.

(C) Observation by a licensed physician.

(D) Admission to a hospital.

(ii) The term also includes an injury or illness that results in death,

dismemberment, significant disfigurement or permanent loss of the use of a body organ, member, function or system.

Temporary structure—A structure, enclosure or arrangement of parts used, or intended to be used[,] for or as an amusement ride or attraction, that is relocated from time to time with or without disassembly.

Working day - A day other than a Saturday, Sunday, national holiday or holiday of the Commonwealth of Pennsylvania.

139.3. Compliance.

(a) General requirement. Owners [and ride operators operating], lessees and operators of amusement rides or attractions in this Commonwealth shall comply with this chapter.

(b) Use of nonconforming rides or attractions prohibited. An amusement ride or amusement attraction which is not in compliance with this chapter may not be used or occupied except as provided in subsection (c).

(c) Nonconforming individual units. Where only individual units of a ride, such as cars, seats or other carriers are defective and not in [complaine] compliance with this chapter, the units shall either be removed from the operating area of the ride or shall be taken out of service and clearly marked with a sign reading "Out of Service" if the defects or removal do not jeopardize the safety of the entire ride or attraction.

§ 139.4. Registration.

(a) Registration required. An owner intending to operate or use an amusement ride or an amusement attraction in this Commonwealth during a calendar year shall register the amusement ride or amusement attraction with the Department prior to operation.

(b) Duration of registration. [An amusement ride or attraction which has undergone major modification shall be registered and inspected by a qualified inspector before its operation for use by the public]. Registration of an amusement ride or an amusement attraction shall expire as of the earlier of the following:

(1) January 1 of the year immediately following the year with respect to which the registration is issued.

(2) The date upon which the registered amusement ride or amusement attraction undergoes a major modification.

(c) Obtaining a registration application. A person may obtain an amusement ride or amusement attraction registration application form by contacting the Department as

described in § 139.14 (relating to contacting the Department). The Department will provide the form upon request, and make the form available for download through the Department's website: www.agriculture.state.pa.us.

[(c)] (d) Contents of registration application form. [Registration includes the following:

- (1) Owner's name, address and telephone number.
- (2) Type of activity, park, carnival or fair.
- (3) List of each ride or attraction by ride name, manufacturer's name and serial number.
- (4) Name of owner's insurance company.]

A registration application form shall require the following information:

- (1) The name, address, e-mail address and telephone number of the owner.
- (2) The name, address, e-mail address and telephone number of the lessee, if different than the owner.
- (3) If the amusement ride or amusement attraction has previously been registered, the registration number appearing on the registration plate issued by the Department and attached to that ride or attraction.
- (4) A description of the type of enterprise involved, whether a carnival, fair, park, rental company, go-cart track, water park, non-seasonal operation, or other.
- (5) A list of each amusement ride or amusement attraction with respect to which registration is sought, by name, manufacturer's name and serial number.

(6) The name, address, e-mail address and telephone number of the insurance carriers providing the owner, lessee or operator the liability coverage required under § 14 of the Act (4 P.S. § 414) and § 139.5 (relating to insurance).

(7) With respect to each identified amusement ride or attraction, verification of either of the following:

(i) The amusement ride or amusement attraction is of a type appearing on the Department's most current list of approved rides.

(ii) Written verification under seal of a Professional Engineer, acknowledging familiarity with the ride or attraction at issue, acknowledging familiarity with the requirements of the Act and this chapter and confirming all of the following:

(A) The ride or attraction is designed to carry all loads safely, and to withstand normal stresses to which it may be subjected.

(B) The structural materials and construction of the ride or attraction conform to normal engineering practices, procedures, standards and specifications.

(C) Data pertinent to the design, structures, and factors of safety and performance are in accordance with accepted engineering practices.

(D) The manufacturer or fabricator of the ride or attraction otherwise meets the applicable design and construction requirements of the Act, the ASTM International F-24 Committee Standards and this chapter.

(8) An acknowledgment by the applicant that, if the registration is approved, it is the responsibility of the applicant to apprise the Department, in writing, of any changes to the information provided on the registration application during the registration period.

(9) An acknowledgment by the applicant that, if registration is approved, the registration shall automatically cease as of the date of any major modification, and the ride must be re-registered with the Department.

(10) The signature of the applicant for registration, verifying that representations in the application are accurate and complete, and making that verification subject to the penalties of 18 Pa.C.S.A. § 4904 (relating to unsworn falsification to authorities).

(e) Department action on registration application. The Department will, within 30 days of receiving a correct and complete registration application form, mail the applicant one of the following

(1) Written confirmation of registration and, if necessary, a registration plate to be affixed to the amusement ride or attraction.

(2) Written denial of registration, with an explanation of the reasons for denial.

(3) A detailed request for additional information or clarification the Department deems necessary to ensure the amusement ride or amusement attraction meets the requirements set forth in subparagraphs (d)(7)(ii)(A) through (D). This request may also include a requirement the ride or attraction be made available to the Department or persons authorized by the Department, at a time or location mutually agreeable to the applicant and the Department, for inspection and

testing. Once the requested information is delivered to the Department or the requested testing and inspection is conducted, the Department shall have an additional 30-day period within which to review the registration application.

(f) Responsibility of registrant. A person who registers an amusement ride or amusement attraction in accordance with this section shall, during the registration period, be responsible to apprise the Department, in writing, of any changes to the information provided on the registration application. In addition, the registrant shall affix the registration plate provided by the Department to the amusement ride or amusement attraction in a location where the plate is plainly visible to the riding public, and shall promptly request a replacement plate when necessary.

(g) Refusal or revocation of registration. If the Department issues a written denial of registration as described in subsection (e)(2), it will afford the applicant an opportunity for an administrative hearing on the denial. If the Department has reason to believe an amusement ride or amusement attraction that is registered does not meet the requirements for registration, it will issue a written revocation of registration, and will afford the applicant an opportunity for an administrative hearing on the denial.

(h) Registration plate. The Department will issue a registration plate, bearing a unique registration number, with respect to each amusement ride or amusement attraction registered in accordance with this section. The registration plate remains the property of the Department after it is issued. The registrant shall be responsible to ensure that the registration plate remains affixed to the registered amusement ride or amusement attraction in a location where the plate is plainly visible to the riding public. The registration plate is intended as a permanent means of identifying the amusement ride or

attraction, and shall remain affixed to the ride or attraction from one registration period to the next. Although the Department will not charge a fee for the issuance of a registration plate, it will charge a registrant \$30 to *replace* a lost or obliterated registration plate. This charge reflects the reasonable cost to the Department of replacing a registration plate.

(i) *Inspection of amusement rides or amusement attractions.* The Department may inspect any amusement ride or attraction, or any device or location it reasonably believes to be an amusement ride or attraction, to determine whether the ride or attraction is properly registered. The inspection shall be conducted in accordance with § 139.7(d) (relating to inspection).

§ 139.5. Insurance.

(a) *General requirement.* A person may not operate an amusement ride or amusement attraction unless a policy of insurance is in effect insuring the owner, lessee or operator against liability for injury to persons arising out of the use of an amusement ride or attraction [within the owner's control]. The insurance policy shall be procured from an insurer or surety authorized to do business in this Commonwealth or eligible to do business under section 7 of the act of January 24, 1966 (1965) (P. L. 1509, No. 531), referred to as the Surplus Lines Insurance Law [and shall be in the following amounts:].

(1) [For an attraction or amusement ride qualified to meet a Class I designation according to a list maintained by the Department, including bumper cars, bumper boats, coin-operated kiddie rides, go-carts, live animal rides, manually powered rides, miniature trains, moon walks, slides and similar devices—] If the ride or

attraction is a Class I amusement ride or attraction, the minimum limits of the policy shall be \$100,000 per occurrence and \$300,000 in the aggregate.

(2) [For an attraction or amusement ride qualified to meet a Class II designation according to a list maintained by the Department—] If the ride or attraction is a Class II amusement ride or amusement attraction, the minimum limits of the policy shall be \$250,000 per occurrence and \$500,000 in the aggregate.

(b) Certificate of insurance. [A] An owner or operator shall deliver a valid certificate of insurance [shall be furnished] to the Department prior to the operation of [a] an amusement ride or amusement attraction for use by the public. The certificate of insurance shall be delivered to the Department in accordance with § 139.14 (relating to contacting the Department). The owner or operator is responsible for assuring that the insuring company notifies the Department immediately upon cancellation or change of coverage [and the certificate shall acknowledge the notification responsibility].

(c) Content of certificate of insurance. A certificate of insurance shall set forth all of the following:

(1) The identity of the insured.

(2) The identity, address and telephone number of the insurance company issuing the policy.

(3) Identification of all amusement rides and all amusement attractions covered by the policy.

(4) The policy limits per occurrence.

(5) The policy limits in the aggregate.

(6) The effective dates of coverage.

(7) An acknowledgment that the Department, as certificate holder, is to be notified by the insurance carrier in the event of cancellation of coverage.

§ 139.6. Itinerary.

The owner or operator of an amusement park, carnival, fair, or other itinerant amusement ride or amusement attraction registered with the Department shall [file] deliver an itinerary [with] to the Department no less than 15 days prior to the operation of a ride or attraction for use by the public in this Commonwealth. This delivery may be accomplished by mail, e-mail, personal delivery or fax transmission to the fax number provided in § 139.14 (relating to contacting the department). The itinerary shall include the following:

(1) The name of the amusement ride or amusement attraction owner.

* * *

(3) The carnival, fair [or], activity sponsor and, if available, the name and telephone number of a contact person for the event.

(4) The address and telephone number of the activity site, the fax number of the site (if available) and an e-mail address for the site (if available).

* * *

§ 139.7. Inspection.

(a) General inspection requirement. An owner or lessee of an amusement ride or amusement attraction shall have the ride inspected in accordance with the requirements of § 7 of the Act (4 P.S. § 407) and this chapter.

(b) Occasions when inspection is required. An amusement ride or amusement attraction shall be inspected as follows:

<u>Location</u>	<u>Type</u>	<u>Interval</u>
<u>any location</u>	<u>amusement ride or amusement attraction</u>	<u>prior to operation for the riding public, and on a monthly basis thereafter</u>
<u>amusement park</u>	<u>amusement ride or amusement attraction</u>	<u>prior to operation for the riding public, and on a monthly basis thereafter</u>
<u>fair or carnival</u>	<u>amusement ride or amusement attraction</u>	<u>prior to operation for the riding public at each new location</u>
<u>any location</u>	<u>new amusement ride or amusement attraction</u>	<u>prior to operation for the riding public</u>
<u>any location</u>	<u>amusement ride or amusement attraction</u>	<u>prior to operation for</u>

that has undergone major modification the riding public

(c) Qualified inspector to conduct inspection. The amusement ride or amusement attraction owner or lessee shall engage a qualified inspector [certified by the Department] to perform the inspections required by the [act] Act and this chapter. [Rides or attractions to be operated by the owner shall be] The owner or lessee shall make the amusement ride or amusement attraction available to the qualified inspector. [and the owner will] The owner or lessee shall be [held] solely responsible for all expenses in connection with the inspection. The qualified inspector shall, at the conclusion of an inspection, issue the owner or lessee the original plus one copy of a complete inspection affidavit form, as described in § 139.8 (relating to inspection affidavits), and shall retain a copy for the qualified inspector's records.

[(b)] (d) Inspection by the Department. [The owner or lessee shall have inspection performed by a qualified inspector on the following:

- (1) An amusement park ride or attraction on a 30 operating day basis during a season for operation for use by the public.
- (2) A fair, carnival ride and attraction before its operation at a new location.
- (3) A new or modified amusement ride and attraction before its operation for use by the public begins.]

The Department may inspect any amusement ride or amusement attraction (including the operation of that amusement ride or amusement attraction), or any device or location it reasonably believes to be an amusement ride or amusement attraction, to determine whether the ride or attraction is properly registered, whether the ride or attraction has

been inspected by a qualified inspector, whether the qualified inspector has performed a competent inspection of the ride or attraction and whether the ride or attraction otherwise complies with the requirements of the Act and this chapter. The inspection may be unannounced or with advance notice to the owner or lessee. The Department will endeavor to conduct these inspections at reasonable times and with a minimum intrusion, unless otherwise necessary to safeguard the public.

(e) Responsibility of owner, lessee or operator to allow inspection. An owner, lessee or operator shall allow the Department to inspect an amusement ride or amusement attraction, and shall not hinder or impede the Department in the performance of the inspection.

(f) Responsibility of owner, lessee or operator to produce records. At the request of the Department, an owner, lessee or operator shall produce documentation as to both the operation and maintenance of an amusement ride or amusement attraction.

§ 139.8. Inspection affidavits.

(a) Inspection affidavit required. [The] An owner or lessee shall, with respect to each amusement ride or amusement attraction that is to be operated for use by the public, file a written affidavit with the Department, affirmed by a qualified inspector, that the amusement ride or amusement attraction [complies with the act and this chapter. The affidavit shall be filed for each amusement ride and attraction which is to be operated for use by the public.] has been inspected in accordance with the requirements of the Act and this chapter, and meets those requirements. A single inspection affidavit may pertain to multiple amusement rides or amusement attractions.

(b) Filing the inspection affidavit. [The affidavit shall be filed] An owner or lessee shall file an inspection affidavit with the Department [by mail] within 48 hours of the inspection[, and a copy shall be available upon request at the ride or attraction site when the ride is being operated for public use]. Filing shall be accomplished in accordance with 139.14 (relating to contacting the Department).

(c) Copy of inspection affidavit to be retained for inspection on-site. An owner or lessee shall be responsible to ensure that a copy of the inspection affidavit described in subsection (b) is retained at the site where the amusement ride or amusement attraction is being operated for public use. The inspection affidavit shall be made available for inspection upon request of the Department. The Department may retain the on-site copy of the inspection affidavit, provide the owner, lessee, operator or attendant a receipt for the same, and allow the amusement ride or amusement attraction to continue being operated for public use.

[(c)] (d) Notice of compliance to be posted. [The] An owner [of the] or lessee of an amusement ride or amusement attraction shall post a notice advising the public of compliance with the [act] Act. This notice is in addition to any registration plate issued in accordance with § 139.4 (relating to registration). The notice shall be posted at a place readily observed by the public and shall consist of a sign made of [substantial and, if exposed to the elements, of weatherproof] durable material [with] suitable for the location where it is posted. The notice shall be on a bright green background [and], with white lettering. The size of the letters may not be less than 1/2 inch in height and 1/8 inch width stroke reading:

THIS RIDE HAS (OR ALTERNATE—THE RIDES IN THIS PARK,
CARNIVAL, FAIR, ETC. HAVE) [HAS] BEEN INSPECTED AS REQUIRED
BY THE PENNSYLVANIA AMUSEMENT RIDE INSPECTION ACT.

§ 139.9. Qualified inspectors.

(a) [It is the policy of the Department to accept voluntary registration of an individual or an agency registration of an individual if there is acceptable evidence that the individual has a thorough working knowledge of pertinent statutes relating to amusement rides and attractions and this chapter.] General. The Department will certify persons who meet the requirements of this section to act as qualified inspectors. Any inspection of an amusement ride or amusement attraction required under the Act shall be conducted by a qualified inspector who is certified by the Department with respect to the category of amusement ride or amusement attraction that is being inspected. Persons who have been certified by the Department as qualified inspectors *prior to the effective date of this section* may continue to inspect amusement rides and attractions under authority of that certification, but must meet all the requirements of this section when the qualified inspector next renews the certification in accordance with subsection (k).

(b) [The Department will hold examinations as qualified amusement ride/attraction inspectors, at times determined by the Department. Persons desiring to take the examination shall forward their applications to the Department, on forms provided by the Department, in a reasonable time prior to the day of examination and include a fee of \$50 for a 3-year certification period.] Certification categories. The Department will categorize amusement rides and attractions, and shall be guided by ASTM

categorizations of amusement rides and attractions in this categorization process. The Department will establish specific written tests or hands-on tests, or both, with respect to each category. These categories may address water rides, climbing walls, kiddie rides, train rides, hydraulics, inflatable rides or any other category described in ASTM standards and designated by the Department. The Department will publish the current list of certification categories on its website (www.pda.state.us). The Department may categorize an amusement ride or amusement attraction in a manner other than as categorized by ASTM if there is no applicable ASTM categorization or the Department, in its discretion, believes another categorization is more appropriate.

(c) [Only applicants who meet the Department's requirements for education, training and are experienced in the erection and dismantling of amusement rides will be permitted to take the examination. The examination will consist of two parts, class I and class II, and those found competent through examination will be awarded a certificate and a credential card authorizing them to inspect amusement rides/attractions according to a listing maintained by the Department for each class. A certified inspector does not become an employe, agent or authorized representative of the Department, nor may he represent himself to be.] Application. A person may apply to the Department to become a qualified inspector. A qualified inspector application form may be obtained by contacting the Department through any means described in § 139.14 (relating to contacting the department). The qualified inspector application form shall require the following information:

(1) The name, address and telephone number of the applicant.

(2) The e-mail address of the applicant (if it exists).

(3) If the applicant seeks to be an affiliated qualified inspector, the name, address and telephone number of the particular owner or lessee with respect to which the applicant seeks to become an affiliated qualified inspector.

(4) A detailed description of the education, training or experience of the applicant with respect to the safe erection, operation and dismantling of the amusement rides and attractions.

(5) The specific categories of amusement rides or amusement attractions with respect to which certification is sought.

(6) Verification that the applicant is at least 18 years of age as of the date of the qualified inspector application form.

(7) The signature of the applicant, verifying that representations made in the application are true and correct, and made subject to the penalties of 18 Pa.C.S.A. § 4904 (relating to unsworn falsification to authorities).

(d) [Credential cards will be issued for a 3-year period. Credential cards will be renewed for 3 years following written application to do so, and upon Department confirmation that the applicant has been active in the inspection of amusement rides and has attended an industry sponsored school, such as the A.R.E.A. Safety and Maintenance Seminar or its equivalent, during the 3-year period. If an applicant for credential card renewal has not remained sufficiently active in the inspection of amusement rides, reexamination may be required.] Application fee. The application fee with respect to a qualified inspector application form is \$50. This fee shall not be refundable, and shall be paid by check or money order made payable to the "Commonwealth of PA" in that amount.

(e) [Credential cards will be issued in the name of the inspector identifying the scope of the inspector's authority, such as being limited only to specific owners of equipment. Separate cards are required for each affiliation or for independent status.] Filing the application. An applicant shall submit a complete qualified inspector application form to the Department by mailing or delivering the same, together with the fee described in subsection (d), to the address set forth in § 137.14 (relating to contacting the Department).

(f) [The Secretary may suspend a credential card for cause, but no certificate may be revoked until the inspector has been granted a hearing.] Department review and action. The Department will promptly review an application to determine whether the application form is complete and will, within 30 days of receiving the application, provide the applicant the following by mail or electronic means:

(1) An acknowledgment of receipt of the complete application.

(2) A schedule showing dates, times and locations of upcoming Qualified Inspector Tests, and instructions for scheduling the applicant to sit for the test.

(3) Written instructions as to how the applicant may download a Qualified Inspector Test study packet from the Department's internet website, receive a test study packet by e-mail or request the Department mail the applicant a test study packet.

(g) Qualified Inspector Test. The Qualified Inspector Test shall be a written test or a hands-on test, or both, measuring the experience and ability of the applicant with respect to the safe erection, operation and dismantling of amusement rides or attractions that are in the category of amusement ride or amusement attraction with respect to which

certification is sought. The test may address multiple categories of amusement rides and attractions. The Department will score a Qualified Inspector Test within 30 days after it is administered. The passing score for the test shall be 70% or higher. The Department will promptly report the results to the applicant by mail or electronic means.

(h) *Qualified Inspector's Certificate and credential card.* If an applicant passes the Qualified Inspector Test, the Department will issue a certificate and a credential card identifying the applicant as a qualified inspector of amusement rides and attractions, specifying whether the person is an affiliated qualified inspector or a general qualified inspector, and setting forth the following:

- (1) The name of the qualified inspector and, on the credential card only, a photograph of the qualified inspector.
- (2) The date of certification and the expiration date.
- (3) If issued to an affiliated qualified inspector, the particular owner or lessee with respect to which the applicant is authorized to act as an affiliated qualified inspector, if the application does not specify an affiliation.
- (4) The categories of amusement rides or attractions with respect to which the applicant is certified as a qualified inspector. /

The certificate and credential card shall remain the property of the Department and shall, upon the written request of the Department, be surrendered to the Department. The applicant shall be responsible to coordinate with the Department to obtain the photograph required for the issuance of the credential card.

(i) *Powers of affiliated qualified inspectors and general qualified inspectors.*

- (1) An affiliated qualified inspector may do the following:

(i) Conduct an inspection of an amusement ride or amusement attraction that is both of the following:

(A) Owned or leased by a person designated on the affiliated qualified inspector's certificate and credential card.

(B) Within a category with respect to which the qualified inspector is certified.

(ii) Issue inspection affidavits as described in § 139.8 (relating to inspection affidavits).

(iii) Charge a fee for conducting an inspection, but not a fee that varies with whether an amusement ride or amusement attraction passes or fails the inspection.

(2) A general qualified inspector may do the following:

(i) Conduct an inspection of an amusement ride or amusement attraction that is within a category with respect to which the qualified inspector is certified.

(ii) Issue inspection affidavits as described in § 139.8 (relating to inspection affidavits).

(iii) Charge a fee for conducting an inspection, but not a fee that varies with whether an amusement ride or amusement attraction passes or fails the inspection.

(j) Duration of certification. A qualified inspector's certification shall expire three (3) years from the date of certification, unless revoked or suspended earlier by the Department.

(k) Renewal of current certificate and credential card. A qualified inspector may renew certification by delivering to the Department, at the address set forth in § 139.14 (relating to contacting the Department) and prior to the expiration of the current certificate and credential card, a complete renewal form. A person may obtain this form by contacting the Department through any means described in § 139.14. The renewal form shall require all of the information described in paragraphs (c)(1) through (c)(8), plus the following:

(1) Information to verify that the applicant has met the continuing education requirement set forth in subsection (l). This information shall include course dates, locations and descriptions, copies of course completion certificates and any other information necessary to demonstrate attendance at the course and successful completion of the course requirements.

(2) A non-refundable \$50 application fee, by check or money order made payable to the "Commonwealth of Pennsylvania" in that amount.

The Department will, within 30 days of receipt of a complete renewal form, mail or deliver to the applicant approval or denial of the requested renewal, or a request for additional information. If the Department denies the renewal it shall provide written notice of the basis for denial. A renewed certificate shall be valid for the period described in subsection (j).

(l) Continuing education requirement. As a prerequisite to renewal of certification under subsection (k), an affiliated qualified inspector shall attend at least 24 hours of relevant Department-approved continuing education training in the area of safe amusement ride and attraction erection and operation during the period of certification.

A general qualified inspector shall attend at least 48 hours of this training during the period of certification. If a qualified inspector fails to comply with this continuing education requirement, certification will expire as of the expiration date on the qualified inspector's current certificate and credential card. If the Department determines that amusement rides or amusement attractions belonging to a particular category established under subsection (b) are of such comparatively simple design or operation as to reasonably justify a requirement of fewer hours of continuing education for qualified inspectors of that particular category of amusement ride or amusement attraction than are otherwise required under this subsection, it may establish this continuing education requirement by publishing notice of this requirement in the *Pennsylvania Bulletin*, posting notice of this requirement on its website and providing all qualified inspectors for the subject category of amusement ride or amusement attraction with written notice of this requirement.

(m) *Revocation or suspension of certification.* The Department may revoke the certification of a qualified inspector for cause, after providing the qualified inspector written notice and opportunity for a hearing. A revocation shall be for a specific period of time determined by the Department. The circumstances justifying revocation include the following:

- (1) Allowing another person to conduct an amusement ride or amusement attraction inspection under authority of the certificate or credential card.
- (2) Issuing an inspection affidavit without first conducting a thorough inspection of the amusement ride or amusement attraction that is the subject of the inspection affidavit.

(3) Issuing an inspection affidavit with respect to an amusement ride or amusement attraction that does not meet the requirements of the Act and this chapter.

(4) Representing a qualified inspector to be an employee or agent of the Department.

(5) Inspecting an amusement ride or amusement attraction that is not in the category of amusement ride or amusement attraction with respect to which the qualified inspector is certified.

(6) Basing an inspection fee amount upon whether an inspection affidavit is issued with respect to the amusement ride or amusement attraction inspected.

(7) Altering or defacing a certificate or credential card for the purpose of obscuring or misrepresenting the information on either document.

(8) Any other violation of the Act or this chapter.

§ 139.10. [Advisory Board.] (Reserved).

[(a) For the purpose of advising the Secretary when determining factual interpretations amending or repealing this chapter and for evaluating petitions for exception or variance from this chapter, the Governor will appoint an Advisory Board on Amusement Ride/Attraction Safety consisting of nine members. Members will include the following:

- (1) A representative of the amusement ride manufacturers.
- (2) The President of the Pennsylvania State Showman's Association.
- (3) The Chairman of the Pennsylvania Amusement Park Association.
- (4) The President of the Pennsylvania Amusement Park Association.

(5) The President of the Pennsylvania County Fairs Association.

(6) A mechanical engineer.

(7) Two public representatives.

(8) The Secretary, who will be designated by the Governor as the Chairman.

(b) The Board will be known as the Amusement Ride Safety Advisory Board.

(c) The Board will hold public hearings at a time and place that the Board specifies to carry out its responsibilities.]

§ 139.11. Accident reporting.

(a) Report required. [When an owner submits an accident report to the owner's insurance company, a copy of those reports which involve physical injuries or death to an individual as a result of the operation of an amusement ride or amusement attraction shall be sent to the Department by the owner at the same time. The notice shall indicate the description of the amusement ride or amusement attraction by which the injury or death occurred and the nature of the injuries or cause of death.] An owner or lessee shall file an accident report with the Department with respect to any accident which results in death or serious injury or illness as a result of the operation of an amusement ride or amusement attraction. The accident report form shall be faxed or delivered to the Department, at the address or fax number set forth in § 139.14 (relating to contacting the Department), within 48 hours after the owner, lessee or operator is aware of the death, serious injury or illness.

(b) Accident report form. [When a serious injury, death or fire occurs as a result of the operation of an amusement ride or attraction, the operators shall immediately close the

of time. The attraction or ride may not be reused until it has been inspected, repaired or declared safe by a qualified inspector. In the event of death, the ride or attraction may not be reopened until declared safe by the insurance company of the owner. This declaration shall be in writing to the Department. In the case of a verbal declaration from the insurance carrier, a written declaration shall be submitted to the Department.] An accident report required under the Act and this section shall be made on a form provided by the Department. The accident report form may be downloaded from the Department's website, or a supply of accident report forms may be obtained from the Department by request directed to the Department in accordance with § 139.14 (relating to contacting the Department). The following information shall be included in an accident report:

- (1) The name and address of the operator of the amusement ride or amusement attraction at which the death or serious injury or illness occurred.
- (2) The name and address of the owner or lessee of the amusement ride or amusement attraction at which the death or serious injury or illness occurred.
- (3) A description of the ride involved, including registration number, name of ride, manufacturer and manufacturer's serial number.
- (4) A detailed description of the incident giving rise to the death or serious injury or illness.
- (5) The name and address of the dead or injured person.
- (6) A general summary of the apparent injuries sustained by each dead or injured person.
- (7) The names and addresses of all known witnesses to the incident giving rise to the death or injury.

(8) The signature of the owner or lessee, verifying the accuracy of the injury report form subject to the penalties of 18 Pa.C.S.A. § 4904 (relating to unsworn falsification to authorities).

(c) Duty of owner, lessee or operator to close ride or attraction pending reinspection.

[Documents concerning accident reports, the disclosure of which may lead to the disclosure of the institution, progress or result of investigation undertaken by an agency in the performance of its official duties, may not be deemed public record under the act of June 18, 1984 (P. L. 384, No. 81) (65 P. S. § 66.1), known as the Right-to-Know Act.]

(1) When a death, a serious injury or illness or a fire occurs as a result of an operation of an amusement ride or amusement attraction, the owner, operator or lessee shall immediately close the ride or attraction until it has been inspected and declared safe by a qualified inspector.

(2) If the serious injury described in paragraph (1) results in death, dismemberment, significant disfigurement or permanent loss of the use of a body organ, the required inspection shall be performed by a qualified inspector who is an employee of the Department, and the ride or attraction may not be reopened until it has been inspected and approved to reopen, in writing, by the Department.

(3) If the serious injury described in paragraph (1) results in death, the ride or attraction may not be reopened until the written approval described in paragraph (2) is obtained and the ride or attraction is declared safe by the insurance company of the owner. This declaration shall be by writing delivered to the Department.

§ 139.12. [Variances.] (Reserved).

[Where the literal application of this chapter may cause undue hardship, the affected party may file a written request for relief with the Secretary. The petition shall set forth in detail the grounds upon which the request is based and whether or not a personal hearing is desired. The Secretary may, upon application, grant exceptions or variances but only where it is clearly evident that it is needed to prevent undue hardship—that is, financial, and the like—existing conditions prevent practical compliance and where it is clearly evident that reasonable safety is assured.]

§ 139.13. Penalties.

(a) Civil penalties.

(1) A person who willfully or repeatedly violates the Act or this chapter is subject to a civil penalty not to exceed \$2,000 [for] with respect to each violation.

(2) If the Department elects to pursue a civil penalty, it will provide the person who is the proposed subject of that civil penalty with written notice of the proposed adjudication assessing the civil penalty, and afford that person 7 working days from receipt of that notice within which to deliver to the Department a written request for an administrative hearing on the proposed civil penalty.

(3) A written request for an administrative hearing shall specify those portions of the proposed adjudication with respect to which the person requesting the hearing takes issue, the basis for the objection and any other relevant facts or arguments not addressed in the proposed adjudication. The administrative hearing will be limited to these objections, additional facts or arguments. Any portion of

the proposed adjudication that is not specifically objected to will be deemed admitted at the administrative hearing.

(4) The Department will, in accordance with § 11(a) of the Act (4 P.S. § 411(a)), grant an administrative hearing within 7 days of receiving a written request for an administrative hearing. The Department will grant this hearing by mailing or delivering a notice to the person making the request, setting forth the date, time and location of the administrative hearing. An administrative hearing is "granted" for purposes of § 11(a) of the Act if the referenced notice is mailed or delivered within the 7-day period - regardless of whether the actual scheduled date of the administrative hearing is before or after the expiration of the referenced 7-day period.

(5) If a timely request for an administrative hearing is not received, the Department will issue the proposed adjudication as its final adjudication, and deliver that final adjudication to the subject of that document.

(b) *Criminal penalties.* An owner or lessee of an amusement ride or amusement attraction who willfully violates the act or this chapter where the violation causes death to a member of the public exposed to the violation, commits a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine not exceeding \$2,500 or to a term of imprisonment not exceeding 1 year, or both. If the conviction is for a violation committed after a first conviction, the offender shall be sentenced to pay a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 1 year, or both.

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§ 139.14. Contacting the Department.

(a) Methods of contact. For purposes of the Act and this chapter, the Department may be contacted as follows:

(1) By mail to the following address:

Pennsylvania Department of Agriculture
ATTN: Bureau of Ride and Measurement Standards
2301 North Cameron Street
Harrisburg, PA 17110-9408

(2) By telephone to (717) 787-2291.

(3) By fax to (717) 783-4158.

(4) By e-mail to: ra-amusementrides@state.pa.us.

(b) Obtaining forms. Forms and documents referenced in this chapter may be obtained by mailing, faxing or telephoning a request to the Department, or may be available from the Department's website, at: www.agriculture.state.pa.us

(c) Filing documents with the Department. Any document required to be filed with the Department under this chapter will be considered "filed" as of the date of postmark, fax transmission, e-mail delivery or actual delivery - whichever occurs first.

(d) Delivering documents to the Department. Any document required to be delivered to the Department under this chapter will be considered "delivered" as of the date it is

Subchapter B: DESIGN AND CONSTRUCTION

§ 139.41. General.

(a) Manufacturers and fabricators of amusement rides and attractions shall design and construct the amusement rides, devices, and structures to carry all loads safely and to withstand normal stresses to which they may be subjected. Structural materials and construction of rides and attractions shall conform to recognized engineering [practices] practices, procedures, standards and specifications. This information shall also be furnished by the owner or operator for existing rides and attractions if required by the Department. Stress analysis and other data pertinent to the design, structure, factors of safety or performance characteristics shall be in accordance with accepted engineering practices.

(b) Manufacturers and fabricators of amusement rides and attractions shall comply with current ASTM International F-24 Committee Standards concerning amusement rides and devices as they pertain to manufacturer responsibilities for equipment design, testing, erection, operation maintenance and inspections. These ASTM International F-24 Committee Standards [, October 1984,] and subsequent amendments are incorporated by reference.

(c) The applicable standards shall be the ASTM International F-24 Committee Standards in effect as of the earlier of the following:

(1) The date of contract for original manufacture of the amusement ride or attraction.

(2) The date of the bill of sale from the manufacturer to the original purchaser of the amusement ride or attraction.

Any changes or modifications to the ASTM International F-24 Committee Standards after the earlier of the dates described in paragraphs (c)(1) and (c)(2) may not apply to the amusement ride or amusement attraction unless the standards themselves require retroactive implementation or the Department makes adherence to these new standards a condition of registration.

(d) An amusement ride or amusement attraction shall operate in strict accordance with the applicable ASTM International Standards. If the attraction is modified the latest version of the ASTM International Standards shall apply to the change, alteration and/or modifications.

[(c)] (e) Owners of existing amusement rides, and attractions are responsible for obtaining the required construction maintenance and operational information from the manufacturer if available.

§ 139.42. Structures.

[(a)] Permanent buildings, enclosed structures and rides intended to be used for or as an amusement ride or amusement attraction shall be constructed to conform to the requirements of [fire and panic regulations at 34 Pa. Code Chapters 49—59 (relating to administration—buildings; general requirements—buildings; A-1 assembly; division A-2 assembly; division A-3 assembly; group B educational; division C-2 hotels, motels, apartment buildings, etc.; division C-3 small group habitation; division C-4 single exit apartments; division D-0 ordinary commercial, industrial, office)] the Pennsylvania

Construction Code Act unless exempted under that statute or its attendant regulations,
and shall have posted therein a certificate of occupancy issued by [the Secretary of the
Department of Labor and Industry] a building code official in accordance with the
Pennsylvania Construction Code Act.

[(b) Temporary buildings intended to be used for or as an amusement ride or attraction
that are relocated from time to time, with or without disassembly, shall conform to the
following:

(1) Be noncombustible or 1 hour flame-retardant.

(2) Be provided a minimum of two exits reasonably remote from each other.

Exits, including access to exits, shall be illuminated and marked and exit doors be
equipped with panic hardware and open outward and lead directly to the outside.

Required travel distance from one point may be no more than 75 feet.

(3) Be provided with an emergency lighting system which shall be activated by
U. L. approved smoke detectors.

(4) Have access to the means of egress marked by readily visible signs in cases
where it is not immediately visible to the passengers.

(5) Conform interior finishes to the fire prevention requirements of § 139.75(d)
(relating to fire protection and prevention) which deal with fabric hazards
constituting part of a passenger-carrying amusement ride.

(6) Be placed or secured with blocking, cribbing, outriggers, guys or other
means to be stable under operating conditions.]

§ 139.43. Passenger-carrying rides.

[Tubs, cars, chairs, seats, gondolas and other carriers] Amusement rides and amusement attractions shall be designed for safe operation and meet applicable ASTM International standards, as described in § 139.41(c) (relating to general), and shall conform to the other requirements of this section to the extent they do not conflict with applicable ASTM International standards.

* * *

(4) *Self-powered rides.* Rides which are self-powered and which are operated by a passenger shall have the driving mechanism and any moving part that might pose a threat to the rider guarded and the guards secured in place to prevent passengers from gaining access to the mechanism.

* * *

(8) *Travel clearance.* The path of travel of an amusement ride shall have a clearance envelope to ensure that a passenger on the ride cannot be injured by contacting a structural member or other fixed or moveable object when the passenger is in the riding position in accordance with the manufacturer's specifications.

(9) *Emergency brakes and [antiroll back] anti-rollback devices.* Emergency brakes and [antiroll back] anti-rollback devices shall be in accordance with manufacturer's specifications and, if required or recommended by the manufacturer, shall be in place and operational when the ride is open for use by the public.

* * *

(ii) On rides which make use of inclined tracks, automatic [antiroll back] anti-rollback devices shall be installed to prevent backward movement of the

passenger-carrying units in case of failure of the propelling mechanism, unless movement in the reverse direction would not cause injury or damage.

* * *

(11) *Signal systems.*

(i) Signal systems for the starting and stopping of amusement rides shall be provided where the operator of the ride does not have a clear view of the point at which passengers are loaded and unloaded, or where the ride operator does not have a clear view of oncoming or returning passenger-carrying vehicles with sufficient line-of-sight to prevent a collision. A signal system shall be a mechanical, electronic or other system that meets or exceeds the manufacturer's recommendations.

(ii) A code of signals adopted for the operation of an amusement ride shall be printed and kept posted at both the operator's station and the signalman's [stations] station. A person who may use these signals shall be [carefully] adequately instructed in their use.

* * *

(12) *Protection against moving parts.*

(i) An amusement ride may not be used or operated while a person is [so located as to] located in a position where a person would be endangered by [it] the amusement ride. Areas in which persons may be endangered shall be fenced, barricaded or otherwise guarded against public intrusion.

* * *

(13) *Amusement ride and attraction ancillary equipment.*

(i) *Air compressors and hydraulic equipment.*

* * *

(B) Air compressor tanks and other receivers used [inconnection] in connection with air compressors shall comply with 34 Pa. Code Chapter 3 (relating to boilers and unfired pressure vessels).

* * *

Subchapter C: OPERATION, MAINTENANCE AND RECORDS

§ 139.71. General requirement.

(a) Owners and operators of amusement rides, devices and structures shall [use ASTM Standards on Amusement Rides and Devices] conform to the ASTM International F-24 Committee Standards in effect as of the date the amusement ride or amusement attraction is registered with the Department, as they pertain to owner/lessee/operator responsibilities for equipment erection, testing, operation, maintenance and inspection. [ASTM Standards, October 1984, and subsequent amendments, are incorporated by reference.] Any changes or modifications to the ASTM International F-24 Committee Standards after this registration date shall not apply to the amusement ride or amusement attraction unless the standards themselves require retroactive implementation or the Department makes adherence to these new standards a condition of registration.

(b) An amusement ride or amusement attraction shall be constructed, maintained and operated in strict accordance with the applicable ASTM International F-24 Committee Standards. If the attraction is modified, the latest version of the ASTM International F-24 Committee Standards shall apply to the change, alteration and/or modification. If the

modification is a major modification, the owner, operator and/or manufacturer shall also comply with § 139.78 (relating to rebuilt and modified rides).

[(b)] (c) Air compressors and hydraulic equipment shall be inspected under § 139.43(13) (relating to passenger-carrying rides).

§ 139.72. Erection/disassembly of amusement rides and attractions.

The owner or lessee shall cause each amusement ride, device or attraction to be erected in accordance with the manufacturer's recommendations as provided for in ASTM International F-24 Committee Standards, and shall conform to the other requirements of this section to the extent they do not conflict with applicable ASTM International standards.

* * *

(2) *Proximity to high voltage lines.* Amusement rides shall be located at least [10] 15 feet from suspended high voltage lines.

(3) *Ride entry and discharge.* Safe and adequate means of normal entry and normal discharge from each ride shall be provided.

* * *

(iii) No means of egress shall be less than [22] 36 inches in width.

* * *

(x) Stairways, passageways, ramps, landings or platforms may not be less than [22] 36 inches in width for single lane passage or 44 inches for double lane passage. Landings or platforms may not be less than 3 feet long measured in the direction of travel.

(xi) Stair treads shall be at least 9 inches deep, exclusive of nosing, and the rise may not exceed 8 inches. Between two connecting levels the treads shall be uniform depth and the risers shall be of uniform height. The slope of ramps may not exceed one in ten except that when [nonslip] non-slip surfaces are provided.

* * *

§ 139.73. Electrical system and equipment.

* * *

(c) Where electrical distribution and transmission lines have not been de-energized or where special insulating barriers to prevent physical contact with the lines have [have] not been erected, a person shall be designated to give timely warning for all maneuvers of equipment, ride structures and machinery operated proximate to the lines so that ample clearance is maintained.

* * *

(g) Services shall be installed in conformance with Article [230] 525 of the *National Electrical Code* [(NFPA 70-1984) and as subsequently amended].

(h) Temporary electrical power and lighting installation shall be permitted during periods of construction, remodeling or demolition activities. Temporary electrical power and [lightings] lighting shall be permitted for a period not to exceed 90 days when associated with operating amusement rides or attractions.

§ 139.74. Temporary wiring.

(a) Feeders shall be provided with overcurrent protection in accordance with the load imposed and conductor size as specified in Article 240 of the *National Electrical Code* [(NFPA70-1984) and as subsequently amended].

* * *

(m) [Receptables] Receptacles and attachment plugs shall be of the grounding type and have ground fault interrupter (GFI) protection.

* * *

§ 139.75. Fire protection and prevention.

(a) Approved U. L. fire extinguishers shall be provided at [gas driven] gasoline-driven rides and otherwise where necessary to secure reasonable and adequate protection from fire hazards.

* * *

(d) Fabrics constituting part of an amusement ride shall:

(1) Conform to the following requirements, based on tests conducted in accordance with the requirements of ASTM-E-84, or its current successor document:

* * *

§ 139.76. Ride and attraction operators and [attraction] attendants.

[(a)] The ride operator shall operate the ride, device or attraction as follows:

* * *

(4) The operator [may not operate] shall not operate a ride while under the influence of alcohol or drugs.

* * *

(6) There shall be sufficient numbers of operators and attendants, and this number shall meet or exceed the number of operators recommended by the manufacturer of the ride, device or attraction.

[(b) The operator shall lock-out the electrical disconnect switch when restoration of electrical power to an amusement ride or attraction could create a hazard to persons during the performance of maintenance, repair, inspection or an emergency evacuation of persons, and ensure that it remains locked out until restoration of power will not create a hazard.]

§ 139.77. Maintenance of amusement rides and attractions.

(a) *Maintenance program.* The owner of an amusement ride or amusement attraction shall implement a program of maintenance, testing and inspection, based on manufacturer's recommendations, providing for the duties and responsibilities necessary in the care of each amusement ride or attraction. The maintenance program shall include a [check list] checklist to be made available to the person performing the regularly scheduled maintenance. The maintenance program shall include, but is not limited to, the ASTM International F-24 Committee Standards for the operation, maintenance, testing and inspections.

(a.1) Electricity lock-out. A person performing maintenance or repairs, or making an inspection, shall lock-out the electrical disconnect switch when restoration of electrical

power to an amusement ride or amusement attraction could create a hazard to persons during the performance of maintenance, repair, inspection or an emergency evacuation of persons, and ensure that it remains locked out until restoration of power will not create a hazard.

* * *

§ 139.79. Records.

(a) The owner or lessee of an amusement ride or amusement attraction shall maintain the following records on site and make them available [to] upon request of the Department, the Department's representative [and] or the qualified inspector.

(1) *Daily inspection records.* Daily inspection records – including daily ride-specific inspection checklist records referenced in ASTM International F-24 Committee Standards - shall be prepared and maintained by the owner, lessee or operator who shall be experienced and knowledgeable in the proper assembly and operation of the ride or attraction. The inspection and tests shall include operation of control devices, speed-limiting devices, brakes and other safety equipment. The inspection shall be made each day the ride or attraction is put into normal operation.

(2) *Tests.* Tests recommended by the manufacturer shall be recorded and a copy made available to the Department, the Department's representative and the qualified inspector. Evidence of satisfactory test results shall be recorded on a form or statement by one of the following:

* * *

(iii) A [registered licensed] professional engineer.

(iv) A person recommended by the manufacturer as qualified to perform the test.

* * *

COMMONWEALTH OF PENNSYLVANIA



GOVERNOR'S OFFICE OF GENERAL COUNSEL
DEPARTMENT OF AGRICULTURE
2301 N. Cameron Street • Room 201
Harrisburg, Pennsylvania 17110-9408

OFFICE OF CHIEF COUNSEL

Tel: 717-787-8744
Fax: 717-787-1270

June 13, 2007

Independent Regulatory Review Commission
333 Market Street, 14TH Floor
Harrisburg, PA 17120

Re: NOTICE OF PROPOSED RULEMAKING
Department of Agriculture
7 Pa. Code Chapter 139
Amusement Rides and Attractions Erected Permanently
or Temporarily at Carnivals, Fairs and Amusement Parks
I.D. No. 2-102

Dear Sirs:

Please find enclosed copies of the Face Sheet, Preamble, Annex "A" and Regulatory Analysis Form with respect to the above proposed regulation.

Copies of these documents have been submitted to the majority and minority chairpersons of the House and Senate Agriculture and Rural Affairs Committees and to the Legislative Reference Bureau on this date.

The proposed regulation will be published in the June 23, 2007 edition of the *Pennsylvania Bulletin*. If I may be of further information, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Smith".

Dwight-Jared Smith
Assistant Counsel

Enclosures

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 2-102

SUBJECT: AMUSEMENT RIDES AND ATTRACTIONS ERECTED PERMANENTLY OR TEMPORARILY AT CARNIVALS, FAIRS AND AMUSEMENT PARKS

AGENCY: DEPARTMENT OF AGRICULTURE

TYPE OF REGULATION

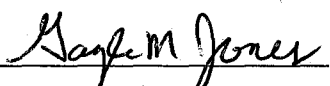
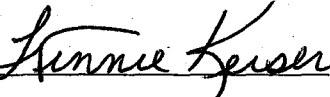
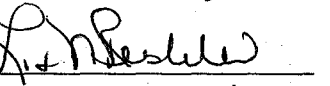

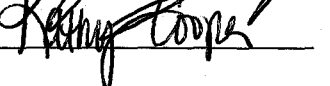

- X Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
 a. With Revisions b. Without Revisions

INDEPENDENT REGULATORY
REVIEW COMMISSION

2007 JUN 13 PM 2:22

RECEIVED

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
6-13-07		HANNA HOUSE COMMITTEE ON AGRICULTURE & RURAL AFFAIRS
6-13-07		HERSHEY
6-13-07		BRUBAKER SENATE COMMITTEE ON AGRICULTURE & RURAL AFFAIRS
6-13-07		O'PAKE
6-13-07		IRRC INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
6-13-07		LRB LEGISLATIVE REFERENCE BUREAU (for Proposed only)

June 7, 2007