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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

November 6, 2008

Honorable Dennis C. Wolff, Secretary
Department of Agriculture
211 Agriculture Building
2301 North Cameron Street
Harrisburg, PA 17110

Re: Regulation #2-102 (IRRC #2616)
Department of Agriculture
Amusement Rides and Attractions Erected Permanently or Temporarily at Carnivals, Fairs
and Amusement Parks

Dear Secretary Wolff:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Arthur Coccodrilli
Chairman

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Enclosure

cc: Honorable Michael W. Brubaker, Chairman, Senate Agriculture and Rural Affairs
Committee
Honorable Michael A. O'Pake, Minority Chairman, Senate Agriculture and Rural Affairs
Committee
Honorable Michael K. Hanna, Sr., Majority Chairman, House Agriculture and Rural Affairs
Committee
Honorable Arthur D. Hershey, Minority Chairman, House Agriculture and Rural Affairs
Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held November 6, 2008

Arthur Coccodrilli, Chairman
Alvin C. Bush, Vice Chairman
Nancy Sabol Frantz, Esq.
Karen A. Miller
John F. Mizner, Esq.

Regulation No. 2-102 (#2616)
Department of Agriculture
Amusement Rides and Attractions Erected
Permanently or Temporarily at Carnivals, Fairs
and Amusement Parks

On June 13, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code Chapter 139. The proposed regulation was published in the June 23, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 25, 2008.


This rulemaking is a comprehensive update and revision of the Department's existing regulations on amusement rides and attractions. There are three basic reasons for this rulemaking. First, the provisions of Chapter 139 are out-of-date and have not been amended since 1987. Second, revisions are necessary to incorporate the standards of the ASTM International (formerly known as the American Society for Testing Materials). Third, the rulemaking brings this chapter into greater consistency with its enabling legislation, the Amusement Ride Inspection Act which was amended in the 1990s.

We have determined this regulation is consistent with the statutory authority of the Department (4 P.S. § 404) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Arthur Coccodrilli, Chairman