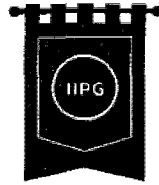


A 2616



**INFLATABLE INDUSTRY  
PURCHASING GROUP INC**

316 Maxwell Road • Suite 100 • Alpharetta, GA 30004  
Phone 888-411-4911 • Fax 678-832-4910  
[www.insuremybounce.com](http://www.insuremybounce.com)

**RECEIVED**  
MAY 05 2008  
PA DEPT OF AGRICULTURE  
RIDE & MEASUREMENT STDS

May 1, 2008

John Dillabaugh, Director  
PA Department Of Agriculture  
Bureau of Ride & Measurement Standards  
2301 North Cameron St, RM G-4  
Harrisburg, PA 17110

RE: Amusement Rides and Attractions  
Comments on 37 Pa.B. 2823; ( 7 PA. Code CH. 139)

Dear Mr. Dillabaugh:

I am writing concerning a matter which I believe is of the utmost importance concerning the safety of persons using Inflatable Amusement Rides and Play Structures and more particularly, the financial responsibility of those who manufacture, distribute, rent or operate these amusements.

I represent the Inflatable Industry Purchasing Group, Inc. a non-profit Delaware corporation formed to address the General Liability insurance and risk management needs of companies engaged in the Inflatable Play Structure Industry. We current have over one thousand (1,000) members with more than 45 of them located in the state of Pennsylvania.

I believe the reason for an insurance requirement in the legislation is to make sure those engaged in an activity or use of a product affecting the general public are financially responsible for any liabilities for bodily injury or property damage arising out of those activities or products. So, ultimately, it is for the benefit of an injured party, seeking recovery of damages.

Since any or even all of the parties in the chain of commerce, involving a product or an amusement device, may be liable, in whole or in part, then it makes sense that all of them should be financially responsible and able to respond. We believe the insurance requirements should apply to the manufacturer, distributor (wholesale and retail), owner and operator. This would give any injured party a fair reason to believe, whoever is found liable for their injuries will be able to respond, at least to the statutory limits required by law.

The ASTM F-24 standards, in many areas reference manufacturer recommendations or requirements and these, by reference, are incorporated into the safe operation, use and

maintenance of amusement ride products. It may well be a design flaw, these recommendations or lack of recommendations that are found to be the cause of a loss, with resulting liability resting with a manufacturer or distributor. The Pennsylvania citizens would need to look past the owner or operator for recovery of their damages.

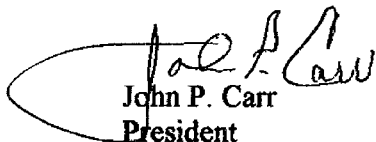
We believe section 139.5 should be expanded to include those who manufacture or distribute amusement products, especially of the Inflatable Play Structure type, for use in the Commonwealth of Pennsylvania. Requiring manufacturers or those who may stand in the shoes of a foreign manufacturer, to be financially responsible is an important component of this state code.

Enforcing such a requirement would not be difficult. All manufacturers or distributors for foreign manufacturers should be required to provide the state with certificates evidencing coverage. Since all units must be inspected, the name of the manufacturer should be included on the inspection document. If that manufacturer has not filed with the state evidence of product liability insurance, the owner of that product would be notified that no evidence exists and either one must be filed within the next annual cycle or the product will not be approved for use at renewal. This would bring customer pressure on the manufacturer to comply and give owners a full year without penalty.

We also view the limits of liability required by the code as being severely inadequate. Basic bounce rides, slides, obstacle courses, bungee runs and other similar amusements have been involved in very serious bodily injuries ... head and neck injuries being the most serious. We strongly recommend higher minimum limits and suggest, similar to other states, a minimum per person / per occurrence bodily injury limit of \$1 million or combined single limit of \$1 million.

We appreciate having this opportunity to comment and hope you will expand the code to include manufacturer and distributor financial responsibility and increase the minimum insurance limit requirements to reflect today's economic values and the nature of injuries involved with these type products.

Sincerely,

  
John P. Carr  
President