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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 189  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 189's Bill Analysis](#)

**Version:** As Passed by the House

**Primary Sponsors:** Reps. Patterson and Blessing

**Local Impact Statement Procedure Required:** No

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### Highlights

- The Division of Amusement Ride Safety and Fairs within the Department of Agriculture may incur a minimal administrative cost to adopt the additional rules required by the bill. This would include determining rides that need more comprehensive inspection, the minimum number of inspectors assigned to inspect a ride, and the minimum number of inspections to be conducted on each ride. Any costs would be paid from the Amusement Ride Inspection Fund (Fund 5780).
- The bill may also result in additional fine revenue collected by the Department if an amusement ride operator violates any of the bill's provisions. Fines are up to \$500 for the first violation, up to \$2,500 for the second violation, and up to \$5,000 for each subsequent violation. Fine revenues are deposited into Fund 5780.

### Detailed Analysis

The Division of Amusement Ride Safety and Fairs within the Department of Agriculture may incur a minimal administrative cost to adopt the additional rules regarding amusement ride safety required under the bill. Any cost would be paid from the Amusement Ride Inspection Fund (Fund 5780). Rules that must be adopted under the bill pertain to (1) identifying rides that need more comprehensive inspection based on the existing amusement ride classification system, and (2) the minimum number of inspectors assigned to inspect an amusement ride and the minimum number of inspections to be conducted on each ride. In addition to adopting rules, the bill also requires a temporary amusement ride owner to submit a list of locations and dates where the temporary ride was either stored for a period longer than 30 days or operated outside of the state. The bill authorizes the Department to require additional inspections after reviewing this list. Overall, in CY 2018, the Department inspected over 2,500 temporary rides.

The FY 2019 appropriation for the Division's operations is approximately \$1.4 million. Currently, eight full-time and three part-time employees work under the Division of Amusement Ride Safety and Fairs. Am. Sub. H.B. 166 of the 133<sup>rd</sup> General Assembly, the main operating budget act, as pending in the Senate Finance Committee, proposes to increase amusement ride fees ranging from \$49 to \$75. The additional estimated revenue from this proposed increase will allow the Division to hire two inspectors. In FY 2018, \$1.1 million was deposited in Fund 5780, consisting of amusement ride permit fees, inspections and reinspections, and fines.

The bill may also result in additional fine revenue deposited into Fund 5780. Under current law, if an amusement ride owner fails to keep a record or fails to make records available to the Department or to any amusement ride inspector, the owner may be fined up to \$500 for the first violation, up to \$2,500 for the second violation, and up to \$5,000 for each subsequent violation that occurs within two years of the second violation or preceding subsequent violation. The bill adds that an owner may be fined in accordance with this existing fine schedule if the amusement ride owner violates any of the bill's provisions pertaining to maintenance and repair. These provisions include requiring the owner to (1) take photographs of the ride subject to any repair prior to and after each repair and include the photographs in the record the amusement ride owner is required to maintain, and (2) prepare a detailed written description of each repair and include those descriptions in the record.

Lastly, the bill requires the Director of Agriculture to appoint a registered professional engineer to the existing Advisory Council on Amusement Ride Safety to serve as a nonvoting member. Members of the Council are reimbursed for actual and necessary expenses incurred in attending Council meetings and in the performance of their official duties.