

GREEN SHEET REDIGEST

HB 937

2026 Regular Session

LaCombe

AMUSEMENT PARKS: Provides relative to revisions of the Amusement Rides Safety Law

DIGEST

Present law provides that the purpose of the Amusement Rides Safety Law is to regulate the testing, inspection, and operation of inflatable amusement devices, amusement attractions, and amusement rides, and to prohibit the use of such devices, attractions, and rides when they have not been properly registered, have not received a proper and timely certificate of inspection and have not received a set-up inspection.

Proposed law retains present law except removes all references to inflatable amusement devices and set-up inspections from the Amusement Rides Safety Law.

Present law provides for definitions.

Proposed law modifies present law definitions to remove references to inflatable amusement devices and removes the definitions for "inflatable amusement device" and "set-up inspector". Proposed law modifies the definition of "third-party inspector" from a person licensed by the fire marshal to test and inspect inflatable amusement devices, amusement attractions, and amusement rides to a person licensed by the office of state fire marshal to perform annual testing and inspecting of amusement attractions and amusement rides.

Present law requires the owner of an inflatable amusement device, amusement attraction, or amusement ride to provide for the initial registration of such device, attraction, or ride. Present law further requires a registration application, a certain certificate of inspection, and a copy of certain general liability insurance to be submitted to the fire marshal. Present law further requires the annual registration renewal of such devices, attractions, and rides.

Proposed law removes all references to inflatable amusement devices from registration requirements but otherwise retains present law.

Present law requires an owner to notify the office of state fire marshal if a plate or decal is lost or damaged. Present law further requires that prior to receiving a new plate or decal, the owner shall return the damaged plate or decal to the office of state fire marshal and pay a \$30 fee.

Proposed law retains present law and further requires an owner to submit an attestation that the plate was lost to the office of state fire marshal.

Present law requires certain third-party inspection of inflatable amusement devices, amusement attractions, and amusement rides. Present law further prohibits the operation of such device, attraction, or ride unless a respective certificate of inspection has been provided by a third-party inspector and a certificate of registration has been issued by the fire marshal.

Present law requires a third-party inspector to provide notice, within 10 days, to the fire marshal when an inflatable amusement device, amusement attraction, or amusement ride does not comply with certain inspection requirements. Present law further provides for the fire marshal to subsequently issue a cease and desist order to a respective operator, and such order shall not be lifted unless deficiencies have been remedied.

Proposed law retains present law except removes all references to the registration of an inflatable amusement device, and decreases the notification time for a third-party inspector to report deficiencies to the fire marshal from 10 days to 5 days.

Present law requires an operator to notify the fire marshal at least five days prior to commencing the operation of an amusement attraction or amusement ride. Present law

further assesses a fine per ride or attraction if the operator notifies the fire marshal less than five days prior to commencing operation as follows:

- (1) \$50.00 for the first offense.
- (2) \$75.00 for the second offense.
- (3) \$200.00 for the third offense.
- (4) \$250.00 for each additional offense thereafter.

Present law provides for a \$250.00 fine per ride or attraction if the operator notifies the fire marshal of a change in date or location less than 5 days prior to operation. Present law applies to inflatable amusement devices, except the fine for respective late notices to the fire marshal changes from \$250 to \$200.

Proposed law retains present law in part, except changes the fine schedule to \$50.00 per ride or attraction per event for an operator failing to give notice to the fire marshal at least 5 days in advance of either a change in location or devices or of commencement of the operation; and \$250.00 per ride or attraction per event if the operator fails to notify the fire marshal entirely. Proposed law further removes notice requirement for inflatable amusement devices.

Present law provides for set-up inspections. Present law requires an operator to have a set-up inspection conducted on all inflatable amusement devices, amusement attractions, and amusement rides at least once prior to their operation at each event in the state. Present law provides for the set-up inspection to be conducted by a third-party inspector or an employee of the operator specially trained to perform a set-up inspection.

Present law provides that if an inflatable amusement device, amusement attraction, or amusement ride complies with the requirements of a set-up inspection, the third-party inspector or set-up inspector is required to affix a tag to such device, attraction, or ride. Present law further provides that if such device, attraction, or ride is not in compliance with the requirements of a set-up inspection, the third-party inspector is required to cease operation of such device, attraction, or ride and provide notice to the fire marshal within two hours of the determination of noncompliance, and tag it accordingly.

Proposed law requires an operator to have a set-up inspection conducted by the office of state fire marshal on amusement attractions and amusement rides at least once prior to their operation at each event. Proposed law removes the ability for third-party inspectors to conduct set-up inspections and removes tagging requirements for rides and attractions.

Present law prohibits a person or firm from engaging in the testing and inspection or operation of an inflatable amusement device, amusement attraction, or amusement ride unless the person or firm holds a current or valid license as provided in present law.

Present law prohibits a person or firm from aiding, abetting, facilitating, or otherwise assisting any unlicensed person or firm in the engagement of testing and inspecting or operating when such person or firm knew or should have known the latter person or firm was unlicensed.

Present law authorizes the fire marshal to adopt administrative rules allowing the owner of an inflatable amusement device, amusement attraction, or amusement ride, or an employee of the owner to perform minor service and repairs of such device, attraction, or ride. Present law requires the owner to document such service or repair and assume responsibility for all such service or repair.

Proposed law retains present law except that it removes all reference to inflatable amusement devices.

Present law requires a firm or operator applying for a firm license to obtain a license and endorsement to test and inspect or operate an inflatable amusement device, amusement attraction, or amusement ride. Further requires an applicant for a third-party inspection firm license or an operating firm license to submit a complete application including the names of

certain persons, documentation that the firm is an entity duly authorized to conduct business within this state, certain documentation issued by the secretary of state if the firm is incorporated, regardless of whether such firm is physically located in the state, certain insurance information, and the payment of the required application fee. Further provides insurance documenting general liability coverage in a minimum amount of \$1,000,000.00.

Proposed law retains present law except removes any reference to inflatable amusement devices.

Present law provides the fire marshal with powers and duties, including to conduct inspections, perform audits, and investigate accidents related to inflatable amusement devices, amusement attractions, or amusement rides.

Proposed law retains present law except it removes references to inflatable amusement devices.

Present law requires the attainment of a license and respective endorsement to perform the set-up inspection of an inflatable amusement device, amusement attraction, or amusement ride. Authorizes employees of the owners or operators of such a device, attraction, or ride to become licensed to perform the set-up inspection.

Proposed law removes license endorsement for set-up inspection.

Present law authorizes the fire marshal to assess and collect certain fees. Fees for the registration of each inflatable amusement device, amusement attraction, or amusement ride are as follows:

- (1) Initial Registration Fee:
 - (a) Inflatable amusement device: \$100.00
 - (b) Child or "Kiddie" amusement attraction or amusement ride: \$100.00
 - (c) Adult amusement attraction or amusement ride: \$200.00
- (2) Annual Renewal Fee:
 - (a) Inflatable amusement device: \$100.00
 - (b) Child or "Kiddie" amusement attraction or amusement ride: \$100.00
 - (c) Adult amusement attraction or amusement ride: \$200.00

Present law provides for firm license fees as follows:

- (1) Initial Fee:
 - (a) Inspection endorsement: \$500.00
 - (b) Operation endorsement: \$500.00
- (2) Renewal Fee:
 - (a) Inspection endorsement: \$100.00
 - (b) Operation endorsement: \$100.00

Present law provides licensing fees for an individual's license as follows:

- (1) Initial Fee:
 - (a) Third-party inspector endorsement: \$250.00

- (b) Operator or Owner endorsement: \$250.00
 - (c) Set-up inspector endorsement: \$250.00
- (2) Renewal Fee:
- (a) Third-Party inspector endorsement: \$50.00
 - (b) Operator or Owner endorsement: \$50.00
 - (c) Setup inspector endorsement: \$50.00

Proposed law removes the authority of the fire marshal to assess and collect fees and removes all fees provided in present law except as follows:

- (1) Registration and annual renewal of an amusement attraction ride:
- (a) Child or "Kiddie" amusement attraction or amusement ride: \$100.00
 - (b) Adult amusement attraction or amusement ride: \$200.00
- (2) Third-party inspection or owner operator firm:
- (a) Initial Fee: \$500.00
 - (b) Renewal Fee: \$250.00
- (3) Individual third-party or owner operator:
- (a) Initial Fee: \$350.00
 - (b) Renewal: \$200.00

Present law provides that licenses are valid for one year, unless a multi-year license is created. Requires a license to be renewed by the license holder within the 30 days prior to the license expiration date. Authorizes the fire marshal to create a prorated fee system to allow employee license renewal dates to coincide with the firm license renewal date.

Proposed law retains present law except that it removes the requirement of a license to be renewed within 30 days prior to the license expiration date.

Present law provides that a license not renewed within the 30 days prior to its expiration date is past due for renewal and subject to late fees. Requires the license holder to pay a late fee penalty of \$25.00 for a license renewed within the first 45 days past the license expiration date. Requires the license holder to pay a late fee penalty of \$50.00 for a license renewed between 46 and 60 days past the license expiration date.

Proposed law requires the individual or firm to file an application for renewal of a license without payment of a late fee, after a license has expired. Provides that a late fee of \$125.00 shall be charged to any person who makes application for renewal of a license after 15 days following expiration.

Present law provides for the fire marshal's suspension of a license if the license is not renewed within 60 days past its expiration date or if the license holder has not maintained the license.

Proposed law removes the authority of the fire marshal to suspend a license.

Present law provides a \$20.00 fee for a duplicate or replacement firm or individual license, regardless of how many endorsements are carried. Present law further provides a cost of \$20.00 to transfer an individual license from one firm to another.

Proposed law increases the fee for a duplicate or replacement license and to transfer an individual license from one firm to another from \$20.00 to \$25.00.

Present law prohibits a person, firm, operator, third-party inspector, or set-up inspector from engaging in certain acts.

Proposed law retains present law except that it removes references to inflatable amusement devices.

Present law provides certain procedures for if an inspection of an inflatable amusement device, amusement ride, or amusement attraction finds that device in violation of standards in present law.

Proposed law retains present law except that it removes reference to inflatable amusement devices.

Present law requires certain insurance or a bond. Present law further prohibits a person from operating an amusement attraction or amusement ride unless the person has either a policy of insurance in an amount of not less than \$1,000,000.00 that provides certain coverage against the operator's liability for injury suffered by persons, or a bond in the amount of \$1,000,000.00, provided the aggregate liability of the surety does not exceed the face amount of the bond.

Present law requires the operator of an inflatable amusement device to have not less than \$300,000.00 of liability insurance or a bond in a like amount.

Proposed law removes the insurance or bond requirement for the operation of inflatable amusement devices.

Present law provides exemptions for certain inflatable amusement devices, amusement attractions, or amusement rides from present law.

Proposed law removes references to inflatable amusement devices but otherwise retains present law.

Present law authorizes the state fire marshal to waive the requirement for an inflatable amusement device, an amusement attraction, amusement ride, or any respective component part to be inspected prior to operation in this state or respective component part has passed an inspection conducted by a public agency whose inspection standards and requirements are at least equal to the requirements and standards established in present law.

Present law requires the state fire marshal to adopt and issue rules, establishing standards for the installation, repair, maintenance, use, operation, and inspection of inflatable amusement devices, amusement attractions, and amusement rides for the protection of the public.

Proposed law retains present law except that it removes reference to inflatable amusement devices and further adds a requirement for the state fire marshal to adopt and issue rules for the decommissioning of amusement attractions and amusement rides for the protection of the public.

(Amends R.S. 40:1484.2(A), 1484.3(6), (7), (8), and (14) through (25), 1484.4(A), (B)(intro. para.) and (3), (C)(1), and (D), 1484.5(A), (B)(1) and (3), 1484.6(B) through (E), 1484.8, 1484.9, 1484.11, 1484.13(A), (B)(3) through (7), (C)(2) and (3), 1484.14(A) and (D), 1484.16(7) and (10), 1484.18, 1484.19(1) through (3), 1484.20(1) through (4), 1484.22, 1484.23(A) and (B), 1484.24(C), 1484.25(intro. para.) and (2), 1484.26, 1484.27, and 1484.28; Repeals R.S.40:1484.3(26) and (27), 1484.6(F), 1484.7, 1484.13(B)(8), 1484.15, 1484.21, and 1484.23(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Amend the requirement of operators to notify the fire marshal at least 5 days in advance of the commencement of operations or of any change in location or devices from \$250.00 per ride or attraction per event to \$50.00 per ride or attraction per event, or \$250.00 if no notice whatsoever is given to the fire marshal.
3. Remove fees for set-up inspections at event sites.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the reengrossed bill

1. Reduces the minimum general liability insurance requirement for third-party inspection firm applicants, operating firm applicants, and operations of amusement attractions on rides from \$2,000,000 to \$1,000,000.