

House Study Bill 66

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act modifying the fee structure relating to amusement ride
2 safety inspections conducted by the division of labor services
3 of the department of workforce development, and providing an
4 effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1348DP 82
7 ak/je/5

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1 1 Section 1. Section 88A.3, Code 2007, is amended to read as
1 2 follows:

1 3 88A.3 RULES.

1 4 1. The commissioner shall adopt ~~and issue~~ rules for the
1 5 safe installation, repair, maintenance, use, operation, and
1 6 inspection of amusement devices, amusement rides, concession
1 7 booths, and related electrical equipment at carnivals and
1 8 fairs to the extent necessary for the protection of the
1 9 public. The rules shall be based ~~upon~~ on generally accepted
1 10 engineering standards and shall be concerned with, but not
1 11 necessarily limited to, engineering force stresses, safety
1 12 devices, and preventive maintenance. ~~Whenever such~~ If
1 13 standards are available in suitable form ~~they, the standards~~
1 14 may be incorporated by reference. The rules shall provide for
1 15 the reporting of accidents and injuries incurred from the
1 16 operation of amusement devices or rides, concession booths, or
1 17 related electrical equipment.

1 18 The commissioner may modify or repeal any rule adopted
1 19 under the provisions of this chapter.

1 20 2. ~~The commissioner shall adopt rules to charge and~~
1 21 ~~collect fees for the inspection of and issuance of permits for~~
1 22 ~~amusement rides, amusement devices, concession booths, and any~~
1 23 ~~related equipment. Fees established by the commissioner shall~~
1 24 ~~be based on the costs of administering the provisions of this~~
1 25 ~~chapter and shall give due regard to the time spent and travel~~
1 26 ~~expenses incurred by division of labor services personnel in~~
1 27 ~~performing such duties.~~

1 28 Sec. 2. Section 88A.4, Code 2007, is amended to read as
1 29 follows:

1 30 88A.4 ~~PERMIT AND INSPECTION FEES -- NONLIABILITY SPECIAL~~
1 31 ~~INSPECTORS.~~

1 32 ~~Annual inspection fees under this chapter shall be as~~
1 33 ~~follows:~~

1 34 ~~1. Permit fees.~~

1 35 ~~a. One through ten rides, or devices or concessions,~~
2 1 ~~twenty dollars.~~

2 2 ~~b. Eleven or more rides, or devices or concessions, thirty~~
2 3 ~~dollars.~~

2 4 ~~2. Mechanical and electrical inspection fees for amusement~~
2 5 ~~rides and devices.~~

2 6 ~~a. For rides which are designed for seventy-five pounds or~~
2 7 ~~less per passenger unit, sixty dollars for each inspection.~~

2 8 ~~b. For rides which are designed for seventy-five pounds or~~
2 9 ~~more and for which the manufacturer's recommended assembly~~
2 10 ~~time is less than forty work hours, ninety dollars for each~~
2 11 ~~inspection.~~

2 12 ~~c. For rides for which the manufacturer's recommended~~
2 13 ~~assembly time is forty work hours or more, one hundred twenty~~
2 14 ~~dollars for each inspection.~~

2 15 ~~3. Electrical inspection of concession booths, and~~
2 16 ~~amusement devices fees, thirty-five dollars each.~~

2 17 ~~4. Special inspectors authorization fee, twenty-five~~

2 18 dollars each. The A special inspectors inspector's
2 19 authorization shall allow a person to perform inspections only
2 20 on rides, devices, and concession booths of an operator who
2 21 makes the request for the special ~~inspectors~~ inspector's
2 22 authorization. The failure of a special inspector to inform
2 23 the commissioner of violations shall not subject the
2 24 commissioner to liability for any damages incurred.

2 25 Sec. 3. EFFECTIVE DATE. The section of this Act amending
2 26 section 88A.4 takes effect January 1, 2008, at which time the
2 27 rules adopted by the commissioner pursuant to section 88A.3,
2 28 subsection 2, as enacted in this Act, shall take effect.

2 29 EXPLANATION

2 30 Effective January 1, 2008, this bill strikes a Code
2 31 provision that establishes a fee structure for the inspection
2 32 of amusement rides and devices and for related permits. The
2 33 bill allows the labor commissioner to set fees for inspections
2 34 and permits based on the costs of administration.

2 35 LSB 1348DP 82

3 1 ak:rj/je/5