

SESSION OF 2022

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2528

As Amended by House Committee of the Whole

Brief*

HB 2528, as amended by the House Committee of the Whole, would remove inflatable devices from the requirements of the Kansas Amusement Ride Act (Act). Current law requires amusement rides, including inflatable devices, comply with the requirements of the Act concerning inspections, insurance, permits, records, and training, among other requirements.

Definition

The bill would define the term “inflatable device” to mean an amusement device that is used to bounce or otherwise play on and that incorporates a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape, and stability by tensioning from internal air pressure.

Safety Inspections and Training

The bill would remove the requirement that a qualified safety inspector, as defined in current law, provide evidence of five years of experience working with inflatable devices and qualified training, as defined in current law. The bill would also remove the requirement that operators of inflatable devices erected at temporary locations be trained by a person who has attained certification in inflatable safety operations training as specified in current law.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Annual Permit and Customer Instruction

The bill would require vendors of inflatable devices to obtain an annual permit from the Department of Labor and pay a \$25 fee. The permit would be required to include:

- The name of the vendor and operator of the inflatable devices;
- The location of the inflatable devices or the location where such devices are stored when not in use;
- A valid certificate of inspection by an insurer; and
- Proof of insurance.

The bill would require vendors to provide clear and proper use and safety protocols for the use of such device, as provided by the device's manufacturer, to customers.

The bill would also provide that violations of the permit and instruction provisions would constitute a civil violation with a penalty of up to \$500 for each violation. Notice and appeal of any such violations would be subject to current law provisions concerning violations of the Act.

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of Representative Eplee.

House Committee on Federal and State Affairs

During the House Committee on Federal and State Affairs hearing on February 8, 2022, representatives of Atchison Event Rental, and the Central Baptist Association provided proponent testimony. Proponents stated the bill would recognize the differences between inflatable devices and amusement rides by removing the requirement that

inflatable devices owned by nonprofit organizations comply with the Act.

Written proponent testimony was provided by representatives of the First Southern Baptist Church of Ellinwood, and the First Southern Baptist Church of Great Bend.

No other testimony was provided.

The House Committee on Federal and State Affairs amended the bill to:

- Remove inflatable devices owned and operated by organizations other than nonprofit organizations from the requirements of the Act;
- Remove the experience and training requirements concerning inflatable devices for qualified inspectors; and
- Remove training requirements for operators who operate inflatable devices at temporary locations.

House Committee of the Whole

The House Committee of the Whole amended the bill to add provisions concerning annual permits and customer instruction.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Department of Labor states enactment of the bill would not have a fiscal effect on the agency.

Inflatable devices; Kansas Amusement Ride Act