

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1265 Session of
1995

INTRODUCED BY BOSCOLA, LLOYD, YEWIC, COLAIZZO, SCRIMENTI,
BELARDI, MICOZZIE, YOUNGBLOOD, BATTISTO, MELIO, WOGAN,
KUKOVICH, ROONEY, LaGROTTA, STEELMAN, HENNESSEY,
E. Z. TAYLOR, JOSEPHS, LAUGHLIN, TIGUE, TRELLO, PISTELLA,
WALKO, CIVERA, MUNDY, DeLUCA, HORSEY, CAPPABIANCA, DALEY,
TRICH AND RICHARDSON, MARCH 21, 1995

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
MARCH 21, 1995

AN ACT

1 Amending the act of June 18, 1984 (P.L.384, No.81), entitled "An
2 act providing for the inspection of amusement rides and
3 attractions; granting powers and imposing duties on the
4 Department of Agriculture; creating the Amusement Ride Safety
5 Advisory Board; and imposing civil and criminal penalties,"
6 further providing for records and reports to the Department
7 of Agriculture.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 13 of the act of June 18, 1984 (P.L.384,
11 No.81), known as the Amusement Ride Inspection Act, is amended
12 to read:

13 Section 13. Records and reports.

14 [Anytime an owner or lessee submits an accident report to his
15 insurance company, a copy of those reports which involve
16 physical injuries or death to an individual or individuals as a
17 result of the operation of an amusement ride or attraction shall
18 be sent to the department by the owner or lessee. The notice

1 shall indicate the description of the amusement ride or
2 attraction by which the injury or death occurred and the nature
3 of the injuries or cause of death.] (a) Report of injuries
4 required.--Notwithstanding any other provision of law or
5 regulation to the contrary, each owner or lessee of an amusement
6 ride or amusement attraction shall report or cause to be
7 reported to the department immediately or by the close of
8 business of the department's next business day each known
9 accident where the maintenance, operation or use of an amusement
10 ride or amusement attraction results in the death of any person
11 or injury to any person unless the injury does not require
12 medical treatment other than ordinary first aid. Reports of
13 accidents in accordance with this section shall be made on such
14 form as the department shall by regulation prescribe and shall
15 include at least the following:

16 (1) The date, time and nature of the accident.

17 (2) The identity of the person who died or was injured
18 and the nature of the injury.

19 (3) The identity of the amusement ride or amusement
20 attraction involved in the accident.

21 (4) The date of the last inspection of the amusement
22 ride or amusement attraction involved in the accident which
23 precedes the date of the accident and the nature of any
24 mechanical or structural maintenance performed on the ride or
25 attraction subsequent to such inspection.

26 (5) The likely cause of the accident.

27 (b) Records.--The owner or lessee shall retain at all times
28 up-to-date maintenance and inspection records for each amusement
29 ride and amusement attraction in accordance with any regulations
30 the department may prescribe. Such records shall contain the

1 date and nature of all inspections, the identity of the
2 individual who performed each inspection, the findings of each
3 inspection and any corrective action taken as a result of those
4 findings. Such records shall be made available to the department
5 upon reasonable request.

6 Section 2. This act shall take effect in 60 days.