

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 725 Session of  
1995

INTRODUCED BY GREENLEAF, RHOADES, KASUNIC, AFFLERBACH, BELL AND  
WAGNER, MARCH 8, 1995

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
DECEMBER 12, 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 definitions and for accident records  
7 and reports.

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

10 Section 1. Section 2 of the act of June 18, 1984 (P.L.384,  
11 No.81), known as the Amusement Ride Inspection Act, is amended  
12 by adding definitions to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 \* \* \*

18 "ASTM STANDARDS." STANDARDS PROMULGATED BY THE ASTM ENTITLED <—  
19 STANDARD GUIDE FOR THE CLASSIFICATION OF AMUSEMENT RIDE AND

1 DEVICE RELATED INJURIES AND ILLNESSES, DESIGNATED ASTM F 1305,  
2 OR ITS SUCCESSOR, WHICH PROVIDE PROCEDURES FOR THE UNIFORM  
3 CLASSIFICATION OF DATA RELATED TO AMUSEMENT RIDE AND DEVICE  
4 INJURIES AND ILLNESSES.

5 "Minor injury or illness." An injury or illness that results  
6 in treatment which is limited to such things as the dispensation  
7 of over-the-counter medication or plastic adhesive strips,  
8 cleansing, rest and other similar duties or assistance.

9 \* \* \*

10 "Serious injury or illness." An injury or illness that  
11 requires:

12 (1) OFFSITE emergency first aid; <—

13 (2) OFFSITE medical treatment, whether it is <—

14 administered or recommended or may be required at a future  
15 date;

16 (3) observation by a licensed physician; or

17 (4) admission to a hospital.

18 The term also includes an injury or illness that results in  
19 death, dismemberment, significant disfigurement and OR permanent <—  
20 loss of the use of a body organ, member, function or system.

21 \* \* \*

22 Section 2. Section 13 of the act is amended to read:

23 Section 13. Records and reports.

24 [Anytime an] (A) REPORT OF CERTAIN INJURIES REQUIRED.--An <—

25 owner or lessee [submits an accident report to his insurance

26 company, a copy of those reports which involve physical

27 injuries] shall submit an accident report to the department for

28 any accident which involves serious injury or illness or death

29 to an individual or individuals as a result of the operation of

30 an amusement ride or attraction [shall be sent to the department

1 by the owner or lessee]. The [notice] report shall [indicate] be  
2 submitted to the department within 48 hours of the accident and <—  
3 shall include ACCIDENT. ACCIDENTS AND INJURIES REQUIRED TO BE <—  
4 REPORTED TO THE DEPARTMENT UNDER THIS SUBSECTION SHALL BE  
5 RECORDED AND CLASSIFIED IN ACCORDANCE WITH ASTM STANDARDS AND  
6 SHALL INCLUDE the description of the amusement ride or  
7 attraction by which the injury or death occurred and the nature  
8 of the injuries or cause of death. An owner or lessee shall not  
9 be required to submit a report for a minor injury or illness.  
10 The department shall compile an annual report of the accidents  
11 reported to the department under this section.

12 (B) RECORDS.--THE OWNER OR LESSEE SHALL RETAIN AT ALL TIMES <—  
13 UP-TO-DATE MAINTENANCE AND INSPECTION RECORDS FOR EACH AMUSEMENT  
14 RIDE AND AMUSEMENT ATTRACTION IN ACCORDANCE WITH ANY REGULATIONS  
15 THE DEPARTMENT MAY PRESCRIBE. SUCH RECORDS SHALL BE MADE  
16 AVAILABLE TO THE DEPARTMENT UPON REASONABLE REQUEST.

17 (C) MANUFACTURERS.--AN OWNER OR LESSEE SHALL NOTIFY THE  
18 APPROPRIATE MANUFACTURER OF AN ACCIDENT WHICH RESULTS IN SERIOUS  
19 INJURY OR ILLNESS WITHIN 48 HOURS OF DISCOVERING THE SERIOUS  
20 INJURY OR ILLNESS.

21 Section 3. This act shall take effect in 60 days.