

2026 Regular Session

HOUSE BILL NO. 937

BY REPRESENTATIVE LACOMBE AND SENATOR KLEINPETER

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

1 AN ACT

2 To amend and reenact R.S. 40:1482.2(A), 1482.3(6), (7), (8), and (14) through (27),
3 1484.4(A), (B)(introductory paragraph) and (3), (C)(1), and (D), 1484.5(A), (B)(1)
4 and (3), 1484.6(B) through (F), 1484.8, 1485.9, 1484.11, 1484.13(A), (B)(3) through
5 (8), (C)(2) and (3), 1484.14(A) and (D), 1484.16(7) and (10), 1484.18, 1484.19(1)
6 through (3), 1484.20(1) through (4), 1484.22, 1484.23(A) and (B), 1484.24(C),
7 1484.25(introductory paragraph) and (2), 1484.26, 1484.27, and 1484.28 and to
8 repeal R.S.40:1484.7, 1484.15, 1484.21, and 1484.23(E), relative to the regulation
9 and safety of amusement rides and devices; to provide for definitions; to provide for
10 registration of amusement rides; to repeal relative to inflatable amusement devices;
11 to provide for third-party inspection; to provide for operation; to provide for
12 penalties; to provide for set-up inspection by the fire marshal; to provide for
13 licensing of inspectors; to provide for licensing of operators; to provide for firm
14 licensing; to provide for application procedures; to provide for duties of the state fire
15 marshal; to provide for licensing fees; to provide for prohibited acts; to provide for
16 cease-and-desist orders; to provide for insurance requirements; and to provide for
17 related matters.

18 Be it enacted by the Legislature of Louisiana:

19 Section 1. R.S. 40:1482.2(A), 1482.3(6), (7), (8), and (14) through (27), 1484.4(A),
20 (B)(introductory paragraph) and (3), (C)(1), and (D), 1484.5(A), (B)(1) and (3), 1484.6(B)

1 through (F), 1484.8, 1485.9, 1484.11, 1484.13(A), (B)(3) through (8), (C)(2) and (3),
2 1484.14(A) and (D), 1484.16(7) and (10), 1484.18, 1484.19(1) through (3), 1484.20(1)
3 through (4), 1484.22, 1484.23(A) and (B), 1484.24(C), 1484.25(introductory paragraph) and
4 (2), 1484.26, 1484.27, and 1484.28 are hereby amended and reenacted to read as follows:

5 §1484.2. Purpose; administration and enforcement

6 A. The purpose of this Part is to regulate the testing, inspection, and operation
7 of ~~inflatable amusement devices~~, amusement attractions; and amusement rides, to
8 prohibit the use of such ~~devices~~, attractions; and rides when they have not been
9 properly registered, have not received a proper and timely certificate of inspection,
10 and have not received a set-up inspection as provided for in this Part.

11 * * *

12 §1484.3. Definitions

13 As used in this Part, the following terms have the meanings specified in this
14 Section except where the context expressly indicates otherwise:

15 * * *

16 (6) "Audit" means an official inspection of an operator's actions and
17 documentation as it relates to the coordination of ~~inflatable amusement devices~~,
18 amusement rides; and amusement attractions at an event ~~and a set-up inspector's~~
19 ~~actions, documentation, and tagging as it relates to the set-up inspection of inflatable~~
20 ~~amusement devices, amusement rides, and amusement attractions at an event,~~
21 including each operator's ~~and set-up inspector's~~ adherence to applicable statutes and
22 rules.

23 (7) "Certificate of inspection" means a certificate or report prepared by a
24 third-party inspector pursuant to his inspection which verifies that the ~~inflatable~~
25 ~~amusement device~~, amusement attraction; or amusement ride complies with all
26 applicable adopted laws, rules, standards, and its corresponding manufacturer's
27 installation manuals, maintenance and service bulletins, and notices.

1 (8) "Certificate of registration" means a certificate issued by the office of
2 state fire marshal upon receipt of a completed and approved registration application,
3 current valid insurance as required by this Part, and a certificate of inspection.

4 * * *

5 (14) "Fixed operation location" means an operating location wherein
6 ~~amusement devices~~, amusement attractions; or amusement rides are operated for an
7 indefinite period of time and are not often disassembled and reassembled.

8 (15) ~~"Inflatable amusement device" means any amusement attraction that~~
9 ~~incorporates a structural and mechanical system that employs a high-strength fabric~~
10 ~~or film that achieves its strength, shape, and stability by pretensioning with internal~~
11 ~~air pressure for activities including, but not limited to bouncing, climbing, sliding,~~
12 ~~or interactive play, which may or may not be enclosed.~~

13 (16) "Inspect" or "inspection" means the thorough physical examination and
14 functional testing of an ~~inflatable amusement device~~, amusement attraction; or
15 amusement ride and its component parts necessary to ensure that the ~~device~~,
16 attraction; or ride complies with all applicable adopted laws, rules, standards, and
17 corresponding manufacturer's installation manuals, maintenance and service repair
18 bulletins, or notices.

19 (16) "Investigate" or "investigation" means the thorough physical
20 examination of an ~~inflatable amusement device~~, amusement attraction; or amusement
21 ride and its component parts by the office of state fire marshal in response to a
22 complaint or an accident, which may or may not have resulted in injury or death, to
23 determine the cause of the accident.

24 (17) "NAARSO" means the National Association of Amusement Ride
25 Safety Officials.

26 (18) "Operate" means to manage and coordinate an ~~inflatable~~
27 ~~amusement device~~, amusement attraction; or amusement ride at an event or a fixed
28 operation location. The term includes management or coordination which may or

1 may not be performed by the owner of the ~~inflatable amusements device~~, amusement
2 attraction; or amusement ride.

3 ~~(20)~~(19) "Operator" means a person or firm who may or may not own the
4 ~~inflatable amusements devices~~, amusement attractions; or amusement rides who is
5 managing, coordinating, or has the duty to control the operation of the ~~inflatable~~
6 ~~amusements devices~~, amusement attractions; or amusement rides at an event or a
7 fixed operation location.

8 ~~(21)~~(20) "Owner" means a person or firm, or the agent of a person or firm,
9 who owns an amusement attraction; or amusement ride, ~~or more than two inflatable~~
10 ~~amusement devices~~, and at least one of the person's or firm's ~~inflatable amusement~~
11 ~~devices~~, amusement attractions; or amusement rides is utilized in this state.

12 ~~(22)~~(21) "Ride operator" means the person or persons responsible for
13 directly supervising, monitoring, and attending to the ~~inflatable amusement device~~,
14 amusement attraction; or amusement ride, including but not limited to collecting
15 tickets or money, ensuring the appropriate number of patrons are boarding and
16 deboarding a ride, ensuring riders are the appropriate height, latching and securing
17 passengers, operating a ride, starting and stopping a ride, and monitoring patrons'
18 activities during a ride's operation to ensure their safety.

19 ~~(23)~~(22) "Set-up inspection" means a review of all necessary documents,
20 including service and repair documents, the observation of and examination of the
21 assembly, set-up, and operation of an ~~inflatable amusement device~~, amusement
22 attraction; or amusement ride, and an inspection of the foundation, blocking, fuel
23 containers, and mechanical and electrical conditions of such a ~~device, attraction, an~~
24 attraction or ride.

25 ~~(24)~~ "Set-up inspector" means ~~the person licensed by the office of state fire~~
26 ~~marshal to conduct the set-up inspection prior to the opening of an amusement~~
27 ~~attraction or prior to the operation of an inflatable amusement device or amusement~~
28 ~~ride at each event.~~

1 shall be permanently affixed to the ~~inflatable amusement device~~, amusement
2 attraction; or amusement ride in a conspicuous location.

3 * * *

4 D. An owner shall notify the office of state fire marshal if a plate or decal is
5 lost or damaged. Any plate or decal that is lost or damaged shall be decommissioned.
6 Prior to receiving a new plate or decal, the owner shall submit an attestation that the
7 plate was lost or return the damaged plate or decal to the office of state fire marshal
8 and pay the required fee. The fee to replace a lost or damaged plate or decal is thirty
9 dollars.

10 §1484.5. Third-party inspection of ~~inflatable amusement devices~~, amusement
11 attractions; and amusement rides; certificate of inspection required;
12 cease and desist orders

13 A. Except for the purpose of testing, training, or inspection, no ~~inflatable~~
14 ~~amusement device~~, amusement attraction; or amusement ride shall be operated in this
15 state without a current certificate of registration, valid registration plate, and
16 registration decal issued by the office of state fire marshal.

17 B.(1) Each ~~inflatable amusement device~~, amusement attraction; or
18 amusement ride shall be inspected by a third-party inspector for safety and subjected
19 to nondestructive testing, according to the manufacturer's recommendations, if any,
20 at least annually, in accordance with ASTM-F-24, as promulgated by the state fire
21 marshal in conformity with the Administrative Procedure Act, and other applicable
22 standards, regulations, manuals, manufacturers' specifications, service bulletins, and
23 notices.

24 * * *

25 (3) If the third-party inspection shows that an ~~inflatable amusement device~~,
26 amusement attraction; or amusement ride does not comply with all relevant
27 provisions of this Part and the adopted standards, rules, regulations, ~~and~~ applicable
28 manuals, service bulletins, and notices, the third-party inspector shall notify and
29 submit the findings to the state fire marshal within ~~ten~~ five days of the inspection.

1 The office of state fire marshal shall issue a cease and desist order to the operator or
 2 owner indicating that operation of the ~~inflatable amusement device~~; amusement
 3 attraction; or amusement ride, which does not comply, is to immediately cease in the
 4 state. The state fire marshal shall lift any cease and desist order and issue
 5 registration plates or registration decals, if applicable, for the ~~inflatable amusement~~
 6 ~~devices~~; amusement attractions; or amusement rides only when the deficiencies have
 7 been remedied to the satisfaction of a third-party inspector and proof of satisfaction
 8 is submitted to and approved by the state fire marshal.

9 §1484.6. Operation of amusement rides and amusement attractions; notice; changes
 10 in schedule; certain required annual inspections; fines

11 * * *

12 B.~~(1)~~ Any operator who gives written or electronic notification to the office
 13 of state fire marshal of his intent to commence operation of the amusement ride or
 14 amusement attraction, and notifies the office of a change in schedule location, date,
 15 or the ride itinerary fewer than five days prior to commencing operation shall be
 16 fined as follows: two hundred fifty dollars per ride or attraction per event.

- 17 (a) ~~Fifty dollars per ride or attraction for the first offense.~~
- 18 (b) ~~Seventy-five dollars per ride or attraction for the second offense.~~
- 19 (c) ~~Two hundred dollars per ride or attraction for the third offense.~~
- 20 (d) ~~Two hundred fifty dollars per ride or attraction for each additional~~
 21 ~~offense thereafter.~~

22 (2) ~~In determining the number of offenses that have occurred, only offenses~~
 23 ~~occurring over the three-year period preceding the offense at issue shall be~~
 24 ~~considered.~~

25 C. ~~If, after the notification, the operator changes his schedule of locations or~~
 26 ~~dates, he shall immediately notify the office of state fire marshal of the change. An~~
 27 ~~operator shall pay a fine of two hundred fifty dollars for any change in schedule of~~
 28 ~~location or date that occurs less than five days prior to the commencement of~~
 29 ~~operation of the amusement ride or amusement attraction.~~

1 amusement attraction; or amusement ride and notify the office of state fire marshal
2 within two hours of the determination; and tag it accordingly.

3 E.C. The office of state fire marshal shall specifically adopt rules and
4 regulations in accordance with the Administrative Procedure Act for enforcement of
5 this Section.

6 §1484.9. License required to inspect ~~inflatable amusement devices~~; amusement
7 attractions; and amusement rides; prohibitions

8 A. A person or firm shall not engage in the testing or inspection of an
9 ~~inflatable amusement device~~; amusement attraction; or amusement ride for the
10 purpose of providing an annual third-party inspection as required by this Part, unless
11 the person or firm holds a current and valid license issued by the state fire marshal
12 as provided in this Part.

13 B. No person or firm shall aid, abet, facilitate, or otherwise assist any
14 unlicensed person or firm in the engagement of any testing or inspecting of an
15 ~~inflatable amusement device~~; amusement attraction; or amusement ride when such
16 person or firm knew or should have known the latter person or firm was unlicensed.

17 C. A person or firm shall not test or inspect an ~~inflatable amusement device~~;
18 amusement attraction; or amusement ride if such person or firm is also the owner or
19 operator of the same.

20 §1484.11. License required to operate ~~inflatable amusement devices~~; amusement
21 rides, and amusement attractions; service and repairs by owners;
22 prohibitions

23 A. A person or firm, not to include a ride operator as defined in this Part,
24 shall not engage in the operation of an ~~inflatable amusement device~~; amusement
25 attraction; or amusement ride unless the person or firm holds a current and valid
26 license issued by the state fire marshal as provided in this Part.

27 B. No person or firm shall aid, abet, facilitate, or otherwise assist any
28 unlicensed person or firm in the operation of an ~~inflatable amusement device~~;

1 amusement attraction; or amusement ride when the person or firm knew or should
2 have known the latter person or firm was unlicensed.

3 C. The state fire marshal may, by rule, allow the owner of an ~~inflatable~~
4 ~~amusement device~~; amusement attraction; or amusement ride, or an employee of the
5 owner, to perform minor service and repairs of the ~~inflatable amusement device~~;
6 amusement ride; or amusement attraction. The owner shall document such service
7 or repair and assume responsibility for all such service or repair.

8 §1484.13. Application for firm license; third-party inspection firm license; operating
9 firm license; requirements to maintain; prohibitions; penalties

10 A. To engage in the third-party inspection or operation of an ~~inflatable~~
11 ~~amusement device~~; amusement attraction; or amusement ride, a firm shall apply for
12 and obtain a license and the respective relevant endorsement for third-party
13 inspection or operation. The third-party inspection endorsement authorizes the
14 licensee to conduct any necessary testing.

15 B. An applicant for a third-party inspection firm license shall submit all of
16 the following to the state fire marshal:

17 * * *

18 (3) ~~An original~~ A certificate of insurance from the firm's insurance company
19 documenting that the firm has general liability coverage in a minimum amount of
20 ~~one million dollars~~ two million dollars and lists of the office of state fire marshal as
21 certificate holder.

22 (4) ~~An original certificate of insurance documenting that the firm has "Errors~~
23 ~~and Omissions" coverage in a minimum amount of one million dollars.~~

24 (5) ~~An original~~ A certificate of insurance from the firm's insurance company
25 documenting that the firm has a current and valid worker's compensation insurance
26 policy as required by state law.

27 (6) ~~(5)~~ The name of the person who will serve as the contact for the firm.

28 (7) ~~(6)~~ The application fee authorized by this Part.

1 ~~(b) Operation endorsement: _____ \$500.00~~

2 ~~(2) Renewal Fee:~~

3 ~~(a) Inspection endorsement: _____ \$100.00~~

4 ~~(b) Operation endorsement: _____ \$100.00~~

5 ~~D. The licensing fees for an individual's license are as follows:~~

6 ~~(1) Initial Fee:~~

7 ~~(a) Third-party inspector endorsement: \$250.00~~

8 ~~(b) Operator or Owner endorsement: \$250.00~~

9 ~~(c) Set-up inspector endorsement: \$250.00~~

10 ~~(2) Renewal Fee:~~

11 ~~(a) Third-Party inspector endorsement: \$50.00~~

12 ~~(b) Operator or Owner endorsement: \$50.00~~

13 ~~(c) Set-up inspector endorsement: \$50.00~~

14 Registration and annual renewal of an amusement attraction ride:

15 (1) Child or "Kiddie" amusement attraction or amusement ride:

16 \$100.00

17 (2) Adult amusement attraction or amusement ride: \$200.00

18 B. Third-party inspection or owner operator firm:

19 (1) Initial Fee: \$500.00

20 (2) Renewal Fee: \$250.00

21 C. Individual third-party or owner operator:

22 (1) Initial Fee: \$350.00

23 (2) Renewal: \$200.00

24 D. Set-up inspections at event sites:

25 (1) Amusement attraction or device: \$100.00 per device

26 (2) Generator: \$200.00 per device

27 E. All licenses are valid for one year, unless a multi-year license is created,

28 and shall be renewed by the license holder ~~within the thirty days~~ prior to the license

1 expiration date. The state fire marshal may create a prorated fee system to allow
2 employee license renewal dates to coincide with the firm license renewal date.

3 ~~F. Any license not renewed within the thirty days prior to its expiration date~~
4 ~~is past due for renewal and subject to late fees. The license holder shall pay a late fee~~
5 ~~penalty of twenty-five dollars for a license renewed within the first forty-five days~~
6 ~~past the license expiration date. The license holder shall pay a late fee penalty of fifty~~
7 ~~dollars for a license renewed between forty-six and sixty days past the license~~
8 ~~expiration date~~ After a license has expired, the individual or firm to whom the
9 license was issued shall have fifteen days following the date of expiration to file an
10 application for renewal of the license without the payment of a late fee. Any person
11 who makes application for renewal of a license after fifteen days following the
12 expiration date of the license shall be charged a late fee of one-hundred twenty-five
13 dollars.

14 G. ~~The state fire marshal shall suspend a license if the license is not renewed~~
15 ~~within sixty days past its expiration date or if the license holder has not maintained~~
16 ~~the license. The cost to reinstate a suspended license is the cost of the respective~~
17 ~~license holder's initial fee plus twenty dollars.~~

18 H. ~~The cost for a duplicate or replacement firm or individual license is twenty~~
19 ~~twenty-five dollars, regardless of how many endorsements are carried.~~

20 I. ~~H.~~ The cost to transfer an individual license from one firm to another is
21 twenty twenty-five dollars.

22 J. I. The fees established in this Section are not refundable, except when
23 certain conditions apply as the state fire marshal may establish.

24 ~~K.~~ J. There are no fees associated with any inspections and audits performed
25 by the office of state fire marshal, unless otherwise indicated by this Part.

26 L. K. All fees collected pursuant to this Part shall be used exclusively for the
27 operation and maintenance of the amusement rides and safety division within the
28 office of state fire marshal, code enforcement and building safety.

29 §1484.19. Prohibited acts; operator

1 No person or firm shall do any of the following:

2 (1) Engage in the operation of an ~~inflatable amusement device~~, amusement
3 attraction; or amusement ride without a valid license issued as provided in this Part.

4 (2) Aid and abet an unlicensed individual, employee, or firm in the testing,
5 inspection, or operation of an ~~inflatable amusement device~~, amusement attraction;
6 or amusement ride without a valid license.

7 (3) Operate an ~~inflatable amusement device~~, amusement attraction; or
8 amusement ride contrary to manufacturer's specifications or codes or standards
9 adopted in rules promulgated by the state fire marshal without specific written
10 authorization from the office of state fire marshal.

11 * * *

12 §1484.20. Prohibited acts; third-party inspector

13 No person or firm shall do any of the following:

14 (1) Engage in the inspection or testing of an ~~inflatable amusement device~~,
15 amusement ride; or amusement attraction without a valid license issued as provided
16 in this Part.

17 (2) Aid and abet an unlicensed operator in the operation of an ~~inflatable~~
18 ~~amusement device~~, amusement attraction; or amusement ride.

19 (3) Aid and abet an unlicensed individual or firm in the inspection or testing
20 of an ~~inflatable amusement device~~, amusement ride; or amusement attraction.

21 (4) Certify, test, or inspect an ~~inflatable amusement device~~, amusement
22 attraction; or amusement ride contrary to the provisions of this Part and adopted
23 standards, regulations, and applicable manuals, service bulletins, and notices.

24 * * *

25 §1484.22. Notice of violation of standard; cease and desist order

26 A. If after an inspection, investigation, or audit of any ~~inflatable amusement~~
27 ~~device~~, amusement ride; or amusement attraction, the office of state fire marshal
28 determines that the respective ~~device~~, ~~ride~~, ride or attraction is in violation of any
29 standard promulgated pursuant to the provisions of this Part, and that there may be

1 a substantial probability of death or physical injury to the public from its continued
2 use, a notice of violation may be given to both the owner and operator of the device,
3 ride, or attraction, and a red tag shall be attached to the ~~device, ride, ride~~ or
4 attraction. The attached red tag constitutes a cease and desist order.

5 B. After the red tag is attached, the use of the ~~inflatable amusement device,~~
6 amusement ride; or amusement attraction is prohibited. The red tag shall not be
7 removed until the device, ride, or attraction is made safe for public use, in
8 accordance with R.S. 40:1484.5(B)(3), and the required safeguards are provided.
9 The tag shall not be removed except by the state fire marshal or his designee.

10 §1484.23. Insurance; bond

11 A. No operator shall operate an amusement attraction or amusement ride
12 unless the operator has ~~either of the following:~~

13 ~~(1) An a general liability~~ insurance policy in an amount of not less than ~~one~~
14 ~~million dollars~~ two million dollars listing the state fire marshal as the certificate
15 holder insuring the operator against liability for injury suffered by persons riding the
16 amusement attraction or ride.

17 ~~(2) A bond in a like amount, provided the aggregate liability of the surety of~~
18 ~~any such bond shall not exceed the face amount.~~

19 B. A certificate of insurance from the insurance company verifying coverage
20 shall be filed with the office of state fire marshal, ~~code enforcement and building~~
21 ~~safety~~ licensing division.

22 * * *

23 §1484.24. Violations and penalties; cease and desist order; injunctive relief
24 offense.

25 * * *

26 C. In addition to the foregoing provisions, the state fire marshal may assess
27 civil penalties attributable to the operator of an ~~inflatable amusement device,~~
28 amusement ride; or amusement attraction to the owner or lessee of the site on which
29 the inflatable amusement device, amusement attraction, or amusement ride is

1 located, if the owner or lessee of the site failed to reasonably determine that the
2 operator of the ~~inflatable amusement device~~, amusement ride; or amusement
3 attraction is in proper compliance with the requirements of this Part.

4 * * *

5 §1484.25. Exemptions

6 The following ~~inflatable amusement devices~~, amusement attractions; or
7 amusement rides are exempt from the provisions of this Part:

8 * * *

9 (2) An ~~inflatable amusement device~~, amusement attraction; or amusement
10 ride which is owned and operated by a nonprofit religious, educational, or charitable
11 institution or association if such attraction or ride is located within a building subject
12 to inspection by the state fire marshal or his designee.

13 * * *

14 §1484.26. Local regulation

15 Nothing contained in this Part shall prevent any local governmental
16 subdivision of this state from licensing or regulating any ~~inflatable amusement~~
17 ~~device~~, amusement attraction; or amusement ride, carnival, or circus as otherwise
18 provided by law.

19 §1484.27. Waiver of inspection

20 The state fire marshal may waive the requirement that an ~~inflatable~~
21 ~~amusement device~~, amusement attraction; amusement ride, or any component part
22 be inspected before being operated in this state if an operator gives satisfactory proof
23 to the office of state fire marshal that ~~such device~~, the amusement attraction, ride, or
24 any component part has passed an inspection conducted by a public agency whose
25 inspection standards and requirements are at least equal to those requirements and
26 standards established by the state fire marshal pursuant to the provisions of this Part.

27 §1484.28. Rules adopted

28 The state fire marshal shall adopt and issue rules, in accordance with the
29 provisions of the Administrative Procedure Act, establishing standards for the

1 installation, repair, maintenance, use, operation, ~~and~~ inspection, and
 2 decommissioning of ~~inflatable amusement devices~~, amusement attractions; and
 3 amusement rides for the protection of the public. The rules shall be based upon
 4 generally accepted engineering standards and shall be concerned with but not
 5 necessarily limited to engineering force stresses, safety devices, and preventive
 6 maintenance. The rules shall provide for the reporting of accidents and injuries
 7 incurred from the operation of ~~inflatable amusement devices~~, amusement attractions;
 8 or amusement rides.

9 Section 2. R.S.40:1484.7, 1484.15, 1484.21, and 1484.23(E) are hereby repealed.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 937 Original

2026 Regular Session

LaCombe

Abstract: Provides relative to revisions of the Amusement Rides Safety Law.

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 device and removes the definitions "inflatable amusement device" and "set-up inspector". Further modifies the definition of "Third-party inspector" to require 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. Requires a registration application, a certain certificate of inspection, and a copy of certain general liability insurance to be submitted to the fire marshal. Further requires the annual registration renewal of such devices, attractions, and rides.

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

Present law requires an owner to notify the office of state fire marshal if a plate or decal is lost or damaged. Further provides 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. Prohibits the operation of such device, attraction, or ride unless 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. 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 5 days prior to commencing the operation of an amusement attraction or amusement ride. Assesses a fine per ride or attraction if the operator notifies the fire marshal less than 5 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 change the fine schedule for an operator failing to notify the fire marshal prior to commencing the operation to \$250.00 per ride or attraction per event. Further removes notice requirement for inflatable amusement devices.

Present law provides for set-up inspections. 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. 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. 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 2 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. Further removes the ability for third-party inspectors to conduct set-up inspections.

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. Requires the owner to document such service or repair and assume responsibility for all such service or repair.

Proposed law retains present law except 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 provide insurance documenting general liability coverage in a minimum amount of \$1,000,000.00.

Proposed law retains present law except increases the minimum amount of general liability from \$1,000,000.00 to \$2,000,000.00 and removes any reference to inflatable amusement devices.

Present law provides the fire marshal with certain rights and authorities, including but not limited to the authority to formulate and administer certain necessary rules, including rules pertaining to the evaluation of qualifications and examinations of persons and firms, the authority to issue certain licenses, to decrease limits of insurance coverage and authorize acceptance of surplus lines, and the authority to conduct inspections, investigations, and audits.

Proposed law retains present law except 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
- (d) Qualifier endorsement: \$1,000.00

(2) Renewal Fee:

- (a) Third-Party inspector endorsement: \$50.00
- (b) Operator or Owner endorsement: \$50.00
- (c) Set-up inspector endorsement: \$50.00
- (d) Qualifier endorsement: \$100.00

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

A. Registration and annual renewal of an amusement attraction ride:

- (1) Child or "Kiddie" amusement attraction or amusement ride: \$100.00
- (2) Adult amusement attraction or amusement ride: \$200.00

B. Third-party inspection or owner operator firm:

- (1) Initial Fee: \$500.00
- (2) Renewal Fee: \$250.00

C. Individual third-party or owner operator:

- (1) Initial Fee: \$350.00
- (2) Renewal: \$200.00

D. Set-up inspections at event sites:

- (1) Amusement attraction or device: \$100.00 per device
- (2) Generator: \$200.00 per device

Present law provides that licenses are valid for 1 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 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. 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, third-party inspector, or set-up inspector from engaging in certain acts including but not limited to: (1) The operation of an inflatable amusement device, amusement attraction, or amusement ride without a valid license, (2) Aiding and abetting an unlicensed individual, employee, or firm in the testing, inspection, or operation of an inflatable amusement device, amusement attraction, or amusement ride, (3) Operating an inflatable amusement device, amusement attraction, or amusement ride contrary to New law, (4) Engaging in certain false, misleading, or deceptive practices, and (5) Failing to maintain certain valid licenses and insurance.

Proposed law retains present law except removes references to inflatable amusement devices and set-up inspector.

Present law provides if after inspection or investigation of any amusement ride or attraction, the office of state fire marshal determines such ride is in violation of any promulgated standard or determines substantial probability of death or serious physical injury to the public from the continued use of such ride or attraction, a notice of violation is required to be given in writing to the operator of the amusement ride or attraction and a red tag shall be attached to the ride or attraction, which constitutes a cease and desist order. Prohibits removal of the red tag unless the device, ride, or attraction is made safe for public use and the required safeguards are provided. Provides for the red tag to be removed only by the fire marshal or his designee.

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

Present law requires certain insurance or a bond. 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.

Proposed law changes the policy limit required from \$1,000,000.00 to \$2,000,000.00 and removes the ability to provide a bond in a like amount.

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 provisions to exempt certain inflatable amusement devices, amusement attractions, or amusement rides from present law. Provides that the provisions of present law do not prevent local governmental subdivision from licensing or regulation any inflatable amusement device, amusement attraction, or amusement ride, carnival, or circus as otherwise provided by 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 removes reference to inflatable amusement devices and further adds a requirement the state fire marshal to adopt and issue rules for the decommissioning of inflatable amusement devices, amusement attractions, and amusement rides for the protection of the public.

(Amends R.S. 40:1482.2(A), 1482.3(6), (7), (8), and (14) through (27), 1484.4(A), (B)(intro. para.) and (3), (C)(1), and (D), 1484.5(A), (B)(1) and (3), 1484.6(B) through (F), 1484.8, 1485.9, 1484.11, 1484.13(A), (B)(3) through (8), (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.40:1484.7, 1484.15, 1484.21, and 1484.23(E))