
DIGEST

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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))