

ACT No. 447

2026 Regular Session

HOUSE BILL NO. 937

BY REPRESENTATIVE LACOMBE AND SENATOR KLEINPETER

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AN ACT

To amend and reenact R.S. 40:1484.2(A), 1484.3(6), (7), (8), and (14) through (25), 1484.4(A), (B)(introductory paragraph) and (3), (C)(1), and (D), 1484.5(A), (B)(1) and (3), 1484.6(B) through (E), 1484.8, 1484.9, 1484.11, 1484.13(A), (B)(3) through (7), (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(introductory paragraph) and (2), 1484.26, 1484.27, and 1484.28 and to repeal R.S. 40:1484.3(26) and (27), 1484.6(F), 1484.7, 1484.13(B)(8), 1484.15, 1484.21, and 1484.23(E), relative to the regulation and safety of amusement rides and devices; to provide for definitions; to provide for registration of amusement rides; to repeal relative to inflatable amusement devices; to provide for third-party inspection; to provide for operation; to provide for penalties; to provide for set-up inspection by the fire marshal; to provide for licensing of inspectors; to provide for licensing of operators; to provide for firm licensing; to provide for application procedures; to provide for duties of the state fire marshal; to provide for licensing fees; to provide for prohibited acts; to provide for cease-and-desist orders; to provide for insurance requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1484.2(A), 1484.3(6), (7), (8), and (14) through (25), 1484.4(A), (B)(introductory paragraph) and (3), (C)(1), and (D), 1484.5(A), (B)(1) and (3), 1484.6(B) through (E), 1484.8, 1484.9, 1484.11, 1484.13(A), (B)(3) through (7), (C)(2) and (3), 1484.14(A) and (D), 1484.16(7) and (10), 1484.18, 1484.19(1) through (3), 1484.20(1)

1 through (4), 1484.22, 1484.23(A) and (B), 1484.24(C), 1484.25(introductory paragraph) and
2 (2), 1484.26, 1484.27, and 1484.28 are hereby amended and reenacted to read as follows:

3 §1484.2. Purpose; administration and enforcement

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

9 * * *

10 §1484.3. Definitions

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

13 * * *

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

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

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

29 * * *

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

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

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

15 (17) (16) "Investigate" or "investigation" means the thorough physical
16 examination of an ~~inflatable amusement device~~, amusement attraction; or amusement
17 ride and its component parts by the office of state fire marshal in response to a
18 complaint or an accident, which may or may not have resulted in injury or death, to
19 determine the cause of the accident.

20 (18) (17) "NAARSO" means the National Association of Amusement Ride
21 Safety Officials.

22 (19) (18) "Operate" means to manage and coordinate an ~~inflatable~~
23 ~~amusement device~~, amusement attraction; or amusement ride at an event or a fixed
24 operation location. The term includes management or coordination which may or
25 may not be performed by the owner of the ~~inflatable amusement device~~, amusement
26 attraction; or amusement ride.

27 (20) (19) "Operator" means a person or firm who may or may not own the
28 ~~inflatable amusement devices~~, amusement attractions; or amusement rides who is
29 managing, coordinating, or has the duty to control the operation of the ~~inflatable~~

1 ~~amusement devices~~, amusement attractions; or amusement rides at an event or a
2 fixed operation location.

3 ~~(21)~~ (20) "Owner" means a person or firm, or the agent of a person or firm,
4 who owns an amusement attraction; or amusement ride, ~~or more than two inflatable~~
5 ~~amusement devices~~; and at least one of the person's or firm's ~~inflatable amusement~~
6 ~~devices~~, amusement attractions; or amusement rides is utilized in this state.

7 ~~(22)~~ (21) "Ride operator" means the person or persons responsible for
8 directly supervising, monitoring, and attending to the ~~inflatable amusement device~~,
9 amusement attraction; or amusement ride, including but not limited to collecting
10 tickets or money, ensuring the appropriate number of patrons are boarding and
11 deboarding a ride, ensuring riders are the appropriate height, latching and securing
12 passengers, operating a ride, starting and stopping a ride, and monitoring patrons'
13 activities during a ride's operation to ensure their safety.

14 ~~(23)~~ (22) "Set-up inspection" means a review of all necessary documents,
15 including service and repair documents, the observation of and examination of the
16 assembly, set-up, and operation of an ~~inflatable amusement device~~, amusement
17 attraction; or amusement ride, and an inspection of the foundation, blocking, fuel
18 containers, and mechanical and electrical conditions of such a ~~device, attraction, an~~
19 attraction or ride.

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

24 ~~(25)~~ (23) "Temporary operation location" means an operating location where
25 ~~inflatable amusement devices~~, amusement attractions; or amusement rides are
26 operated for a finite period of time not to exceed thirty days.

27 ~~(26)~~ (24) "Testing" means the set-up and activation of an ~~inflatable~~
28 ~~amusement device~~, amusement attraction; or amusement ride for the purpose of
29 analyzing such ~~device, attraction; or ride~~ and its component parts for safety. This
30 may be done in conjunction with an inspection.

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

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

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

9 (6) ~~(5)~~ The name of the person who will serve as the contact for the firm.

10 (7) ~~(6)~~ The application fee authorized by this Part.

11 (8) ~~(7)~~ Proof of employment of a qualified individual with proper
12 certification and training at each of its operating locations.

13 C. An applicant for an operating firm license shall submit the following to
14 the state fire marshal:

15 * * *

16 (2) ~~An original~~ A certificate of insurance from the firm's insurance company
17 documenting that the firm has general liability coverage in a minimum amount of
18 one million dollars and in which all ~~inflatable amusement devices~~; amusement
19 attractions; or amusement rides subject to coverage are listed on the declarations
20 page.

21 (3) ~~An original~~ A certificate of insurance documenting that the firm has a
22 current and valid workers' compensation insurance policy as required by state law.

23 * * *

24 §1484.14. Application for an individual license; requirements to maintain;
25 prohibitions; penalties

26 A. To engage in the third-party inspection or operation of an ~~inflatable~~
27 ~~amusement device~~; amusement attraction; or amusement ride, an individual shall
28 apply for and obtain a license and the respective relevant endorsement for third-party
29 inspection or operation. The third-party inspection endorsement authorizes the
30 licensee to conduct any necessary testing. Each individual license holder shall

1 maintain his license on his person while engaging in any such activity and present
2 his license for inspection upon demand of any employee of the office of state fire
3 marshal, a fire department, or any law enforcement officer.

4 * * *

5 D. An individual licensed as provided in this Section shall not contract his
6 services as an independent contractor or agent with any other firm, whether such firm
7 is engaged in testing, third-party inspection, or operation.

8 * * *

9 §1484.16. Powers and duties of the state fire marshal

10 The state fire marshal shall:

11 * * *

12 (7) Conduct inspections and perform audits to ensure compliance with this
13 Part and investigate at reasonable times, and within reasonable limits and manner,
14 ~~inflatable amusement devices~~, amusement attractions; or amusement rides in any
15 area where they are assembled, maintained, stored, serviced, or in use. The state fire
16 marshal or his designee, upon presenting credentials to an owner or operator, is
17 authorized to act as described in this Paragraph without prior notice.

18 * * *

19 (10) Investigate all accidents related to an ~~inflatable amusement device~~,
20 amusement attraction; or amusement ride resulting in injury or death, or as requested
21 by an operator, customer, patron, rider, or user.

22 * * *

23 §1484.18. Fees; required renewal; penalties

24 A. ~~The fire marshal is authorized to assess and collect fees as provided in~~
25 ~~this Part.~~

26 B. ~~Fees for the registration of each inflatable amusement device, amusement~~
27 ~~attraction, or amusement ride are as follows:~~

28 ~~(1) Initial Registration Fee:~~

29 ~~(a) Inflatable amusement device: _____ \$100.00~~

30 ~~(b) Child or "Kiddie" amusement attraction or amusement ride: _____ \$100.00~~

- 1 ~~(c) Adult amusement attraction or amusement ride: \$200.00~~
- 2 ~~(2) Annual Renewal Fee:~~
- 3 ~~(a) Inflatable amusement device: \$100.00~~
- 4 ~~(b) Child or "Kiddie" amusement attraction or amusement ride: \$100.00~~
- 5 ~~(c) Adult amusement attraction or amusement ride: \$200.00~~
- 6 ~~C. The licensing fees for a firm are as follows:~~
- 7 ~~(1) Initial Fee:~~
- 8 ~~(a) Inspection endorsement: \$500.00~~
- 9 ~~(b) Operation endorsement: \$500.00~~
- 10 ~~(2) Renewal Fee:~~
- 11 ~~(a) Inspection endorsement: \$100.00~~
- 12 ~~(b) Operation endorsement: \$100.00~~
- 13 ~~D. The licensing fees for an individual's license are as follows:~~
- 14 ~~(1) Initial Fee:~~
- 15 ~~(a) Third-party inspector endorsement: \$250.00~~
- 16 ~~(b) Operator or Owner endorsement: \$250.00~~
- 17 ~~(c) Set-up inspector endorsement: \$250.00~~
- 18 ~~(2) Renewal Fee:~~
- 19 ~~(a) Third-Party inspector endorsement: \$50.00~~
- 20 ~~(b) Operator or Owner endorsement: \$50.00~~
- 21 ~~(c) Set-up inspector endorsement: \$50.00~~
- 22 Registration and annual renewal of an amusement attraction ride:
- 23 (1) Child or "Kiddie" amusement attraction or amusement ride: \$100.00
- 24 (2) Adult amusement attraction or amusement ride: \$200.00
- 25 B. Third-party inspection or owner operator firm:
- 26 (1) Initial Fee: \$500.00
- 27 (2) Renewal Fee: \$250.00
- 28 C. Individual third-party or owner operator:
- 29 (1) Initial Fee: \$350.00
- 30 (2) Renewal: \$200.00

1 E: D. All licenses are valid for one year, unless a multi-year license is
 2 created, and shall be renewed by the license holder ~~within the thirty days~~ prior to the
 3 license expiration date. The state fire marshal may create a prorated fee system to
 4 allow employee license renewal dates to coincide with the firm license renewal date.

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

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

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

22 I: G. The cost to transfer an individual license from one firm to another is
 23 ~~twenty~~ twenty-five dollars.

24 J: H. The fees established in this Section are not refundable, except when
 25 certain conditions apply as the state fire marshal may establish.

26 ~~K: I. There are no fees associated with any inspections and audits performed~~
 27 ~~by the office of state fire marshal, unless otherwise indicated by this Part.~~

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

1 §1484.19. Prohibited acts; operator

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

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

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

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

12 * * *

13 §1484.20. Prohibited acts; third-party inspector

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

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

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

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

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

25 * * *

26 §1484.22. Notice of violation of standard; cease and desist order

27 A. If after an inspection, investigation, or audit of any ~~inflatable amusement~~
28 ~~device~~, amusement ride; or amusement attraction, the office of state fire marshal
29 determines that the respective ~~device~~, ~~ride~~, ride or attraction is in violation of any
30 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 listing the state fire marshal as the certificate holder insuring the
15 operator against liability for injury suffered by persons riding the amusement
16 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
30 located, if the owner or lessee of the site failed to reasonably determine that the

1 operator of the ~~inflatable amusement device~~, amusement ride; or amusement
2 attraction is in proper compliance with the requirements of this Part.

3 * * *

4 §1484.25. Exemptions

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

7 * * *

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

12 * * *

13 §1484.26. Local regulation

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

18 §1484.27. Waiver of inspection

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

26 §1484.28. Rules adopted

27 The state fire marshal shall adopt and issue rules, in accordance with the
28 provisions of the Administrative Procedure Act, establishing standards for the
29 installation, repair, maintenance, use, operation, ~~and inspection, and~~
30 decommissioning of ~~inflatable amusement devices~~, amusement attractions; and

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

7 Section 2. R.S. 40:1484.3(26) and (27), 1484.6(F), 1484.7, 1484.13(B)(8), 1484.15,
 8 1484.21, and 1484.23(E) are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____