

## Session 110 - (1993-1994)

### H\*3717 (Rat #0225, Act #0144 of 1993) General Bill, By T.F. Rogers

A Bill to amend Section 41-18-30, Code of Laws of South Carolina, 1976, relating to the South Carolina Amusement Rides Safety Code, the applicability of these provisions, and exceptions to applicability, so as to make the provisions applicable to amusement devices at certain "other places open to the public"; to amend Section 41-18-40, relating to definitions under the Amusement Rides Safety Code, so as to delete certain language, make changes to the definitions of "temporary device" and "serious injury", and provide a definition for "catastrophic accident"; to amend Section 41-18-60, relating to application for, and duration and revocation of, a permit under the Amusement Rides Safety Code, so as to, among other things, provide that a permit is valid for a period of up to one year expiring on December thirty-first of the year it is issued, require that notice of planned schedules be mailed to the Commissioner of Labor at least seven, rather than fifteen, days before the first intended date of use, and provide that certain violations of the Amusement Rides Safety Code may result in revocation if written notice of noncompliance is served upon the owner specifying any violation of the provisions of the Code and directing the owner to correct the violations within the period specified by the Commissioner, rather than within thirty days of receipt of the notice; to amend Section 41-18-70, relating to the inspection of an amusement device which must be made before a permit may be issued, so as to provide that the inspection must have been conducted within one month, rather than within one year, prior to the permit application, unless extended by certain provisions of law; to amend Section 41-18-80, relating to inspection procedures under the Amusement Rides Safety Code, so as to, among other things, delete references to the Commissioner of Labor's designee, provide that, in the case of a temporary device, before first operation in this State each year, rather than "upon first entry into the State", the amusement device must be inspected by the Commissioner or special inspector for the permit to be issued and delete certain provisions; to amend Section 41-18-100, relating to the Amusement Rides Safety Code, discrimination, owner's duties after serious injury occurs, and inspection and correction of defects, so as to, among other things, provide that any owner or lessee who becomes aware at a certain time that a serious injury had occurred shall report it immediately and in no case later than the end of the next business day, and provide that when a catastrophic accident, rather than a serious injury, occurs involving the operation of an amusement device, the owner or lessee shall immediately shut down the device from further use; to amend Section 41-18-110, relating to notice to owners, lessees, and operators of amusement devices of rights and obligations under the Amusement Rides Safety Code upon receipt of permit applications, so as to provide that this notice must be furnished by the Commissioner of Labor only upon request; and to amend Section 41-18-150, relating to civil penalties under the Amusement Rides Safety Code, so as to provide that a person who knowingly and wilfully operates an amusement device without complying with the provisions of the Amusement Rides Safety Code or regulations promulgated thereunder is subject to a civil penalty not to exceed two thousand dollars per amusement device for each day such noncompliance continues, and provide that any person who operates an amusement device without complying with the provisions of the Safety Code or any regulation promulgated thereunder is subject to a civil penalty not to exceed two thousand dollars for each day such noncompliance continues.-amended title

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|----------|--------|---|
| 03/16/93 | House  | Introduced and read first time HJ-6   |
| 03/16/93 | House  | Referred to Committee on Labor, Commerce and Industry HJ-7                    |
| 04/21/93 | House  | Committee report: Favorable Labor, Commerce and Industry HJ-12                |
| 04/22/93 | House  | Read second time HJ-34  |
| 04/27/93 | House  | Read third time and sent to Senate HJ-21                                      |
| 04/28/93 | Senate | Introduced and read first time SJ-13  |
| 04/28/93 | Senate | Referred to Committee on Labor, Commerce and Industry SJ-13                   |
| 05/17/93 | Senate | Committee report: Favorable with amendment Labor, Commerce and Industry SJ-11 |
| 05/18/93 | Senate | Amended SJ-21   |
| 05/18/93 | Senate | Read second time SJ-22  |
| 05/18/93 | Senate | Unanimous consent for third reading on next legislative day SJ-22             |
| 05/19/93 | Senate | Read third time and returned to House with amendments SJ-10                   |
| 05/26/93 | House  | Concurred in Senate amendment and enrolled HJ-31                              |
| 06/10/93 |        | Ratified R 225  |
| 06/14/93 |        | Signed By Governor  |
| 06/14/93 |        | Effective date 06/14/93   |
| 07/07/93 |        | Act No. 144   |
| 07/07/93 |        | Copies available  |