



Rep. Kevin Joyce

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09500HB5319ham003

LRB095 15419 WGH 49698 a

1 AMENDMENT TO HOUSE BILL 5319

2 AMENDMENT NO. _____. Amend House Bill 5319, AS AMENDED, by
3 replacing the introductory clause of Section 5 with the
4 following:

5 "Section 5. The Carnival and Amusement Rides Safety Act is
6 amended by changing Sections 2-6, 2-10, 2-15, and 2-20 as
7 follows:

8 (430 ILCS 85/2-6) (from Ch. 111 1/2, par. 4056)

9 Sec. 2-6. The Director, with the consent of the Board,
10 shall promulgate and formulate definitions, rules and
11 regulations for the safe installation, repair, maintenance,
12 use, operation, training standards for operators, and
13 inspection of all amusement rides and amusement attractions as
14 the Director finds necessary for the protection of the general
15 public using amusement rides and amusement attractions. The
16 Director may promulgate rules to establish records to be made

1 and preserved which are necessary for the enforcement of this
2 Act. The rules shall be based upon generally accepted
3 engineering standards and shall be concerned with, but not
4 necessarily limited to, engineering force stresses, safety
5 devices, and preventive maintenance. Whenever such standards
6 are available in suitable form they may be incorporated by
7 reference. The rules shall provide for the reporting of
8 accidents and injuries incurred from the operation of amusement
9 rides or amusement attractions. In addition to the permit fee
10 herein provided, the Director may promulgate rules to establish
11 a schedule of fees for inspections.

12 Before adopting, modifying or amending any rule consistent
13 with and necessary for the enforcement of this Act, the
14 Director shall hold a public hearing on the proposed rule,
15 modification or amendment to a rule. Any interested person may
16 appear and be heard at the hearing, in person or by agent or
17 counsel. The Director shall give the news media notice of each
18 hearing at least 30 days in advance of the hearing date and
19 shall make available a copy of the proposed rule, or
20 modification or amendment to a rule to any person requesting
21 same. The provisions of this Section are in addition to all
22 other existing requirements pertaining to the promulgation of
23 administrative rules and regulations.

24 (Source: P.A. 94-801, eff. 5-25-06; 95-397, eff. 8-24-07.);

25 and

1 in Section 5, by inserting immediately after the last paragraph
2 of subsection (e) of Sec. 2-20 the following:

3 "(f) Recordkeeping requirements. Any person, firm,
4 corporation, or other entity that owns or operates a carnival
5 or fair subject to the provisions of this Act shall make,
6 preserve, and make available to the Department, upon its
7 request, all records that are required by this Act, including
8 but not limited to a written substance abuse policy, evidence
9 of the required criminal history records check and Sex Offender
10 Registry check, and any other information the Director may by
11 rule deem necessary and appropriate for enforcement of this
12 Act."