

To: The Senate Committee on Federal and State Affairs
From: Daniel Yoza, Assistant City Attorney, City of Olathe
Subject: Testimony in Support of 2018 SB 307
Date: February 6, 2018



Dear Committee Members,

Please consider this letter our testimony in support of Senate Bill 307.

The City of Olathe has seven waterslides and a lazy river ride that are subject to the amusement ride act passed in 2017. Senate Bill 307 resolves several challenges we are having with the act.

First, the biggest compliance challenge for us is finding qualified inspectors. There are not enough qualified inspectors in the state to do the inspections required by the law. We are supportive of the expanded group of qualified inspectors in the amended definition on page 5, and any other proposals or programs that would help us find qualified inspectors.

Second, the updated definition of “serious injury” on page 5 of the bill is clearer and better than the existing definition. The current definition is too vague. People seek medical treatment for non-serious injuries all the time, but the definition implies that seeking immediate medical treatment makes any injury a serious injury. By requiring hospitalization to make an injury “serious,” the bill makes it easier for us to create clear policies about when to shut down a ride. This clarification simply gives meaning to the word “serious” in the definition of “serious injury.”

Finally, the amended language on page 10 allowing certification of “service proven” status as sufficient for purposes of obtaining a permit is vital for us to be able to obtain our permits from the state. Our ride inspector has informed us that the only the manufacturer can create the certification required in the current version of K.S.A. 44-1616(a)(5). Many of our rides are several years old, and tracking down manufacturers and getting them to do this work for us is very challenging. This requirement is really about safety, and we believe that “service proven” status is an equivalent safety standard to the existing one, and it is obtainable through our current inspector.

We support this effort to refine the regulation of amusement rides. It is very important to us to be a partner with the Legislature in designing the most effective legislation to achieve safe amusement rides with clear, obtainable standards for ride owners to follow.

Please feel free to contact me if you have questions or if you would like further information.

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