



February 18, 2004

**ENGROSSED
HOUSE BILL No. 1019**

DIGEST OF HB 1019 (Updated February 17, 2004 11:24 am - DI 110)

Citations Affected: IC 22-12; noncode.

Synopsis: Bull ride simulators. Defines a "bull ride simulator" as a regulated amusement device. Requires the adoption of rules regulating safety standards for bull ride simulators.

Effective: Upon passage.

Ayres, Lytle, Ruppel, Cheney

(SENATE SPONSORS — LANDSKE, DEMBOWSKI)

December 4, 2003, read first time and referred to Committee on Commerce and Economic Development.

January 22, 2004, amended, reported — Do Pass.

January 29, 2004, read second time, amended, ordered engrossed.

January 30, 2004, engrossed.

February 2, 2004, read third time, passed. Yeas 81, nays 10.

SENATE ACTION

February 3, 2004, read first time and referred to Committee on Commerce and Consumer Affairs.

February 17, 2004, amended, reported favorably — Do Pass.

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February 18, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

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ENGROSSED HOUSE BILL No. 1019

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-12-1-3.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 3.5. (a) "Bull ride simulator" means a**
4 **device designed to simulate:**
5 **(1) a rodeo bull ride; or**
6 **(2) a similarly challenging ride upon another type of animal;**
7 **by subjecting the rider to a wide range of abrupt motion produced**
8 **by mechanical, electrical, or hydraulic means.**
9 **(b) The term does not include devices that:**
10 **(1) resemble animals; and**
11 **(2) are designed:**
12 **(A) as an entertainment device;**
13 **(B) to operate rhythmically within a restricted range of**
14 **motion; and**
15 **(C) for use by children.**
16 SECTION 2. IC 22-12-1-19.1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 19.1. (a)**

EH 1019—LS 6191/DI 108+



1 "Regulated amusement device" means a device designed to carry or
2 convey one (1) or more persons in one (1) or more planes or degrees of
3 motion for the purpose of amusement, recreation, or entertainment.

4 (b) The term includes the following:

- 5 (1) An amusement ride.
- 6 (2) A ski lift.
- 7 (3) A passenger tramway.
- 8 (4) An aerial tramway or lift.
- 9 (5) A surface lift or tow.

10 **(6) A bull ride simulator.**

11 (c) The term does not include a passenger operated device or an
12 inflatable amusement chamber.

13 SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) For purposes of**
14 **this SECTION, "bull ride simulator" has the meaning set forth in**
15 **IC 22-12-1-3.5, as added by this act.**

16 **(b) Notwithstanding IC 22-12-1-19.1, as amended by this act,**
17 **and IC 22-15-7, a bull ride simulator may be operated without a**
18 **valid regulated amusement device permit through July 1, 2005,**
19 **under subsection (c).**

20 **(c) To operate a bull ride simulator as described in subsection**
21 **(b), the owner of the bull ride simulator must:**

- 22 **(1) register the bull ride simulator with the office of the state**
23 **building commissioner not later than July 1, 2004, by**
24 **providing the information required by the office for such a**
25 **registration on a form approved by the office; and**
- 26 **(2) demonstrate compliance with all of the insurance**
27 **requirements for regulated amusement devices under**
28 **IC 22-15-7-2.5 to the office of the state building commissioner**
29 **not later than July 1, 2004.**

30 **(d) If the regulated amusement device safety board established**
31 **under IC 22-12-4.5-2 determines that additional safety standards**
32 **specific to bull ride simulators are appropriate or needed, subject**
33 **to the approval of the fire prevention and building safety**
34 **commission, the regulated amusement device safety board shall**
35 **adopt rules under IC 4-22-2 to establish equipment laws containing**
36 **these additional safety standards for bull ride simulators not later**
37 **than July 1, 2005.**

38 **(e) This SECTION expires July 1, 2005.**

39 SECTION 4. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1019, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 18, delete "operation of" and insert "**safety standards for**".

and when so amended that said bill do pass.

(Reference is to HB 1019 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 13, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1019 be amended to read as follows:

Page 1, line 3, delete "Mechanical bull" and insert ""**Bull**".

Page 1, line 4, delete "simulate the forces exerted"

Page 1, line 5, delete "upon a rodeo bull rider or a rider of a similarly resistant animal by" and insert "**simulate:**

(1) a rodeo bull ride; or

(2) a similarly challenging ride upon another type of animal; by"

Page 2, line 9, delete "mechanical"

Page 2, delete lines 12 through 25, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2004] (a) Notwithstanding IC 22-12-1-19.1, as amended by this act, and IC 22-15-7, a bull ride simulator may be operated without a valid regulated amusement device permit until July 1, 2005, under subsection (b).

(b) To operate a bull ride simulator as described in subsection (a), the owner of the bull ride simulator must:

(1) register the bull ride simulator with the office of the state building commissioner by July 1, 2004, by providing the information required by the office for such a registration on a form approved by the office; and

(2) demonstrate compliance with all of the insurance requirements for regulated amusement devices under IC 22-15-7-2.5 to the office of the state building commissioner by July 1, 2004.

(c) If the regulated amusement device safety board determines that additional safety standards specific to bull ride simulators are appropriate or needed, subject to the approval of the fire prevention and building safety commission, the regulated amusement device safety board shall adopt rules under IC 4-22-2 to establish equipment laws containing these additional safety standards for bull ride simulators by July 1, 2005.

(d) This SECTION expires July 1, 2005."

(Reference is to HB 1019 as printed January 23, 2004.)

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Consumer Affairs, to which was referred House Bill No. 1019, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE UPON PASSAGE]".

Page 1, line 1, delete "IC 22-12-1-16.5" and insert "IC 22-12-1-3.5".

Page 1, line 3, delete "16.5." and insert "3.5."

Page 2, line 13, after "(a)" insert "**For purposes of this SECTION, "bull ride simulator" has the meaning set forth in IC 22-12-1-3.5, as added by this act.**

(b)".

Page 2, line 16, delete "until" and insert "**through**".

Page 2, line 16, delete "(b)." and insert "**(c)**".

Page 2, line 17, delete "(b)" and insert "**(c)**".

Page 2, line 18, delete "(a)," and insert "**(b)**".

Page 2, line 20, delete "by July 1, 2004," and insert "**not later than July 1, 2004**".

Page 2, line 26, delete "by" and insert "**not later than**".

Page 2, line 27, delete "(c)" and insert "**(d)**".

Page 2, line 27, after "board" insert "**established under IC 22-12-4.5-2**".

Page 2, line 33, delete "by" and insert "**not later than**".

Page 2, line 34, delete "(d)" and insert "**(e)**".

Page 2, after line 34, begin a new paragraph and insert:
"SECTION 4. An emergency is declared for this act."

and when so amended that said bill do pass.

(Reference is to HB 1019 as reprinted January 30, 2004.)

SERVER, Chairperson

Committee Vote: Yeas 6, Nays 0.

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