

HB 433 -- Redline

As Passed by the House to Enrolled -- Alter amusement ride classification for inspection fee purposes

Deletions ~~struck~~ · Insertions underlined

~~As(136th PassedGeneralAssembly) by(Substitute House Bill Number 433) ANACT To amend sections 905.39, 905.55, 905.59, 915.14, 917.20, 918.12, 923.43, 923.47, 924.07, 924.53, 993.01, 993.04, 1327.52, 1327.55, 3715.04, 4707.091, and 4707.151 and to repeal section 1345.021 of the HouseRevised 136thCode Generalto Assemblyrevise Regularvarious Sessionlaws H.,governing agriculture.~~

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

SECTION 1.

That sections 905.39, 905.55, 905.59, 915.14, 917.20, 918.12, 923.43, 923.47, 924.07, 924.53, 993.01, 993.04, 1327.52, 1327.55, 3715.04, 4707.091, and 4707.151 of the Revised Code be amended to read as follows:

Sec.

905.39.

(A) The director of agriculture shall inspect and sample any fertilizer within the state to such an extent as the director considers necessary and make an analysis where need is indicated to determine whether the fertilizer is in compliance with sections 905.31 to 905.503 of the Revised Code and rules. The director may enter upon any public or private premises or conveyances during regular business hours in order to have access to fertilizer subject to sections 905.31 to 905.503 of the Revised Code and rules.

(B) The director shall maintain the services necessary to effectively administer and enforce sections 905.31 to 905.503 of the Revised Code and rules.

The methods of sampling and analysis shall be those adopted by the association of official analytical chemists AOAC international or other sources prescribed by the director.

(C) The results of official analysis of any sample of fertilizer found to be in violation of any provisions of sections 905.31 to 905.503 of the Revised Code or any rule shall be forwarded to the licensee or registrant.

A licensee or registrant may request a portion of any such sample, provided that the request is made not more than thirty days after the date of the analysis report.

(D) Analytical tolerances shall be governed by rules.

(E) If the director is denied access to any premises where access is sought for the purpose of inspection and sampling, the director may apply to any court of competent jurisdiction for a search warrant authorizing access to the premises for that purpose.

The court, upon application, may issue the search warrant for the purpose requested.

Sec.

905.55.

(A) No person shall distribute or sell liming material in packages that do not bear a label in legibly written or printed form that includes the following:

(1) Net weight of contents in pounds as determined by a sealed weighing device;

(2) Product name and type of liming material, which shall include the grade as defined in section 905.54 of the Revised Code, for all except the oxide and hydrate forms;

Sub.

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~~433 2025-2026136th RepresentativesG.A. Klopfenstein, Fowler Arthur Cosponsors:~~

~~Representatives(3) John,Name Newman, Gross, Glassburn, Thomas, D., Daniels, Miller, J., Barhorst, Brennan, Brownlee, Click, Hall, D., Hiner, Mathews, T., Plummer, Rader, Schmidt, Somani, Thomas, C., Troy, White, E., Willis To amend sections 993.01 and 993.04address of the manufacturer, Revisedseller, 1or Code distributor; to alter the current amusement ride 2 classification structure for purposes of the 3 annual inspection and reinspection fees.~~

~~4(4) BEGuaranteed ITanalysis, ENACTEDin BYwhole THEnumbers GENERALonly, ASSEMBLYwhich OFincludes: THE STATE OF OHIO:~~

Section(a) 1-The minium percentages of weight of elemental calcium and magnesium;

That(b) sectionsThe 993.01total andneutralizing 993.04power expressed as weight per cent of calcium carbonate, as determined by the Revisedmethods 5prescribed Codeby be the amendedassociation toof readofficial asanalytical follows:chemistsAOAC international;

6(c) Sec.-The minimum percentages of weight passing through numbers eight, twenty, sixty, and one hundred United States standard sieves;

(d) The effective neutralizing power expressed on the basis of pounds per ton as a percentage of the fineness index, multiplied by the total neutralizing power and percentage of dry matter.

(B) No person shall sell or distribute liming material in bulk, unless the purchaser is supplied, upon delivery, with a delivery ticket containing the information required in division (A) of this section, and:

(1) The name and address of the purchaser;

(2) The date of sale.

(C) Shipping invoices or notices shall be available for all bulk liming material stored at locations other than a place of manufacture.

Sec.

905.59.

(A) The director of agriculture may inspect, sample, and analyze any liming material utilized within the state to such extent as the director considers necessary to determine whether the liming material is in compliance with sections 905.51 to 905.65 of the Revised Code, and the rules adopted under such sections.

The director may enter into an agreement with a person that is not a department of agriculture employee that authorizes that person to perform the inspections, sampling, and analysis of liming material.

If the director enters into an agreement, the director shall annually audit the records relating to the inspections, sampling, and analysis performed by the person.

(B) The director or a person who has entered into an agreement with the director under division (A) of this section may enter upon any public or private premises or means of conveyance at any reasonable time to have access to liming material subject to sections 905.51 to 905.65 of the Revised Code, and the rules adopted under such sections.

(C) The methods of sampling and analysis of liming materials shall be those adopted by the association of official analytical chemists AOAC international or as prescribed by the director.

(D) The results of the official analysis of any sample of liming material that is found to be in violation of sections 905.51 to 905.65 of the Revised Code, or any regulation adopted under such sections, shall be forwarded to the licensee.

A licensee may request a portion of any such sample if the request is made not more than thirty days after the date of the analysis report.

(E) Analytical tolerances shall be governed by rules adopted by the director, subject to Chapter 119. of the Revised Code.

Sec.

915.14.

As used in sections 915.14 to 915.24 of the Revised Code, unless the context Sub.

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otherwise requires:

(A) "Food" means:

(1) Articles used for food or drink for humans or animals;

(2) Chewing gum;

(3) Articles used for components of any such articles.

(B) "Establishment" means any business location or building of which any of the following facilities or operations are a part:

a frozen food manufacturing facility, chill room, sharp freezing room and facilities, or sharp freezing cabinet.

"Establishment" does not include a bakery registered under section 911.02 of the Revised Code.

(C) "Chill room" means a room or space in an establishment used for the purpose of chilling food in preparation for processing for sharp freezing.

(D) "Sharp freezing" means the reducing of every portion of food placed in a sharp freezer facility to a temperature of ten degrees Fahrenheit or less in five hours or less.

(E) "Sharp freezing room," "sharp freezing cabinet," or "other sharp freezing facilities" means any location, space, or facility in an establishment used for the sharp freezing of food for storage or eventual sale.

(F) "Operator" means any person, firm, or corporation operating or maintaining an establishment.

(G) "Frozen food manufacturing facility" means a room or space in an establishment used to freeze food, other than frozen desserts as defined in section 917.01 of the Revised Code, for eventual sale in a

frozen state.

Sec.

917.20.

A test report or document prepared by an analyst who is employed or designated by the director of agriculture and who tested a sample shall be admissible as evidence in a prosecution for a violation of a statute or rule, provided that the report or document contains a sworn statement, signed by the analyst, that the report or document accurately contains or represents the findings or conclusions of the analyst.

Sec.

918.12.

(A) An establishment, as defined in section 918.01 of the Revised Code, that slaughters or otherwise prepares meat of bison, cervidea, other bovidea, camelidae and hybrids thereof, ratites, domestic rabbits, monitored captive deer, captive deer with status, or captive deer with certified chronic wasting disease status as defined in section 943.01 of the Revised Code, domestic deer as defined in section 1531.01 of the Revised Code, or other animals determined by the director of agriculture by rule for human food purposes may receive voluntary state inspection, as defined in division (B) of section 918.01 of the Revised Code, if the establishment complies with sections 918.01 to 918.11 of the Revised Code and the rules adopted under those sections for establishments that slaughter or otherwise prepare for food purposes other animals and if the establishment complies with division (C) of this section.

(B) The owner of an establishment, as defined in section 918.21 of the Revised Code, who slaughters or otherwise prepares the meat of pheasant, quail, partridge, peafowl, grouse, captive Sub.

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raised wild turkey, captive raised waterfowl, or other poultry determined by the director by rule may receive voluntary state inspection as defined in division (I) of section 918.21 of the Revised Code and the rules adopted under those sections for establishments that slaughter or otherwise prepare for food purposes other poultry and if the establishment complies with division (C) of this section and sections 918.21 to 918.28 of the Revised Code.

(C) An establishment that receives voluntary state inspection under division (A) or (B) of this section shall pay the costs of the inspection at a rate and under terms established by rule of the director of agriculture in accordance with section 918.04 of the Revised Code.

Sec.

923.43.

(A) Except as otherwise provided in division (B) of this section for a customer- formula feed, a commercial feed distributed in this state shall be labeled with the following information:

(1) Net weight of contents, which may be stated in metric units in addition to avoirdupois weight;

(2) Product name, and brand name if any, under which the feed is distributed;

(3) Name and principal address of the manufacturer or distributor;

(4) Guaranteed analysis of the feed stated in terms that the director of agriculture, by rule, determines are required to advise the user of the composition of the feed or to support claims made in the labeling.

In all cases, the substances or elements shall be determinable by laboratory methods published by the association of official analytical chemistsAOAC international.

(5) Common name of each ingredient used in the manufacture of the feed.

The director, by rule, may permit the use of a collective term for a group of ingredients all of which perform the same function or eliminate the listing of feed ingredients when it no longer serves a useful purpose.

(6) Directions for the safe and effective use of any feed that contains any drug and for any other feed that the director, by rule, determines to require such directions;

(7) Any precautionary statements that the director, by rule, determines are necessary for the safe and effective use of the feed.

(B) A customer-formula feed distributed in this state shall be labeled with the following information:

(1) Name and principal address of the manufacturer;

(2) Name and address of the purchaser;

(3) Date of delivery;

(4) Product name, and brand name if any, of each commercial feed and all other ingredients used in the mixture;

(5) Net weight of each commercial feed used and of any other feed ingredient used;
(6) Directions for the safe and effective use of any customer-formula feed that contains any drug and for any other customer-formula feed that the director, by rule, determines to require such directions;
(7) If a drug-containing product is used, a statement of the purpose of the drug, the Sub.

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established name of each active drug ingredient, and the amount of each drug used in the final mixture;
(8) Any precautionary statements that the director, by rule, determines are necessary for the safe and effective use of the customer-formula feed.

(C) Upon the request of the director, each manufacturer or distributor shall furnish the director with the label for any commercial feed he the manufacturer or distributor distributes in this state.

Sec.

923.47.

(A) For the purpose of enforcing sections 923.41 to 923.55 of the Revised Code and any rules adopted under those sections, the director of agriculture, or his the director's agent, to the extent he the director or the director's agent considers necessary, upon presenting credentials and a written inspection notice to the person in charge, may enter, during regular business hours, any factory, warehouse, or establishment where commercial feeds are manufactured, processed, packed, or held for distribution or any vehicle used to transport or hold feeds in order to inspect within a reasonable time and manner the factory, warehouse, establishment, vehicle, and any equipment, finished and unfinished materials, containers, and labeling.

The inspection may include verification of only such records and production and control procedures as necessary to determine compliance with the good manufacturing practice rules for drug-containing feeds adopted by rule under section 923.48 of the Revised Code.

Official samples may be taken during the inspection.

Upon completion of the inspection, the person in charge shall be so notified.

If any official sample of commercial feed is taken during the inspection, at the completion of the inspection and prior to leaving the premises, the director or his the director's agent shall give the person in charge a receipt that describes any sample taken and provide him the person in charge with a portion of any sample if the person in charge so requests.

At any time that the director is refused admittance to inspect, he the director may obtain a search warrant describing what is to be inspected from a judge of a court of record in the jurisdiction where the inspection is to take place.

(B) For the purpose of enforcing sections 923.41 to 923.55 of the Revised Code and any rules adopted under those sections, the director of agriculture, or his the director's agent, to the extent he the director or the director's agent considers necessary, upon the presentation of credentials, shall enter during regular business hours upon any public or private premises, including any vehicle used to transport or hold feeds, to obtain official samples of commercial feed and to examine any records that relate to the distribution of feed sampled.

(C) The director shall maintain a laboratory with equipment and personnel necessary to effectively administer and enforce sections 923.41 to 923.55 of the Revised Code and the rules adopted under those sections.

The methods of sampling and analysis shall be those adopted by the association of official agricultural chemists AOAC international and other generally recognized sources prescribed by the director by rule.

(D) The results of all analyses of official samples of commercial feed shall be forwarded to Sub.

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the distributor and to the purchaser.

(E) Analytical tolerances shall be governed by rules adopted by the director.

Sec.

924.07.

(A) When the producers of an agricultural commodity who vote in a referendum favor a proposed marketing program, the director of agriculture shall order the program established and, if the marketing program does not provide for the election of an operating committee, appoint an operating committee consisting of producers of the commodity to administer the program.

Each operating committee shall consist of not less than three nor more than fifteen producers.

(B) Of the members first appointed to an operating committee, the director shall appoint approximately one-third for one-year terms, approximately one-third for two-year terms, and the remainder for three-year terms.

Thereafter, the director shall appoint each member for a three-year term unless the appointee is to fill a vacancy in which case the appointee shall be appointed for the unexpired term.

Each such subsequent appointment shall be made prior to the expiration date of the preceding or vacant term.

(C) The director shall not appoint any member of an operating committee to serve more than three successive full three-year terms.

(D) The director shall appoint members of each operating committee from a list of candidates recommended by the producers of the agricultural commodity for which the marketing program is established.

Insofar as possible the members shall be equitably distributed by geographic and production areas.

Any list of candidates recommended to the director by producers shall include not less than twice as many candidates as the number of members which are to be appointed, but in no case shall a list include fewer than three names.

(E) The director, or the director's designee, is an ex officio member of each operating committee, with the right to vote.

(F) Each member of an operating committee, except the director or the director's designee, is entitled to actual and necessary travel and incidental expenses while attending meetings of the committee or while engaged in the performance of official responsibilities delegated to the committee.

No member of such a committee shall receive in excess of thirty dollars per day, in addition to such travel and incidental expenses, or for more than twenty-four days per year for duties performed as a member of the committee.

(G) No person is civilly liable for any actions taken in good faith as a member or employee of an operating committee.

Sec.

924.53.

(A) The director of agriculture shall monitor the conduct of the Ohio grape industries committee to ensure that:

(1) The committee is operating within the requirements of sections 924.51 to 924.55 of the Revised Code;

(2) The committee's program is self-supporting;

(3) The committee keeps all records that are required by agencies of the state.

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(B) The director may, in accordance with Chapter 119.

of the Revised Code, adopt, rescind, or amend rules necessary to carry out the purposes of this section.

(C) The director shall accomplish an audit of the books and records of the committee prior to the thirtieth day of September each yearbooks and records of the committee shall be made available to the auditor of state as part of the auditor of state's annual audit of the department of agriculture.

Sec.

~~7~~-(A) "Amusement ride" means any mechanical, aquatic, or ~~8~~-inflatable device, or combination of those devices that carries ~~9~~-or conveys passengers on, along, around, over, or through a ~~10~~-fixed or restricted course or within a defined area for the~~11~~ purpose of providing amusement, pleasure, or excitement.

~~12~~-"Amusement ride" includes carnival rides, bungee jumping ~~13~~-facilities, and fair rides, but does not include passenger ~~14~~-tramways as defined in section 4169.01 of the Revised Code, ~~15~~-manufactured rock climbing walls in climbing facilities~~16~~ regulated under Chapter 4175.

of the Revised Code, or amusement ~~17~~-rides operated solely at trade shows for a limited period of ~~18~~time.~~19~~

For purposes of this division, "trade show" means a place of exhibition not open to the general public where amusement ride manufacturers display, promote, operate, and sell amusement rides to prospective purchasers.

(B) "Temporary amusement ride" means an amusement ride that is relocated at least once per year with or without disassembly.

(C) "Permanent amusement ride" means an amusement ride that is erected to remain a lasting part of the

premises.

(D) "Owner" means any person who owns or leases and controls or manages the operation of an amusement ride, and includes individuals, partnerships, corporations, both profit and nonprofit, and the state and any of its political subdivisions and their departments or agencies.

(E) "Operation" means the use or operation, or both, of an amusement ride with riders.

(F) "Rider" means any person who sits, stands, or is otherwise conveyed or carried as a passenger on an amusement ride, but does not include employees or agents of the owner of the amusement ride.

(G) "Amusement ride operator" means any person causing the amusement ride to go, stop, or perform its function.

(H) "Reassembly" means the installation, erection, or reconstruction of the main mechanical, safety, electrical, or electronic components of an amusement ride following transportation or storage and prior to operation.

Replacement of mechanical, safety, electrical, or electronic components of an amusement ride for the purpose of repair or maintenance is not reassembly.

(I) "Repair" means to restore an amusement ride to a condition equal to or better than original design specifications.

(J) "Maintenance" means the preservation and upkeep of an amusement ride for the purpose of maintaining its designed operational capability.

(K) "Inspection" means a physical examination of an amusement ride by an inspector for the Sub.

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~~For purpose purposes of this approving division, the "trade application show" for means a place permit. 19 of exhibition not open to the general public where amusement 20 ride manufacturers display, promote, operate, and sell amusement 21 rides to prospective purchasers.~~

~~22 "Inspection" (B) includes "Temporary amusement reinspection. ride" means an amusement ride 23 that is relocated at least once per year with or without 24 disassembly.~~

~~25 (L) (C) "Accident" "Permanent means amusement an ride" occurrence means during the operation of an amusement ride 26 that is results erected in to death remain or a injury lasting requiring part immediate of hospital the admission. premises.~~

~~27 (M) (D) "Serious "Owner" injury" means any person who owns or leases and 28 controls or manages the operation of an amusement injury ride, that and does 29 not includes require individuals, immediate partnerships, hospital corporations, admission both but profit does 30 require and medical nonprofit, treatment, and other the than state first and aid, any by of a its physician. political 31 subdivisions and their departments or agencies.~~

~~32 (N) (E) "First "Operation" aid" means the use one-time treatment or operation, subsequent observation of scratches, cuts not requiring stitches, burns, splinters, and contusions or both, a of diagnostic an procedure, 33 including amusement examinations ride and with x-rays, riders, that does not ordinarily require medical treatment even though provided by a physician or other licensed professional personnel.~~

~~34 (O) (F) "Advisory "Rider" council" means any the person advisory who council sits, stands, or is 35 otherwise conveyed or carried as a passenger on an amusement 36 ride ride, safety but created does by not section include 993.02 employees or agents of the owner Revised of Code. 37 the amusement ride.~~

~~38 (P) (G) "Safe "Amusement operation" ride means, operator" except means as any provided person in causing section 993.10 of the 39 Revised amusement Code, ride the to practical go, application stop, of maintenance, inspection, and operational processes, as indicated by the manufacturer, owner, or perform advisory its council, function, that secures a rider from threat of physical danger, harm, or loss.~~

~~40 (Q) (H) "Private "Reassembly" facility" means the any installation, facility erection, that or is 41 accessible reconstruction only to members of the main facility mechanical, and safety, not electrical, accessible or to 42 the electronic general components public, of even an upon amusement payment ride of following a 43 fee transportation or storage charge, and prior that requires approval for membership by a membership committee representing the current members who have a policy requiring monetary payment to operation, belong to the facility.~~

~~Replacement (R) of "Bungee 44 jumping" mechanical, means safety, a electrical, fall or electronic jump components from of a height by an 45 individual amusement who ride is for attached to an elastic cord that prevents the purpose individual of from repair hitting the ground, water, or maintenance other is solid, not semi- 46 solid, reassembly, liquid, or elastic surface.~~

~~47 (S) H. "Bungee jumping facility" means a device or structure utilized for bungee jumping.~~

(T) "Kiddie ride" means an amusement ride designed for use by children under thirteen years of age who are unaccompanied by another person.

"Kiddie ride" includes a roller coaster that is not more than forty feet in elevation at any point on the ride.

(U) "Climbing facility" has the same meaning as in section 4175.01 of the Revised Code.

Sec.

993.04.

(A)(1) No person shall operate an amusement ride within the state without a permit issued by the director of agriculture under division (A)(2) of this section.

The owner of an amusement ride, whether the ride is a temporary amusement ride or a permanent amusement ride, who desires to operate the amusement ride within the state shall, prior to the operation of the amusement ride and annually thereafter, submit to the department of agriculture an application for a permit, together with the appropriate permit and inspection fee, on a form to be furnished by the department.

Prior to issuing any permit the department shall, within thirty days after the date on which it receives the application, inspect each amusement ride described in the application.

The owner of an amusement ride shall have the amusement ride ready for inspection not later than two hours after the time that is requested by the person for the inspection.

(2) For each amusement ride found to comply with the rules adopted by the director under Sub.

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~~433 Page 136th 36.A. As Passed by the House (I) "Repair" means to restore an amusement ride to a 48 condition equal to or better than original design 49 specifications.~~

~~50 division (J)(B) "Maintenance" of means this the section preservation and upkeep division (B) of section 993.08 of the Revised Code, the director shall issue an 51 annual amusement permit, ride provided that evidence of liability insurance coverage for the purpose amusement ride as required by section 993.06 of maintaining the its Revised designed Code 52 is operational on capability. file with the department.~~

~~53 (3) (K) The "Inspection" director means shall a issue physical with examination each of permit and a 54 decal amusement indicating ride that by an inspector for the purpose amusement of ride approving has the been 55 issued application the for a permit.~~

~~"Inspection" The includes owner of the amusement ride shall affix the decal on the ride at a reinspection location where the decal is easily visible to the patrons of the ride.~~

~~56 A (L) copy "Accident" of means the an permit occurrence shall during be kept on file at the operation same of address 57 as an the location of the amusement ride that identified results on in the death permit, or and injury shall requiring be 58 made immediate available hospital for admission inspection, upon reasonable demand, by any person.~~

~~59 An (M) owner "Serious may injury" operate means an injury amusement ride prior to obtaining a permit, provided that does the not operation require is 60 for immediate the hospital purpose admission of but testing does the require amusement medical ride treatment, or 61 training amusement ride operators and other than employees first of aid, the by owner and physician, the amusement ride is not open to the public.~~

~~62 (B)(1) (N) The "First director, aid" in means accordance the with one-time Chapter treatment 119. or subsequent 63 observation of scratches, cuts not requiring stitches, burns, 64 splinters, and contusions or a diagnostic procedure, including 65 examinations and x-rays, that does not ordinarily require 66 medical treatment even though provided by a physician or other 67 licensed professional personnel.~~

~~68 of (O) "Advisory council" means the advisory Revised council Code, on shall 69 adopt amusement rules ride providing safety for created both by section 993.02 of the Revised following: 70 Code.~~

~~71 (a) (P) A "Safe schedule operation" of means, fines, except with as no provided fine in exceeding section five 72 thousand 993.10 dollars, or for the violations Revised Code, the practical application of 73 this maintenance, chapter inspection, and operational processes, as indicated 74 by the manufacturer, owner, or advisory any council, rules that adopted secures under at this 75 division; rider from threat of physical danger, harm, or loss.~~

~~76 (b) H. The classification of amusement rides and rules for the safe operation and inspection of all amusement rides as are necessary for amusement ride safety and for the protection of the general public. The classification of amusement rides must identify those rides that need more comprehensive inspection and testing in addition to regular state inspections, taking into account hidden components integral to the safety of the ride.~~

~~(2)(a) Rules adopted by the director for the safe operation and inspection of amusement rides shall be reasonable and shall be based upon generally accepted engineering standards and practices.~~

~~The rules shall establish a minimum number of inspections to be conducted on each ride depending on the size, complexity, nature of the ride, and the number of days the ride is in operation during the year for which the applicable permit is valid.~~

~~The rules also shall require the minimum number of inspectors assigned to inspect a ride or rides to be reasonable and adequate given the number, size, complexity, and nature of the ride or rides.~~

~~(b) In adopting rules under this section, the director may adopt by reference, in whole or in part, the national fire code or the national electrical code (NEC) prepared by the national fire protection association or the American national standards institute (ANSI), or any other principles, tests, or standards of nationally recognized technical or scientific authorities.~~

(c) In adopting rules under this section, the director shall adopt, by reference, the following chapters of the American society for testing and materials (ASTM) international regarding amusement ride safety standards and any other equivalent national standard:

(i) ASTM F1193-18;

(ii) ASTM F770-18;

(iii) ASTM F2291-18.

(d) Insofar as is practicable and consistent with this chapter, rules adopted under this division Sub. H.

~~433 Page 136th 4G.A. As Passed by the House (Q) "Private facility" means any facility that is 77 accessible only to members of the facility and not accessible to 78 the general public, even upon payment of a fee or charge, and 79 that requires approval for membership by a membership committee 80 representing the current members who have a policy requiring 81 monetary payment to belong to the facility.~~

~~82shall (R)be "Bungeeconsistent jumping"with means a fall or jump from a height by 83 an individual who is attached to an elastic cord that prevents 84 the individualrules fromof hitting the ground, water, or other solid,states. 85 semi-solid, liquid, or elastic surface.~~

~~86(3) (S)The "Bungeedepartment jumpingshall facility"cause meansthis chapter and the rules adopted in accordance with this division and division (B) of section 993.08 of the Revised Code to be published in pamphlet form and a devicecopy or to structurebe 87furnished utilizedwithout forcharge bungeeto jumping,each owner of an amusement ride who holds a current permit or is an applicant therefor.~~

~~88(C) (T)With "Kiddierespect ride"to meansan application for a permit for an amusement rideride, designedan owner may apply to the director for usea 89waiver byor childrenmodification of any rule adopted under thirteendivision years(B) of agethis whosection if there are unaccompaniedpractical bydifficulties 90or anotherunnecessary person,hardships for the amusement ride to comply with the rules. "KiddieAny ride"application includesshall aset rollerforth coasterthe thatreasons isfor 91 not more than forty feet in elevation at any point on the ride,request.~~

~~92The (U)director, "Climbingwith facility"the hasapproval of the sameadvisory meaningcouncil ason inamusement sectionride 93safety, 4175.01may waive or modify the application of a rule to any amusement ride if the Revisedpublic Code-safety is secure.~~

~~94Any Sec-authorization by the director under this division shall be in writing and shall set forth the conditions under which the waiver or modification is authorized, and the department shall retain separate records of all proceedings under this division.~~

~~993.04-(D)(1) The director shall employ and provide for training of a chief inspector and additional inspectors and employees as may be necessary to administer and enforce this chapter.~~

~~(A)(1)The Nodirector personmay shallappoint operator ancontract with other persons to perform inspections of amusement 95rides, rideprovided withinthat the statepersons withoutmeet a the permitqualifications issuedfor inspectors established by the rules directoradopted under division (B) of 96this agriculturesection underand divisionare (A)(2)not owners, or employees of owners, of any amusement ride subject to inspection under this section-chapter.~~

~~TheWhen owneremploying of 97 an amusement ride, whether the ride is a temporarynew amusementchief 98inspector ride-or a permanent amusement ride, who desires to operate the 99 amusement ride within the state shall, prior to the operation of 100 the amusement ride and annually thereafter, submit to the 101 department of agriculture an applicationadditional forinspector aafter permit,November together6, 1022019, with the appropriatedirector permitshall andgive inspectionpreference fee, on a form to be 103 furnished by the department, following:~~

~~Prior(a) toAn issuingindividual anyholding permits a level one or higher inspector certification from either the 104national departmentassociation shall,of withinamusement thirtyride dayssafety afterofficials (NAARSO), the dateamusement onindustry whichmanufacturers itand 105suppliers H-(AIMS) international, or another substantially equivalent organization as determined by the director;~~

~~and (b) An individual who intends, within one year of being hired as an inspector, to complete the requirements for issuance of a level one or higher inspector certification from NAARSO, AIMS International, or another substantially equivalent organization as determined by the director.~~

~~(2) No person shall inspect an amusement ride who, within six months prior to the date of inspection, was an employee of the owner of the ride.~~

~~(3) Before the director contracts with other persons to inspect amusement rides, the director shall seek the advice of the advisory council on amusement ride safety on whether to contract with those persons.~~

~~The advice shall not be binding upon the director.~~

~~After having received the advice of the council, the director may proceed to contract with inspectors in accordance with the procedures specified in division (E)(2) of section 1711.11 of the Revised Code.~~

~~(4) With the advice and consent of the advisory council on amusement ride safety, the director may employ a special consultant to conduct an independent investigation of an amusement ride accident.~~

This consultant need not be in the civil service of the state, but shall have qualifications to conduct the investigation acceptable to the council.

Sub.

H.

~~433 Page 136th 5G.A. As Passed by the House receives the application, inspect each amusement ride described 106 in the application.~~

~~The (E)(1) owner Except of as anotherwise amusement provided ride in shall division have (E)(1) 107 of the this amusement section, ride ready for inspection not later than two hours 108 after the time department that shall is charge requested by the person following for amusement the ride 109 fees: inspection.~~

~~1102 (2) A For Permit, each non-inflatable amusement ride found \$225 to B comply Permit, with inflatable the ride rules \$100 111 C adopted Annual by inspection the director under division (B) of this section and 112 reinspection division per (B) ride: of section 993.08 of the Revised Code, the director 113 shall issue an annual permit, provided that evidence of 114 liability insurance coverage for the amusement ride as required 115 by section 993.06 of the Revised Code is on file with the 116 department.~~

~~117 D (3) Kiddie The rides director \$100 shall E issue Family with rides each \$200 permit F a Major decal rides 118 \$300 indicating G Spectacular rides \$400 H Family/portable roller coasters \$1,200 I Tower rides \$1,800 J Roller coaster large roller coasters \$1,200 \$4,000 K Aerial lifts or bungee jumping facilities \$450 L Go karts, per kart \$5 M Inflatable rides, three or fewer that are inspected at the amusement same \$100 per inflatable ride has time been at issued the same location and that are owned by the permit same owner N Inflatable rides, four to ten that are inspected at the same time \$75 per inflatable ride at the same location and that are owned by the same owner O Inflatable rides, eleven or more that are inspected at the same \$50 per inflatable ride time at the same location and that are owned by the same owner Sub.~~

~~119 H. The owner of the amusement ride shall affix the decal on the 120 ride at a location where the decal is easily visible to the 121 patrons of the ride.~~

~~A copy of the permit shall be kept on file 122 at the same address as the location of the amusement ride 123 identified on the permit, and shall be made available for 124 inspection, upon reasonable demand, by any person.~~

~~An owner may 125 operate an amusement ride prior to obtaining a permit, provided 126 that the operation is for the purpose of testing the amusement 127 ride or training amusement ride operators and other employees of 128 the owner and the amusement ride is not open to the public.~~

~~129 (B)(1) The director, in accordance with Chapter 119.~~

~~of 130 the Revised Code, shall adopt rules providing for both of the 131 following:~~

~~132 (a) A schedule of fines, with no fine exceeding five 133 thousand dollars, for violations of this chapter or any rules 134 adopted under this division;~~

~~135 H.~~

~~433 Page 136th 6G.A. As Passed by the House (b) The classification of amusement rides and rules for 136 the safe operation and inspection of all amusement rides as are 137 necessary for amusement ride safety and for the protection of 138 the general public.~~

~~The P classification Other of rides amusement \$160 rides Q must Midseason 139 operational identify inspection those per rides ride that \$25 need R more Expedited comprehensive inspection per ride \$100 S Failure to cancel scheduled inspection and per 140 ride testing \$100 in T addition Failure to regular have state amusement inspections, ride taking ready into for 141 inspection account per hidden ride components \$100 integral The go kart inspection fee is in addition to the safety inspection off fee for the ride go kart track.~~

~~142 The (2)(a) Rules adopted by the director for the safe 143 operation and inspection of amusement rides shall be adopt reasonable rules 144 in and accordance shall with be Chapter based 119. upon generally accepted engineering standards 145 and practices.~~

~~The rules shall establish a minimum number of 146 the inspections Revised to Code be establishing conducted an on annual each fee ride that depending is on less the than size, one 147 hundred complexity, five nature dollars off for the an ride, inspection and the reinspection number of days an the inflatable ride ride. 148 is in operation during the year for which the applicable permit 149 is valid.~~

~~The In rules adopting also the shall rules, require the minimum director number shall of ensure 150 that inspectors the assigned fee to reasonably inspect reflects a ride or rides to be reasonable 151 and adequate given the number, costs size, of complexity, inspection and nature reinspection of 152 an the inflatable ride ride. or rides.~~

~~153 If (b) In adopting rules under this section, the director may issues 154 a adopt permit by for reference, an inflatable whole ride or for in a part, time the period national of fire less code than 155 one or year, the national director electrical shall code charge (NEC) a prepared prorated by fee for the national permit 156 equal fire to protection one-twelfth association of or the American annual national permit standards fee 157 multiplied institute by (ANSI), the or number any of other full principles, months tests, for or which standards the 158 permit of is nationally issued, recognized technical or scientific authorities.~~

~~159 The (c) fees In for adopting an rules expedited under inspection, this failure section, to the cancel director a 160 scheduled shall inspection, adopt, by reference, the following chapters of the 161 American~~

~~society for testing and materials failure (ASTM) to international have 162 an regarding amusement ride safety ready standards for and inspection any do other not 163 apply equivalent to national go standard: karts. 164 As (i) used ASTM in F1103-18; division (E)(1) of this section, "expedited inspection" means an inspection of an amusement ride by the department not later than ten days after the owner of the amusement ride files an application for a permit under this section.~~

~~165 (2) H. All fees and fines collected by the department under this chapter shall be deposited in the state treasury to the credit of the amusement ride inspection fund, which is hereby created, and shall be used only for the purpose of administering and enforcing section 1711.11 of the Revised Code and this chapter.~~

~~(3) The owner of an amusement ride shall be required to pay a reinspection fee only if the reinspection is required by division (B)(2) of this section or rules adopted under that division, if the reinspection was conducted at the owner's request under division (F) of this section, if the reinspection is required by division (F) of this section because of an accident, or if the reinspection is required by division (F) of section 993.07 of the Revised Code.~~

~~If a reinspection is conducted at the request of the chief officer of a fair, festival, or event where the ride is operating, the reinspection fee shall be charged to the fair, festival, or event.~~

~~(4) The rules adopted under division (B) of this section shall define "roller coaster," "aerial lifts," "inflatable ride," "go karts," and "other rides" "kiddie ride," "family ride," "major ride," "spectacular ride," "family/portable roller coaster," "tower ride," and "large roller coaster" for purposes of determining the fees under division (E) of this section.~~

~~The rules shall define "other rides" to include go kart tracks.~~

~~(F) A reinspection of an amusement ride shall take place if an accident occurs, if the owner Sub.~~

~~H.~~

~~433 Page 136th 76.A. As Passed by the House (ii) ASTM F770-18;~~

~~166 of (iii) the ASTM ride F2201-18, or the chief officer of the fair, festival, or event where the ride is operating requests a reinspection, if the chief inspector determines reinspection is necessary in accordance with section 993.042 of the Revised Code, or if the reinspection is required by division (F) of section 993.07 of the Revised Code.~~

~~167 (G) (d) As insofar as supplement to its annual inspection of a temporary amusement ride, the department may inspect the ride during each scheduled event, as is listed practicable in and the consistent schedule with of these events 168 provided chapter, to rule the adopted department under by this the owner pursuant to division shall (C) be of consistent section 169 993.07 with of the rules Revised of Code, other at states, which the ride is operated in this state.~~

~~170 These (3) supplemental The inspections department are shall in cause addition this to chapter any and other inspection or reinspection of the rules ride 171 as adopted may in be accordance required with under this division chapter and or division rules (B) adopted of under 172 it, section and 993.08 the owner of the Revised temporary Code amusement to ride be is published not in required pamphlet to 173 pay for an and inspection a or copy reinspection to fee be for furnished this without supplemental charge inspection to unless each the owners supplemental of inspection 174 is an being amusement conducted ride pursuant who to holds division a (B)(2) current of permit this section or is rules an adopted applicant under 175 that therefor, division.~~

~~176 Nothing (C) in With this respect division to shall an be application construed for to a prohibit permit the for an 177 amusement ride, an owner may of apply a to temporary the amusement director ride for having a waiver valid 178 permit or to modification operate of in any rule adopted under division (B) of this 179 state section from if operating there the ar ride practical at difficulties a or scheduled unnecessary event 180 before hardships for the amusement department ride conducts to a comply supplemental with inspection. the rules.~~

~~Any (H) 181 The application department shall may set annually forth conduct the a reasons midseason for operational the inspection request of every amusement ride upon which it conducts an annual inspection pursuant to division (A) of this section.~~

~~The 182 midseason director, operational with inspection the is approval in of addition the to advisory any council other on inspection amusement 183 ride safety, may waive or modify reinspection the application of a the rule to 184 any amusement ride if as the may public be safety required is pursuant secure, to this chapter.~~

~~Any The 185 owner authorization of by an the amusement director ride under this division shall be submit into 186 the writing department, and at shall set forth the conditions time under determined which by the 187 department, waiver the or midseason modification operational is inspection authorized, fee and specified the in department division shall (E) 188 retain separate records of all proceedings under this division, section.~~

~~189 (D)(1) The director director, shall in employ accordance and with provide Chapter for 119, training 190 of a chief inspector and additional inspectors and employees as 191 may be necessary to administer and enforce this chapter.~~

~~The of 192 the director Revised may Code, appoint shall or adopt contract rules with specifying other the~~

~~person time to period perform during 193 which inspections the of department amusement will rides, conduct provided midseason that operational the inspections. persons meet 194 H.~~

Sec.

1327.52.

Any weights and measures official elected or appointed for a county or municipality shall have the duties enumerated in divisions (I) to (M) and (T) of section 1327.50 of the Revised Code, and the powers enumerated in section 1327.51 of the Revised Code.

These powers and duties shall extend to the respective jurisdictions, except that the jurisdiction of a county official shall not extend to any municipal corporation for which a weights and measures official has been appointed.

The director of agriculture shall advise and assist these officials.

Sec.

1327.55.

Except as otherwise provided by the director of agriculture or by firmly established trade customs and practices, commodities shall be sold as follows:

(A) Commodities in liquid form shall be sold by liquid measure or by weight;

(B) Commodities not in liquid form shall be sold only by weight, measure, or county count, or a combination thereof;

(C) The method of sale of commodities shall provide accurate quantity information that enables the buyer to make price and quantity comparisons.

Sec.

3715.04.

(A) As used in this section:

(1) "Certificate of health and freesale" means a document issued by the director of Sub.

H.

~~433 Page 136th 8G.A. As Passed by the House the qualifications for inspectors established by rules adopted 195 under division (B) of this section and are not owners, or 196 employees of owners, of any amusement ride subject to inspection 197 under this chapter.~~

When agriculture employing that certifies to states and countries receiving products that the products have been produced and warehoused in this state under sanitary conditions at a new food chief processing inspector establishment or at 198 a additional place inspector of after business November of 6, a 2019, manufacturer the of director over-the-counter shall drugs 199 or give cosmetics, preferences as to applicable, that has been inspected by the following: department of agriculture.

~~200 Other (a) names An of individual documents holding that are level synonymous one with or "certificate higher inspector 201 certification from either the national association of amusement health 202 ride safety officials (NAARSO), the amusement industry 203 manufacturers and suppliers freesale" (AIMS) include, international, but or are another not 204 limited substantially to, equivalent "sanitary organization certificate as of determined health by and the freesale"; 205 director;~~

~~and "certificate 206 (b) An individual who intends, within one year of being origin"; 207 hired as an inspector, to complete the requirements for issuance 208 of a level one or higher inspector certification from NAARSO, 209 AIMS International, or another substantially equivalent 210 organization as determined by the director.~~

~~211 "certificate (2) No person shall inspect an amusement ride who, within 212 six months prior to the date of inspection, freesale"; was an employee of 213 the owner of the ride.~~

~~214 "certificate (3) Before the director contracts with other persons to 215 inspect amusement rides, the director shall seek the advice of 216 health the and advisory origin"; council on amusement ride safety on whether to 217 contract with those persons.~~

~~The "certificate advice of shall freesale, not sanitary be and binding purity"; 218 upon the director.~~

~~After and having "certificate received the advice of the freesale, 219 health council, and the origin." director (2) may "Food proceed processing to establishment" contract has with inspectors in 220 accordance with the procedures same specified meaning as in division (E)(2) of 221 section 1711.113715.021 of the Revised Code.~~

~~222 (B) (4) Upon With the request of a food processing establishment, manufacturer of over-the-counter drugs, or manufacturer of cosmetics, the advice director may issue a certificate of health and consent freesale after determining that conditions at the establishment or place of business of the advisory manufacturer, council as on applicable, 223 have H. been found to be sanitary through an inspection conducted pursuant to this chapter.~~

For each certificate issued, the director shall may charge the establishment or manufacturer a fee in the an amount of twenty dollar established in division (G) of section 901.43 of the Revised Code.

The director shall deposit all fees collected under this section to the credit of the food safety fund

created in section 915.24 of the Revised Code.

Sec.

4707.091.

(A)(A)(1) Prior to the expiration of an auctioneer's license, an auctioneer may submit an application to the department of agriculture, on forms provided by the department, to place the license on deposit with the department for a period not to exceed two years.

Not later than fourteen days after receipt of an the application under this section, the department shall accept or deny the application.

(2) If a licensee fails to place the license on deposit prior to expiration of the auctioneer license, the director of agriculture or the director's designee, may grant a medical exception upon written request by the licensee to retroactively place the auctioneer license on deposit.

To receive an exception, the licensee shall submit along with the request satisfactory proof that a medical exception is warranted.

(B) If the department accepts the application, an auctioneer who has a license on deposit with the department under this section, the auctioneer shall not act as an auctioneer while the license is on deposit.

In addition, such an auctioneer shall not be required to pay an assessment under section 4707.25 of the Revised Code.

(C) An auctioneer may reacquire a license on deposit from the department if the auctioneer does all of the following prior to reacquisition:

(1) Submits a written request to the department that contains the business address and telephone number of the auctioneer;

(2) Pays a reactivation fee for the license in the following amount:

(a) In the case of an auctioneer whose license is reacquired during the first half of the biennium according to the biennial schedule established in division (A) of section 4707.10 of the Sub.

H.

~~433 Page136th 9G.A. As Passed by the House amusement ride safety, the director may employ a special 224 consultant to conduct an independent investigation of an 225 amusement ride accident.~~

~~ThisRevised consultantCode, needtwo nothundred bedollars; in the 226 civil service of the state, but shall have qualifications to 227 conduct the investigation acceptable to the council.~~

~~228(b) (E)(1)In Exceptthe ascase otherwiseof providedan in auctioneer divisionwhose (E)(1)license ofis 229reacquired thisduring section, the departmentsecond shallhalf chargeof the followingbiennium 230according amusementto ride that fees:biennial schedule, one hundred dollars.~~

~~231(3) 1Pays 2the Aassessment Permit, that non-inflatableis ridelevied \$225under Bsection Permit, 4707.25 inflatableof ride the \$100Revised CCode Annualfor inspectionthe andcurrent reinspectionyear, per if ride:applicable;~~

~~D(4) KiddieProvides ridesproof \$100of Efinancial Familyresponsibility ridesas \$200required Fin Majorsection rides4707.11 \$300of Gthe SpectacularRevised ridesCode, \$400if Happlicable; Family/portable roller coasters \$1,200 I Tower rides \$1,800 J Roller coasterLarge roller coasters \$1,200 \$4,000 H.~~

(5) Complies with any other requirement established in rules adopted by the director under section 4707.19 of the Revised Code;

(6) Provides proof of completion of the continuing education requirements established in section 4707.101 of the Revised Code.

(D) If an auctioneer, at the time of placing the auctioneer's license on deposit, has not maintained proof of financial responsibility for the entire period of time required under section 4707.11 of the Revised Code, the auctioneer, beginning at the time of reacquisition, shall maintain proof of financial responsibility for the remainder of the time required under that section.

Sec.

4707.151.

(A) No person shall engage in bid rigging.

(B) As used in this section, "bid :

(1) "Bid rigging" means a conspiracy between auctioneers, any participants in an auction, or any other persons who agree not to bid against each other at an auction or who otherwise conspire to decrease or increase the number or amounts of bids offered at auction.

(2) "Auction" includes an online auction.

SECTION 2.

That existing sections 905.39, 905.55, 905.59, 915.14, 917.20, 918.12, 923.43, 923.47, 924.07, 924.53, 993.01, 993.04, 1327.52, 1327.55, 3715.04, 4707.091, and 4707.151 of the Revised Code are hereby repealed.

SECTION 3.

That section 1345.021 of the Revised Code is hereby repealed.

SECTION 4.

(A) Notwithstanding section 993.04 of the Revised Code, as amended by this act, beginning on the effective date of this section and expiring on November 30, 2027, the Department of Agriculture shall charge the following amusement ride fees:

2 A Permit, non-inflatable \$225 Sub.

H.

~~433 Page136th 10G.A. As Passed by the House K Aerial lifts or bungee jumping facilities \$450 L Go karts, per kart \$5 M Inflatable rides, three or fewer that are \$100 per inflatable inspected at the same time at the same ride location and that are owned by the same owner N Inflatable rides, four to ten that are \$75 per inflatable inspected at the same time at the same ride location and that are owned by the same owner O Inflatable rides, eleven or more that are \$50 per inflatable inspected at the same time at the same ride location and that are owned by the same owner P Other rides \$160 Q Midseason operational inspection per ride \$25 R Expedited inspection per ride \$100 S Failure to cancel scheduled inspection per \$100 ride T Failure to have amusement ride ready for \$100 inspection per ride The go kart inspection fee is in addition to the 233 inspection fee for the go kart track.~~

~~234B ThePermit, directorinflatable shallride adopt\$162.50 rulesC inAnnual accordanceinspection withand Chapterreinspection 235per H.ride:~~

D Kiddie rides \$100 E Family rides \$180 F Major rides \$230 G Spectacular rides \$280 H Family/portable roller coasters \$1,200 I Tower rides \$1,300 J Large roller coasters \$3,250 K Go karts, per kart \$5 L Inflatable rides, three or fewer that are inspected at the\$102 per inflatable ride time at the same location and that are owned by the same owner M Inflatable rides, four to ten that are inspected at the sa\$89.50 per inflatable ride at the same location and that are owned by the same owner N Inflatable rides, eleven or more that are inspected at the\$77 per inflatable ride time at the same location and that are owned by the same owner O Midseason operational inspection per ride \$25 P Expedited inspection per ride \$100 Q Failure to cancel scheduled inspection per ride \$100 R Failure to have amusement ride ready for inspection per ri\$100 The go kart inspection fee is in addition to the inspection fee for the go kart track.

The fees for an expedited inspection, failure to cancel a scheduled inspection, and failure to Sub.

H.

~~433 Page136th 11G.A. As Passed by the House 119.~~

~~ofhave the Revised Code establishing an annualamusement feeride thatready is less 236 than one hundred five dollars for an inspection anddo reinspectionnot 237apply ofto ango inflatablekarts. ride.~~

~~InAs adoptingused thein rules,this thesection, director"expedited shallinspection" 238has ensurethe thatsame themeaning feesas reasonablydivision reflects(E)(1) theof costssection 993.04 of inspectionthe 239Revised andCode, reinspectionas ofamended anby inflatablethis ride.act.~~

~~If(B) theBeginning directoron issuesand aafter 240December permit1, for2027, ansuch inflatablefees ride for a time period of less than one 241 year, the director shall chargebe alevied proratedin feeaccordance forwith thedivision permit(E)(1) 242of equalsection to993.04 one-twelfth of the annualRevised permitCode, feesas multipliedamended by thethis 243act. number of full months for which the permit is issued.~~

~~244Sub. The fees for an expedited inspection, failure to cancel a 245 scheduled inspection, and failure to have an amusement ride 246 ready for inspection do not apply to go karts.~~

~~247H. As used in division (E)(1) of this section, "expedited 248 inspection" means an inspection of an amusement ride by the 249 department not later than ten days after the owner of the 250 amusement ride files an application for a permit under this 251 section.~~

~~252 (2) All fees and fines collected by the department under 253 this chapter shall be deposited in the state treasury to the 254 credit of the amusement ride inspection fund, which is hereby 255 created, and shall be used only for the purpose of administering 256 and enforcing section 1711.11 of the Revised Code and this 257 chapter.~~

~~258 (3) The owner of an amusement ride shall be required to 259 pay a reinspection fee only if the reinspection is required by 260 division (B)(2) of this section or rules adopted under that 261 division, if the reinspection was conducted at the owner's 262 request under division (F) of this section, if the reinspection 263 is required by division (F) of this section because of an 264 accident, or if the reinspection is required by division (F) of 265 H.~~

~~433 Page136th 12G.A. As Passed by the House section 993.07 of the Revised Code.~~

~~IfSpeaker a _____ reinspection is 266 conducted at the request of the chiefHouse officer of aRepresentatives. fair, 267 festival, or event where the ride is operating, the reinspection 268 fee shall be charged to the fair, festival, or event.~~

~~269President (4)_____ The rules adopted under division (B) of this section 270 shall define "roller coaster," "aerial lifts," "inflatable ride," 271 "go karts," and "other rides" "kiddie ride," "family ride," 272 "major ride," "spectacular ride," "family/portable roller 273 coaster," "tower~~

~~ride," and "large roller coaster" for purposes 274 of determining the fees~~Senate. ~~under division (E) of this section.~~

~~The~~Passed 275 _____, ~~rules~~20 shall ~~Approved~~ define _____, ~~"other~~20 ~~rides"~~Governor. ~~to include go kart tracks.~~

~~276Sub. (F) A reinspection of an amusement ride shall take place 277 if an accident occurs, if the owner of the ride or the chief 278 officer of the fair, festival, or event where the ride is 279 operating requests a reinspection, if the chief inspector 280 determines reinspection is necessary in accordance with section 281 993.042 of the Revised Code, or if the reinspection is required 282 by division (F) of section 993.07 of the Revised Code.~~

~~283H. (G) As a supplement to its annual inspection of a 284 temporary amusement ride, the department may inspect the ride 285 during each scheduled event, as listed in the schedule of events 286 provided to the department by the owner pursuant to division (C) 287 of section 993.07 of the Revised Code, at which the ride is 288 operated in this state.~~

~~These supplemental inspections are in 289 addition to any other inspection or reinspection of the ride as 290 may be required under this chapter or rules adopted under it, 291 and the owner of the temporary amusement ride is not required to 292 pay an inspection or reinspection fee for this supplemental 293 inspection unless the supplemental inspection is being conducted 294 pursuant to division (B)(2) of this section or rules adopted 295 H.~~

~~433 Page~~136th ~~136.A. As Passed by the House under that division.~~

~~Nothing~~The ~~insection this~~numbering ~~divisionof shall~~law ~~be construed 296 to prohibit the owner of a temporary~~general ~~amusementand ride~~permanent ~~having~~nature ~~a is~~ 297complete ~~validand permit to operate in this~~conformity ~~statewith from operating the ride~~Revised ~~at~~Code. ~~298 a scheduled event before the department conducts a supplemental 299 inspection.~~

~~300Director. (H)~~Legislative ~~The~~Service ~~department~~Commission. ~~may annually conduct a midseason 301 operational inspection of every amusement ride upon which it 302 conducts an annual inspection pursuant to division (A) of this 303 section.~~

~~The~~Filed ~~midseason operational inspection is in addition~~the ~~to~~office 304 ~~any other inspection or reinspection of the amusement~~Secretary ~~rideof as~~State 305 ~~at may~~Columbus, beOhio, ~~requiredon pursuant~~the ~~to~~ this ~~day~~ chapter, ~~of~~ _____, A.

~~The~~D. ~~owner of an 306 amusement ride shall submit to the department, at the time 307 determined by the department, the midseason operational 308 inspection fee specified in division (E) of this section.~~

~~The~~20 ~~309 director, in accordance with Chapter 119.~~

~~Secretary of the~~State. ~~Revised Code, 310 shall adopt rules specifying the time period during which the 311 department will conduct midseason operational inspections.~~

~~312File Section~~No. ~~2.~~

~~That~~ _____ ~~existing~~Effective ~~sections~~Date 993.01 _____ ~~and 993.04 of the 313 Revised Code are hereby repealed.~~

314