

CHAPTER 975

H.B. No. 2222

An Act relating to inspection, insurance, and safety regulations for certain amusement rides.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 4, Article 21.53, Insurance Code, is amended to read as follows:

Sec. 4. **AMUSEMENT RIDE OPERATION REQUIREMENTS.** A person may not operate an amusement ride unless he:

(1) has the amusement ride inspected at least once annually [~~for safety~~] by an insurer or a person with whom the insurer has contracted and obtains from that insurer or person a written certificate that the inspection has been made and that the amusement ride meets the standards for coverage and is covered by the insurance required by Subsection (2) of this section. *If at any time the inspection reveals that an amusement ride does not meet the insurer's underwriting standards, the insurer shall so notify the owner or operator and in the event repair or replacement of equipment is required it shall be the responsibility of the owner or operator to make such repair or replacement before the amusement ride is offered for public use;*

(2) has an insurance policy currently in force written by an insurance company authorized to do business in this state, a surplus lines insurer as defined by Article 1.14-2 of this code, or an independently procured policy subject to Article 1.14-1 of this code, in an amount of not less than \$1 million per occurrence insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride;

(3) files with the board, in the manner required by this article, the inspection certificate and the insurance policy required by this section or a photocopy of such a certificate or policy authorized by the board; and

(4) files with each sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public a certificate stating that the insurance required by Subdivision (2) of this section is in effect.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional

rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

Passed by the House on May 9, 1985, by a non-record vote; passed by the Senate on May 21, 1985, by the following vote: Yeas 31, Nays 0.

Filed: June 16, 1985, without signature.

Effective: August 26, 1985