

Zachary Thomas Wilson, Fun Services of KC, LLC
House Bill No. 2389 – An Act Concerning Amusement Rides
Opponent

I am Zach Wilson, owner of Fun Services in Shawnee, KS. I have been in the amusement rental business literally my entire life and hope to one day pass this business on to my children, as my dad did. Because safe operations of my equipment are important to me, I am active in my industry. I am personally NAARSO (National Association of Amusement Ride Safety Officials) certified as a level 1 inspector and level 1 operator, AIMS (Amusement Industry Manufacturers and Suppliers) certified, and I am on ASTM (American Society for Testing and Materials International) committee F24 and actively vote on standards in the industry as well as advise on safety matters. I am here today to ask you to reject bill No. 2389 as it is currently proposed.

Let me start off by saying, I strongly agree that there should be standards when it comes to mechanical rides in the state of Kansas. At the same time, I would like to see changes to the current proposal and feel some of the definitions are too broad. Many portions of the bill seem to focus more on traveling carnivals and stationary placement of mechanical rides, not taking into account rental businesses that are often only up and running for a few hours in a single day. Today I would like to take a closer look at the following:

- *Broad cost of inspections.
- *Definition of qualified inspector.
- *NDT testing.
- *Insurance requirements.

As a business owner, it's important to me to track my costs to make sure I am staying profitable. The cost of inspections is very broad for temporary devices. It's difficult to

decipher if the \$100 fee is per ride or per event, meaning it covers an unspecified number of attractions. The proposed \$100 fee could possibly make the smaller, traveling rides more expensive to permit than the major stationary attractions, dependent on the number of times the smaller attraction is rented. Furthermore, it's unclear who would actually pay for the inspections as it would be almost impossible to get the liability insurance provider to agree to foot the bill, and at a fee with every set up, would quickly become cost prohibitive for rental companies. I would prefer to see an annual inspection per attraction rather than an inspection with every set up and it would make most sense to have the fee paid by the owner/operator.

The term "Qualified Inspector" is too broad. Following the lead of other states, using a nationally recognized safety association would keep rules more consistent and draws from a larger pool of knowledge. Also having someone familiar with the actual operation of the ride is imperative to understanding how it operates safely. I feel the inspector should be required to have:

- NAARSO (National Association of Amusement Ride Safety Officials) Level 1 inspectors and Level 1 operators certification
- AIMS (Amusement Industry Manufacturers and Suppliers) certification

Thinking of the role the inspector plays in the proposed bill; it is unclear upon whom the burden of hiring the inspector will fall. If the owner/operator must hire a qualified third party inspector, it presumably raises the real cost of the inspection for the paying entity. If the state is hiring and supplying a qualified inspector, I would like that cost to be

included in the proposed fee. I strongly feel the owner/operator should not be able to inspect and permit the rides they own.

We should follow the manufacturer's recommendations for Non-Destructive Testing. ASTM (American Society for Testing and Materials International) should not override what the manufacturer recommends as no one is more qualified than the manufacturer to determine the safety of their attraction as they are the most familiar with the ride as a whole.

The insurance requirements as outlined in New Sec. 2 of the bill don't line up with the way manufacturers typically restrict rides. Rides are usually restricted to participants of certain weights or heights, not age. There is also no mention of what the required aggregate insurance coverage would be when the per occurrence coverage required is \$1 million.

I would appreciate your support and careful consideration to these issues. I urge you to spend some time re-working the current proposal and I would be happy to personally offer any assistance I can. Thank you for your time!

In Service,
Zach Wilson