

By: Representative Lamar

To: Ways and Means

HOUSE BILL NO. 511
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 45-49-3, MISSISSIPPI CODE OF 1972, TO
2 CHANGE THE PERIOD FOR ISSUANCE OF AN AMUSEMENT RIDE OPERATING
3 PERMIT DECAL FROM 12 MONTHS TO A CALENDAR YEAR; AND FOR RELATED
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 45-49-3, Mississippi Code of 1972, is
7 amended as follows:

8 45-49-3. (1) An amusement ride may not be operated in this
9 state unless the Mississippi Department of Revenue has issued an
10 operating permit decal for the amusement ride to the owner or
11 operator * * * for the current calendar year.

12 (2) An application for an operating permit decal must be
13 submitted to the department not fewer than fifteen (15) business
14 days before the first time the amusement ride is operated in the
15 state, and must include the following:

16 (a) Certificate of insurance in the amount of not less
17 than One Million Dollars (\$1,000,000.00) per occurrence that
18 insures the owner or operator against liability for injury to



persons and property arising out of the use or operation of the amusement ride;

(b) Payment of a fee not to exceed One Hundred Dollars (\$100.00); and

(c) Proof of satisfactory inspection of the ride by a qualified inspector, as defined in Section 45-49-5, conducted no earlier than fifteen (15) days before the submission of the application for an operating permit decal. The date of the inspection must be indicated on the proof of inspection.

(3) The operating permit decal shall be valid * * * until the end of the calendar year of the date of issue and must be in a manner and format as prescribed by the department.

(4) The operating permit decal must be affixed to the ride in a conspicuous location that is plainly visible to patrons.

(5) The department shall:

(a) Determine the manner and format of the operating permit decal, any forms to be used to apply for the decal, and any forms to be used to report serious injuries or illnesses;

(b) Make any forms and certifications available on the department's website and provide decals to owners or operators;

(c) Subject to the limitations of this act, determine the fee for the filing of an operating permit decal;

(d) Allow an owner or operator to apply for operating permit decals for multiple rides at one time, using one (1) form; and



44 (e) Charge one (1) fee for the filing of each
45 application form, regardless of the number of rides listed on the
46 application.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after its passage.

