

MANUALLY, MECHANICALLY OR ELECTRICALLY OPERATED [[RIDE]] RIDES, [[AND PLAYGROUND EQUIPMENT SUCH AS SWINGS, SEESAWS AND SLIDES]] EXCEPT WHERE ADMISSION IS CHARGED FOR THE USE OF [[SUCH]] THE [[PLAYGROUND]] EQUIPMENT[[; OR]] .

[[ (2) ANY CARNIVAL LICENSED BY THE STATE OR OTHER POLITICAL SUBDIVISION. ]]

(B) THIS SUBTITLE DOES NOT PREEMPT THE PROVISIONS OF ARTICLE 56, SECTION 158 OR PRE-EMPT THE LICENSING OF CARNIVALS, FAIRS, OR AMUSEMENT ATTRACTIONS BY THE STATE OR OTHER POLITICAL SUBDIVISIONS.

[[ (B) ]] (C) THIS SUBTITLE DOES NOT PREEMPT THE POWERS, DUTIES, RIGHTS, AND OBLIGATIONS CONTAINED IN §§ 28-49B OF ARTICLE 89, THE MARYLAND OCCUPATIONAL SAFETY AND HEALTH ACT.

67.

(A) THE GENERAL ASSEMBLY OF MARYLAND FINDS THAT UNSAFE AND DEFECTIVE AMUSEMENT RIDES AND ATTRACTIONS IMPOSE A SUBSTANTIAL PROBABILITY OF SERIOUS AND PREVENTABLE INJURY UPON THE PUBLIC EXPOSED TO THE UNSAFE CONDITIONS AND THAT PREVENTION OF THESE INJURIES AND PROTECTION OF THE PUBLIC FROM EXPOSURE TO THE UNSAFE CONDITIONS IS IN THE BEST INTEREST AND WELFARE OF THE PEOPLE OF THE STATE.

(B) IT IS THE INTENT AND PURPOSE OF THIS SUBTITLE TO ASSURE AS FAR AS POSSIBLE THE SAFETY OF THE PUBLIC IN THEIR USE OF RIDES AND ATTRACTIONS PERMANENTLY OR TEMPORARILY ERECTED AT AMUSEMENT PARKS, CARNIVALS OR FAIRS OPERATED IN THE STATE BY:

(1) PROVIDING AN EFFECTIVE ENFORCEMENT AND COMPLIANCE PROGRAM;

(2) PROVIDING FOR THE DEVELOPMENT AND PROMULGATION OF SAFETY STANDARDS AND REGULATIONS;

(3) BY PROVIDING FOR APPROPRIATE REPORTING PROCEDURES WITH RESPECT TO AMUSEMENT RIDE SAFETY [[WHICH PROCEDURES WILL]] TO HELP ACHIEVE THE OBJECTIVE OF THIS SUBTITLE AND ACCURATELY DESCRIBE THE NATURE OF CARNIVAL-AMUSEMENT RIDE HAZARDS.

68.

(A) THE COMMISSIONER OF LABOR AND INDUSTRY SHALL:

(1) ADMINISTER AND ENFORCE THE PROVISIONS OF THIS SUBTITLE;

(2) PRESCRIBE THE SAFETY STANDARD RULES AND REGULATIONS RELATING TO THE OPERATION AND MAINTENANCE OF AMUSEMENT RIDES OR ATTRACTIONS;