

Defined terms: "Amusement attraction" § 3-101

"Amusement owner" § 3-101

"Amusement ride" § 3-101

"County" § 1-101

3-404. RECORDS AND REPORTS.

(A) IN GENERAL.

EACH AMUSEMENT OWNER WHO OPERATES AN AMUSEMENT ATTRACTION IN THE STATE SHALL:

(1) KEEP AND MAKE AVAILABLE TO THE COMMISSIONER RECORDS ABOUT THE ACTIVITIES OF THE AMUSEMENT OWNER UNDER THIS TITLE; AND

(2) KEEP ACCURATE RECORDS OF, AND SUBMIT PERIODIC REPORTS TO THE COMMISSIONER ON, INJURIES TO THE PUBLIC THAT OCCUR DURING USE OF AMUSEMENT ATTRACTIONS OTHER THAN INJURIES THAT:

(I) ARE MINOR;

(II) REQUIRE ONLY FIRST-AID TREATMENT; AND

(III) DO NOT INVOLVE MEDICAL TREATMENT OR LOSS OF CONSCIOUSNESS.

(B) DEATH OR SERIOUS INJURY.

WHENEVER A DEATH OR SERIOUS PHYSICAL INJURY RESULTS FROM THE OPERATION OF AN AMUSEMENT ATTRACTION:

(1) THE PERSON WHO DIRECTLY CONTROLS THE OPERATION OF THE AMUSEMENT ATTRACTION IMMEDIATELY SHALL CLOSE THE AMUSEMENT ATTRACTION UNTIL IT HAS BEEN INSPECTED BY THE COMMISSIONER;

(2) THE AMUSEMENT OWNER SHALL REPORT THE INCIDENT ORALLY OR IN WRITING TO THE COMMISSIONER WITHIN 24 HOURS; AND

(3) THE COMMISSIONER SHALL INSPECT THE AMUSEMENT ATTRACTION WITHIN 24 HOURS AFTER RECEIVING NOTICE OF THE INCIDENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, §§ 65(k) and 77(a)(1) and (2) and (b).

In subsection (b)(2) and (3) of this section, the word "incident" is substituted for the former word "accident" to clarify that a death or serious injury must be reported even if it results from a design flaw and not, strictly speaking, from an "accident".