

Members of the Economic Matters Committee
HB 1001 – Amusement Attractions – MD Rider Safety Act
Position: Support

HB1001
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February 14, 2020

Economic Matters Committee
Maryland General Assembly
100 State Circle
Annapolis, MD 21401

REF: HB 1001 Business Regulations – Amusement Attractions – Maryland Rider Safety Act
Economic Matters members:

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Please consider the following points in your discussion and deliberations regarding HB 1001 and understand our **SUPPORT** to this legislation.

WHO WE ARE

The Great Frederick Fair is a 501C-5 Non-Profit, located in Frederick, MD, and exists to promote Agriculture and the Education of our Youth about the Industry of Agriculture. The Great Frederick Fair hosts an annual 9-day event to fulfill the mission statement, attracting nearly 240,000 guests. While the focus of the event is agriculture, the fair partners with an amusement company annually to offer a carnival. This partnership attracts a wide-range of fairgoers and gives the Fair the opportunity to capture a diverse audience to teach about the industry of agriculture. The amusement provider pays on average, nearly \$60,000 in MD taxes annually during our September event.

The Great Frederick Fair contracts local businesses to provide private security, an agency to staff the gates, scanners and ushers, local tent, equipment rentals, trash services, electric, water, sewer, etc. In addition to these contracts and services, the fair directly hires approximately 60 additional seasonal staff members to fill various staff needs during the annual fair, and leading up to it. Plus, each exhibitor has the opportunity to win premium money and those awards are paid out after the fair.

Economic Impacts:

Security	\$95,704
Traffic Control	\$18,467
Part-Time Employees/Payroll	\$249,018
Rental Tents/Seating	\$46,707

Rental Equipment	\$46,000
Trash	\$71,536
Janitorial Supplies	\$16,424
Electric	\$59,973
Phone/Cable/Water/Sewer	\$45,118
Electric Hookups/On-Site Support	\$49,418
Entertainment Production	\$84,000
On-Site IT Support	\$27,845
Advertising/Marketing	\$99,000
Premium Payouts	\$120,814

The carnival is a very vital piece in order for the Fair to afford the necessary services to host a successful and safe event.

The Frederick Fairgrounds is owned by The Frederick County Agricultural Society, which is made up of 250 life members or shareholders, 95% residing and voting in MD.

WHY YOU SHOULD SUPPORT HB 1001

The Great Frederick Fair supports HB 1001 because we, as an organization, make safety our top priority at the fair. This includes from the time a patron parks, enters a gate, walks around the grounds, enters the barns, pets the animals, plays a game, rides a ride, eats or drinks from a vendor, etc. Having a Rider Responsibility bill in MD will only increase the safety of all fairgoers partaking in amusement rides.

According to Maryland’s Department of Labor, in a Ride Safety brochure released July of 2019, “Rider Responsibility Riders of amusement rides have a responsibility to: • Act in a responsible manner. • Obey posted and verbal instructions. • Refrain from behaving in any manner that may cause injury to oneself or other riders. Statistics indicate that accidents occur more frequently on rides operated by the rider. These rides include go-karts, water slides and bumper cars. To minimize the possibility of accidents riders are urged to follow instructions above. No one should ride an amusement ride while under the influence of alcohol or a controlled substance. Failure to act in a responsible manner may result in denied access to a ride or being ejected from the park or carnival.”

Rider responsibility legislation could help with public safety, decrease legal uncertainty and protect the economy and tax collection of the amusement industry. This will also help improve guest relations at the Fair. This bill promotes riders following the posted rules of amusement rides.

This bill promotes public safety:

1. Public education. This bill allows the public to learn HOW to be safer.
2. Laws. Passing a law prohibiting an activity improves safety.
3. Enforcement. Although the bill does not call for criminal or civil sanction, it does give the ride operators the support to promote safety.

CONCLUSION

To save lives and prevent accidents, rider conduct must be regulated. That is where the problem is. An effective ride safety program must respond realistically to the fact that rider conduct causes most ride injuries and that rider behavior is virtually unregulated at this time. Ride operators deserve the chance to tell their unruly patrons to behave because "It's our law – and we care."

Our patrons' safety demands nothing less.

The Great Frederick Fair agrees that there is no room for compromise regarding the safety of our patrons when it comes to the amusement rides at our fairs, shows or exhibitions.

The State of Maryland has a very stringent Amusement Safety Inspection Program that operates under the Department of Labor, Licensing and Regulations providing inspections for amusement rides and attractions, both permanently and temporarily at carnivals, fairs, and amusement parks in Maryland. Through this program and other industry leading organizations, such as the Outdoor Amusement Business Association (OABA), Amusement Companies have worked hard to improve the safety and experience of riders. The missing part to this relationship between Amusement Companies and the safety of the riders is the lack of responsibility associated with a rider's negligence in following all safety instructions. Passing this legislation will help mitigate undue burden on Amusement Companies fearing lawsuits for actions that are not within their control.

Income from the carnival rides at our Fair, and others throughout the state, is needed to provide the agricultural education, 4-H and FFA experiences for youth and adults that are included in our mission statement and 501 (c)(5) IRS federal tax exemption certificate as a not-for-profit organization.

It is not difficult to imagine The Great Frederick Fair, one of the largest events in our county, ceasing operation because they are unable to secure an Amusement Company. Every year the number of amusement companies decline due to financial hardship associated with increased insurance premiums brought on by lawsuits because of the negligence of a rider.

It is vital to the continued operation of our fair that Amusement Companies can feel protected from potential hardship caused from a lawsuit being brought by an individual who did not follow the rules provided to them.

Therefore it is important that HB 1001 becomes law in order to not only protect the Safety of Responsible Riders but also the Fairs, Shows, Exhibitions and the Amusement Companies who are contracted to provide the amusements for our events.

Sincerely,



Karen Crum Nicklas, General Manager (on behalf of The Great Frederick Fair Board of Directors)

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