

PUBLIC NOTICE

The Ohio Department of Agriculture will hold a public hearing for the purpose of accepting testimony on the proposed amendments made to Chapter 901:9-1 of the Ohio Administrative Code.

The rules in Chapter 901:9-1 of the Ohio Administrative Code (“OAC”) regulate amusement rides in the state of Ohio. Amusement rides are defined as “any mechanical, aquatic, or inflatable device, or combination of those devices that carries or conveys passengers on, along, around, over, or through a fixed or restricted course or within a defined area for the purpose of providing amusement, pleasure, or excitement.” See 1711.50. The Ohio Department of Agriculture (“Department”) is responsible for adopting rules for the safe operation and inspection of all amusement rides as necessary for amusement ride safety and for the protection of the public. The rules contained in this chapter have been proposed as a result of a combination of legislative amendments and the five year rule review process. The rules and their amendments are more specifically outlined below:

House Bill 49 of the 132nd General Assembly amended portions of the Amusement Ride laws found in Chapter 1711. of the Revised Code. The amendments removed the statutory inspection fee for inflatable devices and required the Department to adopt this fee in rules. Further, the legislative amendment required that the inspection fee be based off of the reasonable cost of an inflatable inspection and be less than \$105. OAC 901:9-1-01 has been amended to comply with this statutory requirement. The Department conducted a review of the costs associated with inspecting inflatables. Due to the methods in which inflatable companies have requested inspection the cost has varied significantly. The Department compiled information and determined that the average cost of the inspection of an inflatable was greater than \$105. However, as stated above, the legislative amendments required that the inspection fee be less than \$105. Therefore, the Department established an inspection fee of \$104. The rule also establishes a 365-day licensing term for inflatable rides. OAC 901:9-1-01 was also reviewed for purposes of the five year rule review. In order to make the rule easier to read, a significant amount of formatting changes were made. As a result of these changes, OAC 901:9-1-01 has been proposed to be rescinded and replaced with the new OAC 901:9-1-01. Further, other rule amendments will be heard during this hearing.

The hearing will be held on:

November 27, 2017 at 9:00 A.M.

**Ohio Department of Agriculture
Bromfield Administration Building
Hearing Room 133 (Seminar “B”)
8995 East Main Street
Reynoldsburg, Ohio 43068-3399.**



The hearing will be conducted in accordance with Chapter 119 of the Revised Code. Any person affected by the no change rule package may appear and be heard in person, by his attorney, or both, may present his position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the no change rule package, if adopted or effectuated, will be unreasonable or unlawful.

More information on the rule package, including a business impact analysis and copies of the rules, can be found at <http://www.agri.ohio.gov/proposedrules/proposedrules.aspx> or by visiting the Register of Ohio at www.registerofohio.state.oh.us.

Any person who wishes to present his position, arguments, or contentions in writing, other than at the public hearing, may do so by either mailing his or her written comments to the Ohio Department of Agriculture, c/o Legal Section, 8995 East Main Street, Reynoldsburg, Ohio 43068; by email at ecomments@agri.ohio.gov, or by transmitting by facsimile at (614) 995-4585. Written comments sent by mail shall be postmarked no later than the day of the hearing. Written comments transmitted by facsimile shall be received no later than 5:00 p.m. on the day of the hearing.

