



MEMORANDUM

TO: David Miran, Ohio Department of Agriculture

FROM: Paula Steele, Common Sense Initiative Office

DATE: August 31, 2018

RE: **CSI Review – Ride Safety – Go Karts 2018 Five-year Review (OAC 901:9-1-42 through 901:9-1-46)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) § 107.54, CSI has reviewed the abovementioned administrative rules and associated Business Impact Analysis (BIA). This memo represents CSI's comments to the Agency as provided for in ORC § 107.54.

Analysis

This rule package consists of one no change and four amended rules submitted by the Ohio Department of Agriculture (ODA) as part of the statutory five-year rule review requirement. The rule package was submitted on June 22, 2018 and the CSI public comment period was held open through July 6. No public comments were received during the comment period.

ODA is required to inspect all amusement rides including go karts to ensure compliance with laws for the safe assembly and operation. The proposed rules in this package pertain solely to go karts within the amusement ride chapter of rules and set forth minimum safety standards for all go kart operations in Ohio. According to the BIA, the proposed rules reflect applicable updates made by the American Society for Testing and Materials (ASTM) and the American National Standards Institute (ANSI). In addition, ODA has increased the retention of records time from two to three years for go kart facilities and track owners to align with ODA's records retention policy.

ODA shared the proposed rules with the Advisory Council on Amusement Ride Safety, a statutory body made up of amusement industry stakeholders to advise ODA on amusement industry matters including technology changes. The Greater Ohio Showman's Association was also provided with the proposed rules. The Council approved the rules as drafted.

The proposed rules impact all go kart operators in Ohio and provide for industry standards to ensure a level of consistent safety measures. For example, tracks must be closed by a physical device that minimizes impact and rules and instructions must be visible and posted in appropriate locations. While there are costs to these safety standards as outlined in the BIA, the safety standards decrease the risk of accidents and help protect public safety.

Recommendations

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio Department of Agriculture should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.