

GENERAL GOVERNMENT
Department of Agriculture
Office of the Consumer and Environmental Protection
(New Administrative Regulation)

302 KAR 16:072. Notification of occurrence involving an amusement ride or attraction.

RELATES TO: KRS 247.233

STATUTORY AUTHORITY: KRS 247.233

NECESSITY, FUNCTION, AND CONFORMITY: KRS 247.233 requires amusement ride and attraction owners to notify the department following an accident or specified incident and requires the department to conduct mandatory investigations of amusement ride and attraction accidents and incidents. This administrative regulation establishes requirements for owner notification.

Section 1. Definition. "Damage" means structural, mechanical, or electrical failure of an amusement ride or attraction.

Section 2. Method of Notification and Information Required.

(1) Within twelve (12) hours of an occurrence described in KRS 247.233(1), the owner of an amusement ride or attraction involved in the occurrence shall notify the department by e-mail at agr.rides@ky.gov or <https://www.kyagrapps.com/AgExternal/Security/Account/Login>.

(2) The notification shall contain the following information:

- (a) The date and time of the incident or accident;
- (b) The location of the incident or accident;
- (c) A description of the incident, accident, or damage to the amusement ride or attraction;
- (d) The name, address, and telephone number of the owner or company for the amusement ride or attraction involved;
- (e) The name, address, and telephone each operator of the amusement ride or attraction involved;
- (f) The name, permit number, serial number, and manufacturer of the amusement ride or attraction involved;
- (g) The name, address, phone number, and age of the injured person, if known;
- (h) The nature and extent of the injury, if known;
- (i) A statement by the owner of whether the injury was caused by the amusement ride or attraction;
- (j) The name and location of the facility or person providing medical treatment other than first aid; and
- (k) The name, address, and telephone number of the person submitting the notification.

RYAN QUARLES, Commissioner of Agriculture

APPROVED BY AGENCY: June 14, 2023

FILED WITH LRC: June 14, 2023 at 3:55 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 22, 2023 at 11:00 a.m., at the Kentucky Department of Agriculture, 111 Corporate Drive, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing

will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Clint Quarles, Staff Attorney, Kentucky Department of Agriculture, 107 Corporate Drive, Frankfort Kentucky 40601, phone (502) 330-6360, email clint.quarles@ky.gov.