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HOUSE BILL 604

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

GARY K. KING

AN ACT

RELATING TO CARNIVAL RIDE REGULATION; AMENDING INSPECTION
REQUIREMENTS FOR CARNIVAL RIDES; AMENDING THE CARNIVAL RIDE
INSURANCE ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 57-25-3 NMSA 1978 (being Laws 1993,
Chapter 284, Section 3, as amended) is amended to read:

"57-25-3. LIABILITY INSURANCE REQUIRED--CERTIFICATE OF
INSPECTION REQUIRED--CARNIVAL RIDE INSURANCE FUND CREATED. --

A. No person shall operate a carnival ride without a
policy of insurance in an amount not less than [~~five million
dollars (\$5,000,000)~~] one million dollars (\$1,000,000) against
liability for injury to persons arising out of the operation of
the carnival ride.

B. Either a copy of the policy furnished to the

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1 insured or a certificate stating that the insurance required by
2 this section is in effect shall be filed with the department and
3 a local government entity.

4 C. The policy shall contain a schedule listing by
5 name and serial number each carnival ride insured by the policy.
6 In the event of additions or deletions of carnival rides during
7 the policy terms, such changes shall be shown on a change
8 endorsement, a copy of which shall be submitted to the
9 department and the local government entity.

10 D. In the event of policy cancellation by either the
11 insured owner or operator or the insurance company, the insured
12 shall furnish notice of the cancellation to the department and
13 the local government entity not later than ten days prior to
14 cancellation.

15 E. No person, owner or operator of a carnival ride
16 shall operate any carnival ride without obtaining a certificate
17 of inspection for each ride by an inspector of the department or
18 its designee and filing the certificate of inspection with the
19 local government. ~~[The certificate of inspection shall be~~
20 ~~required each time a carnival ride is reassembled and before any~~
21 ~~member of the public is permitted to board the ride.] The owner
22 or operator shall annually have each carnival ride inspected and
23 annually file the certificate of inspection. The certificate of
24 inspection shall state that the carnival ride operator or owner
25 has had the rides independently inspected by a licensed engineer~~

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1 within twelve months of the operation of the ride within the
2 state and whether any deficiencies noted by the engineer have
3 been corrected.

4 F. The insured shall pay a fifty dollar (\$50.00) per
5 carnival ride per inspection filing fee with the department.

6 G. The "carnival ride insurance fund" is created in
7 the state treasury. The fund shall consist of all filing fees
8 received by the department pursuant to the Carnival Ride
9 Insurance Act. Money in the carnival ride insurance fund is
10 appropriated to the department for the purpose of carrying out
11 the provisions of the Carnival Ride Insurance Act. The fund
12 shall not be expended for any purpose other than carrying out
13 the provisions of the Carnival Ride Insurance Act. "

State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 1, 1996

Mr. Speaker:

Your RULES AND ORDER OF BUSINESS COMMITTEE, to
whom has been referred

HOUSE BILL 604

has had it under consideration and finds same to be
GERMANE in accordance with constitutional provisions.

Respectfully submitted,

Barbara A. Perea Casey,

Chairperson

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Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

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4 The roll call vote was 10 For 0 Against

5 Yes: 10

6 Excused: Lujan, Olguin, Rodella, R. G. Sanchez, S. M Williams

7 Absent: None

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9 H0604RC1

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FORTY-SECOND LEGISLATURE

SECOND SESSION

February 11, 1996

HOUSE FLOOR AMENDMENT number _____ to HOUSE BILL 604, as amended

Amendment sponsored by Representative Gary K. King

1. On page 1, line 22, strike "one million dollars (\$1,000,000)"
and insert in lieu thereof "three million dollars (\$3,000,000)".

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FORTY-FIRST LEGISLATURE
SECOND SESSION

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Gary K. King

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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FORTY-FIRST LEGISLATURE
SECOND SESSION

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 12, 1996

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 604, as amended

has had it under consideration and reports same with recommendation that
it DO PASS, and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Shannon Robinson, Chairman

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FORTY-FIRST LEGISLATURE
SECOND SESSION

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Smith, E. Jennings, Naranjo

Absent: none

H0604PA1

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FORTY-FIRST LEGISLATURE
SECOND SESSION

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

February 14, 1996

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 604, as amended

has had it under consideration and reports same with recommendation that
it DO PASS.

Respectfully submitted,

Jani ce D. Paster, Chair man

FORTY-FIRST LEGISLATURE
SECOND SESSION

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against
Yes: 5
No: 0
Excused: None
Absent: Carraro, Stefani cs, Tsosie, Vernon

H0604JU1

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