

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 5890 (as passed by the House)

House Bill 5891 (Substitute S-1)

Sponsor: Representative Mark Jansen (H.B. 5890)

Representative Deborah Cherry (H.B. 5891)

House Committee: Regulatory Affairs

Senate Committee: Economic Development, International Trade and Regulatory Affairs

Date Completed: 12-2-98

### **CONTENT**

House Bill 5890 would amend the Carnival-Amusement Safety Act to exempt from the Act's inspection, licensing, and regulation provisions of carnival and amusement rides, a hobby locomotive operating on narrow gauge tracks less than 24 inches wide and powered by steam, electricity, gas, or other fuel, whether or not it was operated on the owner's property. Under the bill, "hobby" would mean an interest or activity that a person would pursue in his or her leisure time.

House Bill 5891 (S-1) would amend the Boiler Act to exempt a miniature hobby locomotive operating on narrow gauge tracks less than 24 inches wide from the Act's regulations regarding the use, construction, installation, and repair of boilers.

The bill would require the Department of Consumer and Industry Services to inspect annually a miniature hobby locomotive operating in a public display or use. ("Public display or use" would mean display to or use by the general public but not the owner or the owner's family.) The inspection would have to be conducted by a deputy inspector or special inspector, or by a miniature hobby locomotive club. The inspector would have to file a copy of the inspection report with the chief inspector and provide a copy of the inspection report to the owner. The fee for an inspection conducted by a deputy or special inspector would be \$15. Upon demonstration that the miniature hobby locomotive boiler complied with the applicable rules, the Department would have to issue a certificate of inspection to the owner.

The Director would have to promulgate rules regarding the inspection, certification, and adoption by reference or establishment of inspection or certification standards for boilers used in miniature hobby locomotives. The rules would have to include a procedure for approval and authorization of miniature hobby locomotive clubs to perform inspections and certify boilers used in the locomotives.

In addition, the Board of Boiler Rules would have to approve a miniature hobby locomotive club applying for approval to inspect and certify boilers used in the locomotives upon determining that the club complied with and applied the inspection and certification standards established in the rules. After approval and authorization by the Board, the club could inspect boilers and certify that a miniature hobby locomotive complied with the standards.

The bills are tie-barred to each other.

MCL 408.652 (H.B. 5890)

Proposed MCL 408.757c (H.B. 5891)

Legislative Analyst: N. Nagata

## **FISCAL IMPACT**

### **House Bill 5890**

The bill would have no fiscal impact on State or local government.

### **House Bill 5891 (S-1)**

This bill would allow the boiler division to collect a \$15 fee for the inspection of a miniature hobby locomotive. It is difficult to predict how much revenue would be generated by this new fee, as the number of miniature hobby locomotives operated by steam is unknown.

Fiscal Analyst: M. Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.