**South Carolina General Assembly**

119th Session, 2011-2012

**A129, R136, S929**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Peeler

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Introduced in the Senate on May 26, 2011

Introduced in the House on June 2, 2011

Passed by the General Assembly on February 23, 2012

Governor's Action: March 13, 2012, Signed

Summary: Benji's Law

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/26/2011 Senate Introduced and read first time ([Senate Journal‑page 14](file:///h:\sj%20archive\2011\05-26-11.docx))

5/26/2011 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 14](file:///h:\sj%20archive\2011\05-26-11.docx))

5/31/2011 Senate Recalled from Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 14](file:///h:\sj%20archive\2011\05-31-11.docx))

6/1/2011 Senate Read second time ([Senate Journal‑page 52](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 52](file:///h:\sj%20archive\2011\06-01-11.docx))

6/2/2011 Senate Read third time and sent to House ([Senate Journal‑page 19](file:///h:\sj%20archive\2011\06-02-11.docx))

6/2/2011 House Introduced and read first time ([House Journal‑page 70](file:///h:\hj%20archive\2011\06-02-11.docx))

6/2/2011 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 70](file:///h:\hj%20archive\2011\06-02-11.docx))

2/2/2012 House Committee report: Favorable **Labor, Commerce and Industry** ([House Journal‑page 2](file:///h:\hj%20archive\2012\02-02-12.docx))

2/7/2012 House Debate adjourned until Tues., 02‑21‑12 ([House Journal‑page 31](file:///h:\hj%20archive\2012\02-07-12.docx))

2/22/2012 House Read second time ([House Journal‑page 19](file:///h:\hj%20archive\2012\02-22-12.docx))

2/22/2012 House Roll call Yeas‑99 Nays‑0 ([House Journal‑page 19](file:///h:\hj%20archive\2012\02-22-12.docx))

2/23/2012 House Read third time and enrolled ([House Journal‑page 58](file:///h:\hj%20archive\2012\02-23-12.docx))

3/7/2012 Ratified R 136

3/13/2012 Signed By Governor

3/16/2012 Effective date 03/13/12

3/16/2012 Act No. 129

**VERSIONS OF THIS BILL**

[5/26/2011](file:///p:\pprever\2011-12\929_20110526.docx)

[5/31/2011](file:///p:\pprever\2011-12\929_20110531.docx)

[2/2/2012](file:///p:\pprever\2011-12\929_20120202.docx)

(A129, R136, S929)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑18‑170 TO ENACT “BENJI’S LAW” SO AS TO SPECIFY PERMIT REQUIREMENTS FOR MINIATURE TRAINS OPERATED FOR THE USE OF THE PUBLIC AS AN AMUSEMENT DEVICE IN AN AMUSEMENT PARK.**

Be it enacted by the General Assembly of the State of South Carolina:

**Act citation**

SECTION 1. This act may be cited as “Benji’s Law”.

**Miniature train amusement ride requirements**

SECTION 2. Article 1, Chapter 18, Title 41 of the 1976 Code is amended by adding:

“Section 41‑18‑170. A miniature train amusement ride must satisfy the following requirements before the Department of Labor, Licensing and Regulation may issue a permit or renewal permit:

(1) the ride must have a properly operating speedometer;

(2) the ride must have a device that allows the speed of the train to be regulated and the speed of the train must be set so as to only operate at or below the maximum speed recommended by the manufacturer;

(3) all drivers operating the ride must be trained to operate the ride in accordance with the manufacturer’s operation recommendations; a training record for each driver must be maintained by the owner or operator of the ride as long as the driver is employed by or operates the train on behalf of the owner or operator; and each driver must be tested by the department before the driver is authorized to operate the train; a driver employed to operate the train, or who will operate the train on behalf of the owner or operator, subsequent to the department issuing the permit or renewal permit does not affect the validity of the permit, so long as the driver does not operate the train until the driver has been tested by the department; and

(4) the ride must be inspected mechanically, including, but not limited to, a speed test of the train to ensure that the train is operating in accordance with the requirements of item (2), and in accordance with this chapter or regulations promulgated pursuant to this chapter, but in no case less than an annual inspection.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 7th day of March, 2012.

Approved the 13th day of March, 2012.

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