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To: Assembly Committee on Commerce & Labor

From: Elliot Malin, Esq.

Date: 2/11/25

Re: Conceptual Amendments to AB 198

Conceptual Amendment AB 198:

1. Add preamble about Lizzy Hammond
 - a. Lizzy was born in Reno: Nov. 2, 2009
 - b. Lizzy lived in Reno
 - c. Lizzy was a seventh generation Nevadan
 - d. Lizzy was killed when an inflatable device took flight in a 17-mph gust of wind on July 14, 2014
 - e. Lizzy saved the lives of three kids through organ donation
2. No fiscal note (local)
3. Agreed on no staff but require instructing rentee how to take windspeeds and break down the inflatable device if wind speeds exceed statutory limit.
4. Change wind speed from 10mph to 20mph
5. Change weight minimum from 100 pounds to 75 pounds
6. Change language to require weights at all times, no stakes
7. Include language on warning sign that says that inflatable devices have caused injury and death if installed incorrectly
8. Logbook must only be kept for 2 years
9. Logbook inspection of records is for the customer, users, local and state agencies
10. Effective date January 1, 2026
11. Change section 3.2 to read "outdoor recreation"
12. In the following sections add:

Sec. 8 1.

(b) The requirements or recommendations contained in any user manual provide by the manufacturer of the inflatable device ***or any updates to the manufacturer's user manual or information provided in any recall of the inflatable device.***

Sec. 8

2. The operator shall not allow any person to use the inflatable device if the inspection reveals, ***or reasonable inspection would have revealed***, a hazard or potential hazard that would make use of the inflatable device unsafe according to the requirements of section 9, 10 or 11 of this act or the requirements or recommendations contained in any user manual provided by the manufacturer of the



inflatable device **or any updates to the manufacturer's user manual or information provided in any recall of the inflatable device.**

Sec. 9

2. An operator business shall not sell or transfer an inflatable device unless all labels are attached by the manufacturer are attached to the inflatable device and any user manual provided by the manufacturer, **or any updates to the manufacturer's user manual or information provided in any recall of the inflatable device,** is provided to the purchaser or transferee.

Sec. 12

2. The maximum allowable wind speed for the safe operation of an inflatable device is **the lesser of (a) the recommendation of the manufacturer of the specific inflatable device in use or (b) 10 miles** per hour. The operator is required to use and keep available for use an anemometer to monitor wind speed before and at all times during use of this device. If the wind speed exceeds **the lesser of (a) the recommendation of the manufacturer of the specific inflatable device in use or (b) 10 miles per** hour, the operator is required to discontinue use of the device.

Sec. 13

For the purposes of any civil action involving an injury to a user of an inflatable device made available for use by an operator business, any violation of the provisions of sections 2 to 13, inclusive, of this act creates a conclusive presumption that the operator or operator business', as applicable, **action constitute negligence per se.**