



SENATE BILL 208: Labor Law Changes.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2021-2022 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 27, 2021
Introduced by:	Sens. Hise, Galey, Woodard	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *Senate Bill 208 would eliminate an advisory council created under the Mine Safety and Health Act; clarify that trains previously or currently in use on the national rail transit system are not amusement devices subject to regulation by the Department of Labor; and authorize the Department of Labor to obtain medical records in connection with the treatment of patients that are related to investigations of workplace safety.*

CURRENT LAW: Under the Mine Safety and Health Act, the Commissioner of Labor appoints members to an advisory council charged with assisting the Commissioner in developing health and safety standards for mines and advising the Commissioner on matters relating to health and safety in mines.

The Amusement Device Safety Act authorizes the Commissioner of Labor to regulate "amusement devices," which include any mechanical or structural device or attraction that carries or conveys or permits persons to walk along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving such persons amusement, pleasure, thrills, or excitement. Certain devices are expressly excluded from the meaning of "amusement device."

The Director of the Occupational Safety and Health Division in the Department of Labor is charged with enforcing State and federal workplace safety requirements and with conducting investigations under to the Occupational Safety and Health Act of North Carolina.

BILL ANALYSIS: **Section 1** of Senate Bill 208 would eliminate the advisory council created to advise the Commissioner of Labor on matters related to health and safety in mines.

Section 2 of the bill would expressly exempt locomotives, trains, or other mechanical devices that operate on any United States standard railroad gauge from the definition of "amusement devices" that are subject to regulation and inspection under the Amusement Device Safety Act.

Section 3 of the bill would authorize the Director of the Occupational Safety and Health Division in the Department of Labor to obtain medical records compiled and maintained in connection with treatment or transport of patients that relate to investigations under the Occupational Safety and Health Act of North Carolina.

EFFECTIVE DATE: This act is effective when it becomes law.

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