



SENATE BILL 208: Labor Law Changes.

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	May 3, 2021
Introduced by:	Sens. Hise, Galey, Woodard	Prepared by:	Bill Patterson Staff Attorney
Analysis of:	Second Edition		

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 subject to regulation as amusement devices by the Department of Labor*
- *Authorize the Department of Labor to obtain medical records in connection with the treatment of patients to the extent necessary to conduct 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 the Occupational Safety and Health Act of North Carolina.

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

Section 2 would expressly exempt any train or device previously or currently approved for use on the public rail transit system from regulation and inspection as an "amusement device" under the Amusement Device Safety Act.

Section 3 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 to the extent necessary to conduct investigations and enforcement proceedings under the Occupational Safety and Health Act of North Carolina.

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

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