

IAAPA PUBLIC AFFAIRS UPDATE



I am in D.C. this week working on a number of legislative and regulatory issues impacting IAAPA members, a few of which are described in more detail below. Concurrently, and perhaps more importantly, I am working to build relationships and educate key elected officials about IAAPA and the needs of its members in preparation for the November midterm elections.

While you can always rely on IAAPA to be your voice on Capitol Hill, as a leader in the attractions industry it is critical for you to be a part of the conversation. With that goal in mind, I would like to personally invite you to attend the IAAPA Public Affairs Conference that will be

held September 21-22, 2022, in Washington, D.C. Attendees will hear from top public and private sector leaders about the future of the U.S. travel and tourism industry, legislative and regulatory issues impacting the attractions industry, 2022 federal and state midterm election projections, and so much more. Additionally, the IAAPA team will arrange in person meetings between attendees and their elected officials on Capitol Hill. I encourage you to [register](#) for the conference and [book](#) your room reservation today. The hotel reservation deadline is Monday, August 29, 2022.

Fixed Site Attractions Need Airspace Protection from Unmanned Aircraft Systems

Working in conjunction with members, we continue to urge the Federal Aviation Administration (FAA) to draft and implement rules associated with the FAA Extension, Safety, and Security Act of 2016 (§2209). These rules will provide a process through which operators of fixed site attractions can apply for airspace restrictions to prevent Unmanned Aircraft Systems from unlawfully operating above their facilities. This is critical for the safety of their workers, guests, and facilities.

While the FAA recently delayed the time frame for releasing rules to 2023, we are doubling down on our engagement for the following reasons. First, the Biden administration recently called on Congress to support legislation that would expand the authority of the federal government and local governments to take action against the illicit use of drones in the U.S. Second, FAA regulators have begun working on §2209 rules. Last, legislators are preparing for the Federal Aviation Administration (FAA) Re-authorization Act in 2023. We will ensure that the

airspace security needs of fixed site attractions remain front of mind with elected officials and regulators.

As a part of our overall engagement strategy, IAAPA will host a series of meetings between safety and security experts representing fixed site facilities, representatives of the FAA, and key Congressional members in Washington, DC on September 20, 2022. We will keep you abreast of this issue as it continues to move forward.

OSHA Heat Injury and Illness Prevention in Outdoor and Indoor Work Rules Update

As previously reported, IAAPA submitted comments to OSHA regarding Heat Injury and Illness Prevention in Outdoor and Indoor Work Setting Advanced Notice of Proposed Rule-making. It's IAAPA's position that parks and attractions large and small share a common goal of ensuring the safety and security of their employees and guests, which includes heat injury and illness prevention. Our members' facilities are designed for safety, comfort, and convenience. In fact, parks and attractions safely accommodate hundreds of millions of employees and guests each year.

Heat injury statistics cited by OSHA demonstrate industry's success with self-regulation. While OSHA notes in the ANPRM that since 2018, "789 heat-related hospitalizations and 54 heart-related fatalities across nearly 275 unique industries have been documented by OSHA through workplace inspections and violations," hospitalizations most frequently occurred in postal and delivery service, landscaping, and commercial building, as well as highway, street, and bridge construction workers. During the same period, only two hospital incidents were reported for Amusement and Theme Parks (NAICS code 713110), despite employing well over 1 million employees.

Fortunately NAICS codes for the attractions industry are not currently included among the industries for which OSHA is focused. With that said, we will be prepared for the potential for broad industry applicability. In an effort to proactively promote the safety statistics noted above, and to demonstrate the attraction industry's ability to self-regulate, IAAPA's Safety Committee is working on a "best practices" document that operators can use and reference for the same purposes. We will share this document with you once it is complete.

OSHA has yet to publish final rules since more than 1,000 questions and comments were submitted from impacted industries. That's good news. We want OSHA to be deliberate and thoughtful with their rule-making process. The bad news is given recent news reports involving heat wave related injuries, the U.S. House introduced H.R. 2193, which, if passed, would require OSHA to propose within two years of enactment, and promulgate within 42 months of enactment, a heat injury and illness standard that would have to be no less than the most protective state standard in the country. This bill is more far-reaching than OSHA's Notice of Proposed Rulemaking (NPRM).

While the bill is unlikely to pass, it puts unwanted attention and pressure from Congress on OSHA to quickly and irresponsibly conclude its rule making process. The Coalition for Workplace Safety (CWS) - which IAAPA is a member - sent a letter to House Education and Labor Committee leadership urging the Committee to let OSHA take the time it needs to draft and publish the best possible regulation.

We will continue to advocate for a limited scope of any OSHA regulation in this area to those industries that have experienced a disproportionate number of heat related injuries and illness in the United States. We will also advocate for industries like ours with a safe record to continue to operate with flexibility. We believe OSHA should focus its limited enforcement resources where they can have the most impact.

Sincerely,



Keith Stephenson
Director of Public Affairs
IAAPA North America

4155 W Taft Vineland Rd, Orlando, FL 32837. Click here to [unsubscribe](#).