



October 20, 1998

BUREAU CIRCULAR NO. 1379

To All Members of the Bureau:

Re: **MANUAL REVISIONS - SECTIONS 2, 4 AND 5**
ERECTION OF NEW CLASS 939 AND REVISIONS TO CODE 969
EFFECTIVE FEBRUARY 1, 1999

The Bureau has filed and the Insurance Commissioner approved Manual revisions pertaining to changes in classification procedure in Pennsylvania to become effective as of 12:01 a.m., February 1, 1999 with respect to new and renewal business only. These revisions are the result of a study of Code 969, Outdoor Amusements, which was undertaken to review the feasibility of reestablishing a separate classification for traveling carnivals, the feasibility of creating an additional separate classification(s) for several other types of outdoor amusements enterprises and/or reassigning one or more outdoor amusement(s) from Code 969 to another classification. As a result of the study, the following changes will be implemented:

- Reestablishing a separate traveling carnival class, Code 939
- Clarification of the scope of Code 969 to reflect the erection of Code 939

The following is a table of loss cost values for the new Class 939 and revised Class 969.

Code	Indicated Loss Cost	Approved Loss Cost	<u>Expected Loss Factors</u>		
			A-1	A-2	A-3
939	4.01	4.16	2.01	2.58	3.07
969	3.52	3.65	1.76	2.27	2.69

The pertinent Manual language revisions are shown below with deleted wording bracket and proposed wording underlined.

SECTION 2

939 CARNIVAL, Circus or Amusement Device Operator - Traveling.

969 AMUSEMENT[S], OUTDOOR: fairs, exhibitions, [horse shows and] amusement parks or any outdoor amusement that is permanently sited. This classification includes ticket sellers or collectors and box office employees.

Payroll developed in the operation of a restaurant or the sale of gifts/souvenirs when conducted in a physically separate department and by a separate crew of employees having no regular duty of any other nature in the service of the employer shall be separately rated by Code 975[, Restaurant[and Code 928[, Retail Store - N.O.C.,] respectively. Employees engaged in the sale of food or drink or gifts/souvenirs from vending carts or by carrying the merchandise on their person[,] shall remain [insured in] Code 969.

Race track pari-mutuel employees shall be separately rated by Code 953[, Office].

Organized Athletics . . .

. . . Code 970.

SECTION 4

<u>Code</u>	<u>Hazard Group</u>
<u>939</u>	<u>III</u>

SECTION 5

Rulings and Interpretations

SKI RESORT[S]

A ski resort [establishment shall be viewed as] is a multiple enterprise and the appropriate classification shall be assigned to each of the various [portions] operations thereof provided each operation [has its separate crew of employees] is separately staffed and there is no interchange of [labor] employees.

Code 969[, Amusements, Outdoor,] shall be assigned to all payroll developed in the operation of the ski lifts, T-bar, rope tows, hill grooming, the maintenance of roads [and] or equipment, the transporting of customers to ski slopes, ski patrols, ski instructors and ticket checkers. Code 969 shall also pertain to the payroll of employees engaged in maintaining building facilities, of security personnel, of parking lot attendants (not for hotel) and of ticket sellers.

The operation of shops renting skis, toboggans, boots, poles[, and] or other skiing equipment or supplies or engaged in the sale of such merchandise and ski clothing shall be assigned to Code 928[, Retail Stores - N.O.C].

Code 973[, Hotels] shall be assigned to all payroll developed in the operations of hotel or dormitory facilities, including the parking of automobiles.

Payroll developed in the operation of restaurants and/or bar facilities shall be classified as discussed below. If the ski resort operation includes hotel or dormitory facilities, payroll developed in the restaurant and bar operation shall be assigned to Code 945[, Hotel Restaurant]. In the event the ski resort operates restaurant and/or bar facilities[,] and does not have hotel/dormitory facilities, the appropriate classification shall be Code 975[, Restaurants].

Employees engaged in clerical/office duties, as defined in Section 1 of this Manual, and having no other regular duty in the course of their employment shall be assigned to Code 953[, Office].

Underwriting Guide

<u>Fair - Traveling</u>	<u>939</u>
<u>Kiddie Rides - All Operations - Traveling</u>	<u>939</u>
Amusement Device Operator - Traveling	[969] <u>939</u>
Carnival - Traveling	[969] <u>939</u>
Circus - Traveling	[969] <u>939</u>
Traveling Amusement Device Operator	[969] <u>939</u>
Traveling Carnival	[969] <u>939</u>
Traveling Circus	[969] <u>939</u>
Fair - Permanently [Located And Traveling] <u>Sited</u>	969
Kiddie Rides - All Operations - Permanently [Located And Traveling] <u>Sited</u>	969

Manual reprints will be distributed at a later date in the usual manner.

Timothy L. Wisecarver
President

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