

**SFA**

BILL ANALYSIS

RECEIVED

MAR 21 1988

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

Mich. State Law Library

**Senate Bill 446 (as reported without amendment)****Sponsor:** Senator Dick Posthumus**Committee:** Regulatory Affairs**Date Completed:** 3-14-88**RATIONALE**

The Carnival-Amusement Safety Act provides for the regulation of carnival and amusement rides in the State, and for the supervision and enforcement of those regulations by the Department of Licensing and Regulation. The Act defines a carnival or amusement ride as a device that carries passengers along a fixed or restricted route for the purpose of giving passengers "amusement, pleasure, thrills, or excitement". Some McDonald's restaurants in the State have installed mini-carousels for use by small children. These mini-carousels have three or four small seats suspended around a pole that are powered by an electric motor of one-half horsepower or less. Recently, because the Act is silent regarding the size of amusement rides to be regulated, the Department has had to inform McDonald's either to close down the mini-carousels or to assign an employee to operate the machine. Some people have suggested that the Act's provisions should not apply to mini-carousels.

would allow the operation of mini-carousels without regulation by the Department of Licensing and Regulation. This would allow McDonald's restaurants, or anyone else who owns one, to operate these devices for the enjoyment of young children and their parents without having to assign an employee to supervise the device.

**Response:** The bill should address not only mini-carousels but other types of small rides that may be just as safe or safer, such as coin-operated rides often found in grocery or department stores.

Legislative Analyst: G. Towne

Fiscal Analyst: J. Schultz

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 446 (3-14-88)

**CONTENT**

The bill would amend the Carnival-Amusement Safety Act to provide that a "mini-carousel" would not be considered to be a carnival or amusement ride, and thus would not be subject to the rules and regulations of the Act which govern carnival and amusement rides. The bill would define a "mini-carousel" as a device five feet or less in diameter, with a motor of one-half horsepower or less, that carries four or fewer passengers along a fixed or restricted route, "...for the purpose of giving its passengers amusement, pleasure, thrills, or excitement".

MCL 408.652

**FISCAL IMPACT**

The bill would have a very minor impact on State government and no impact on local government. There would be slightly more savings associated with not having to regulate the "mini-carousels" than revenues lost by not having these rides. The impact, however, would be extremely small. No specific data were available from the Department of Licensing and Regulation.

**ARGUMENTS****Supporting Argument**

The purpose of the Carnival-Amusement Safety Act is to ensure the safety of the public in its enjoyment of amusement rides through inspection, licensing, and regulation. The Act's definition of amusement rides, however, does not take into account devices that clearly present no danger but, by virtue of the fact that they carry passengers over a fixed or restricted route for the purpose of amusement, still fall under the Act's provisions. The bill