



# HOUSE BILL No. 5182

November 4, 1993, Introduced by Rep. Bankes and referred to the Committee on Transportation.

A bill to amend the title and sections 2, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, and 17 of Act No. 225 of the Public Acts of 1966, entitled as amended

"Carnival-amusement safety act of 1966,"

sections 2, 7, 8, 11, and 17 as amended by Act No. 35 of the Public Acts of 1982, being sections 408.652, 408.654, 408.655, 408.656, 408.657, 408.658, 408.660, 408.661, 408.662, 408.663, 408.665, and 408.667 of the Michigan Compiled Laws; to add sections 10a, 18, 19, 20, 21, 22, 23, and 24; and to repeal certain parts of the act.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 2, 4, 5, 6, 7, 8, 10, 11,  
2 12, 13, 15, and 17 of Act No. 225 of the Public Acts of 1966,  
3 sections 2, 7, 8, 11, and 17 as amended by Act No. 35 of the  
4 Public Acts of 1982, being sections 408.652, 408.654, 408.655,

1 408.656, 408.657, 408.658, 408.660, 408.661, 408.662, 408.663,  
2 408.665, and 408.667 of the Michigan Compiled Laws, are amended  
3 and sections 10a, 18, 19, 20, 21, 22, 23, and 24 are added to  
4 read as follows:

5 TITLE

6 An act to provide for the inspection, licensing, and regula-  
7 tion of carnival and amusement rides; to provide for the safety  
8 of the public using carnival and amusement rides; to create a  
9 carnival-amusement safety board ~~in the department of licensing~~  
10 ~~and regulation~~ AND TO PRESCRIBE ITS POWERS AND DUTIES; TO PRE-  
11 SCRIBE POWERS AND DUTIES OF CERTAIN STATE AGENCIES; TO PRESCRIBE  
12 FEES; to provide for the disposition of CERTAIN revenues; to make  
13 an appropriation; and to ~~provide~~ PRESCRIBE REMEDIES AND penal-  
14 ties for violations.

15 Sec. 2. As used in this act:

16 (a) "Carnival or amusement ride" means a device ~~which~~ OR  
17 CONSTRUCTION THAT carries or conveys ~~passengers~~ AN INDIVIDUAL  
18 along, around, WITHIN, or over a fixed or restricted ~~route or~~  
19 course OR AREA for the purpose of giving ~~its passengers~~ THE  
20 INDIVIDUAL amusement, pleasure, thrills, or excitement. A CARNI-  
21 VAL OR AMUSEMENT RIDE INCLUDES, BUT IS NOT LIMITED TO, MECHANICAL  
22 DEVICES RUN BY AN OPERATOR; MECHANICAL DEVICES OR VEHICLES PRO-  
23 PELLED BY A SEPARATE MOTOR OR ENGINE OR BY A CENTRALIZED MOTOR OR  
24 ENGINE SHARED BY SEVERAL VEHICLES OR DEVICES; OR FIXED DEVICES ON  
25 WHICH AN INDIVIDUAL IS CONVEYED OR MOVED BY A MOTOR, ENGINE,  
26 GRAVITY, OR SELF-EFFORT. A CARNIVAL OR AMUSEMENT RIDE DOES NOT  
27 INCLUDE ANY OF THE FOLLOWING:

1 (i) DEVICES, VEHICLES, OR CONSTRUCTIONS OTHERWISE REGULATED  
2 BY FEDERAL OR STATE LAW OR REGULATION INCLUDING, BUT NOT LIMITED  
3 TO, AIRPLANES, HOT AIR BALLOONS, RAILROADS, AND OTHER COMMON  
4 CARRIERS.

5 (ii) VEHICLES OR DEVICES RENTED OR SOLD TO BE USED PRIMARILY  
6 FOR TRANSPORTATION OR OVER A COURSE OR ROUTE UNRESTRICTED BY THE  
7 RENTER OR SELLER, INCLUDING, BUT NOT LIMITED TO, AUTOMOBILES,  
8 DUNE BUGGIES, AND CHARTER WATERCRAFT SUCH AS MOTORBOATS AND CANOE  
9 LIVERIES.

10 (iii) RACES, EVENTS, OR CONTESTS AND THE RACING, TRAINING,  
11 TESTING, OR PROVING GROUNDS FOR THOSE RACES, EVENTS, OR CONTESTS,  
12 IF THE RACE, EVENT, OR CONTEST IS UNDER THE CONTROL OR SANCTION  
13 OF AN ORGANIZATION AND THE PARTICIPANTS PROVIDE THEIR OWN DEVICES  
14 OR VEHICLES.

15 (iv) UNMOTORIZED MECHANICAL EQUIPMENT GENERALLY ASSOCIATED  
16 WITH A CHILDREN'S PLAYGROUND AND OPERATED BY THE PARTICIPANT,  
17 INCLUDING, BUT NOT LIMITED TO, SWINGS, SEESAWS, AND FOOT OR  
18 HAND-PROPELLED MERRY-GO-ROUNDS.

19 (v) CONSTRUCTIONS WITHOUT MOVING PARTS ON OR THROUGH WHICH A  
20 PERSON WALKS, HOPS, CRAWLS, OR CLIMBS, BUT THAT DO NOT MOVE OR  
21 PROPEL PARTICIPANTS OR OCCUPANTS.

22 (vi) A MOTORIZED AMUSEMENT RIDE WHICH DOES NOT EXTEND MORE  
23 THAN 8 FEET ABOVE GROUND LEVEL DURING OPERATION OR OCCUPY MORE  
24 THAN 30 SQUARE FEET OF SURFACE AREA.

25 (vii) SPORTS AND FITNESS EQUIPMENT OR SPORTS AND FITNESS  
26 ARENAS OR CENTERS, INCLUDING, BUT NOT LIMITED TO, WEIGHT TRAINING  
27 EQUIPMENT, EXERCISE CYCLES, SKY DIVING, ROCK CLIMBING,

1 SKATEBOARDS AND SKATEBOARD PARKS, PARASAILING, HANG GLIDING,  
2 PARACHUTE JUMPING, CATAPULTING, BUNGEE JUMPING, OR CLIFF DIVING,  
3 REGARDLESS OF WHETHER THE EQUIPMENT RESTRICTS THE USER'S COURSE  
4 OR AREA FOR SAFETY OR AMUSEMENT.

5 (b) "Department" means the department of ~~licensing and~~  
6 ~~regulation~~ COMMERCE.

7 (c) "Director" means the director of ~~licensing and~~  
8 ~~regulation~~ THE DEPARTMENT OF COMMERCE OR THE DIRECTOR'S AUTHO-  
9 RIZED REPRESENTATIVE.

10 (d) ~~"Operator" or "owner"~~ "OWNER/OPERATOR" means a person  
11 who owns or controls or has the duty to control the operation of  
12 ~~an~~ A CARNIVAL OR amusement ride and includes the state or any  
13 political subdivision of the state.

14 (e) ~~"Special inspector commission" means an authorization~~  
15 ~~issued annually by the department that requires an operator,~~  
16 ~~owner, or representative of the owner or operator to perform~~  
17 ~~daily inspections of a carnival or amusement ride, to maintain a~~  
18 ~~daily inspection log, and to be present on the premises where the~~  
19 ~~ride is located while the ride is being operated.~~ "OPERATOR"  
20 MEANS AN INDIVIDUAL EMPLOYED OR ASSIGNED BY AN OWNER/OPERATOR TO  
21 START AND STOP A CARNIVAL OR AMUSEMENT RIDE, TO ALLOW PASSENGERS  
22 TO BOARD AND DISEMBARK A CARNIVAL OR AMUSEMENT RIDE, AND TO CARRY  
23 OUT THE OWNER/OPERATOR'S DIRECTIONS FOR CONTROLLING THE OPERATION  
24 OF THE CARNIVAL OR AMUSEMENT RIDE.

25 (F) "PERSON" MEANS AN INDIVIDUAL, SOLE PROPRIETORSHIP, PART-  
26 NERSHIP, ASSOCIATION, CORPORATION, COMMON LAW TRUST, OR A

1 COMBINATION OF THESE LEGAL ENTITIES, THE STATE, OR A POLITICAL  
2 SUBDIVISION OF THE STATE.

3 Sec. 4. (1) The business which the board may perform shall  
4 be conducted at a public meeting of the board held in compliance  
5 with THE OPEN MEETINGS ACT, Act No. 267 of the Public Acts of  
6 1976, being sections 15.261 to 15.275 of the Michigan Compiled  
7 Laws. A majority of the ~~7~~ APPOINTED members of the board  
8 ~~constitutes~~ CONSTITUTE a quorum. The board shall meet not less  
9 than 2 times each year and at the call of the chairperson or by  
10 written request of not less than 3 members. Public notice of the  
11 time, date, and place of the meeting shall be given in the manner  
12 required by Act No. 267 of the Public Acts of 1976.

13 (2) The board shall elect a chairperson and other officers  
14 it considers necessary to perform its duties between meetings.  
15 ~~and may hire necessary clerical and administrative help to be~~  
16 ~~paid out of the appropriation to the board.~~

17 Sec. 5. The per diem compensation of the board ~~and the~~  
18 ~~schedule for reimbursement of expenses~~ shall be established  
19 annually by the legislature. TRAVEL AND OTHER EXPENSES INCURRED  
20 BY A MEMBER OF THE BOARD IN THE PERFORMANCE OF AN OFFICIAL FUNC-  
21 TION SHALL BE PAYABLE PURSUANT TO THE STANDARDIZED TRAVEL REGULA-  
22 TIONS OF THE DEPARTMENT OF MANAGEMENT AND BUDGET.

23 Sec. 6. The board shall promulgate ~~and formulate defini-~~  
24 ~~tions, codes, rules and regulations~~ RULES PURSUANT TO THE ADMIN-  
25 ISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC ACTS  
26 OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN COMPILED  
27 LAWS, for the safe installation, repair, maintenance, use,

1 operation, and inspection of all ~~carnival amusement~~ CARNIVAL OR  
2 AMUSEMENT rides as the board finds necessary for the protection  
3 of the general public using carnival ~~and~~ OR amusement rides.  
4 ~~The definitions, codes, rules and regulations shall be reason-~~  
5 ~~able and based upon generally accepted engineering standards,~~  
6 ~~formulas and practices and shall be issued in accordance with the~~  
7 ~~provisions of Act No. 88 of the Public Acts of 1943, as amended,~~  
8 ~~being sections 24.71 to 24.80 of the Compiled Laws of 1948, and~~  
9 ~~subject to Act No. 197 of the Public Acts of 1952, as amended,~~  
10 ~~being sections 24.101 to 24.110 of the Compiled Laws of 1948.~~

11       Sec. 7. (1) The ~~director~~ DEPARTMENT shall administer and  
12 enforce this act and ~~all codes, rules, and regulations promul-~~  
13 ~~gated by the board~~ THE RULES PROMULGATED UNDER THIS ACT, PROVIDE  
14 CLERICAL AND ADMINISTRATIVE SERVICES TO THE BOARD, CONDUCT CON-  
15 TESTED CASE PROCEEDINGS, HAVE CONTROL AND POSSESSION OF THE FILES  
16 OF THE BOARD, AND ENSURE ACCESS TO THOSE FILES IN COMPLIANCE WITH  
17 THE FREEDOM OF INFORMATION ACT, ACT NO. 442 OF THE PUBLIC ACTS OF  
18 1976, BEING SECTIONS 15.231 TO 15.246 OF THE MICHIGAN COMPILED  
19 LAWS.

20       (2) THE DEPARTMENT SHALL PROVIDE CLERICAL AND ADMINISTRATIVE  
21 EMPLOYEES NECESSARY FOR THE PROPER ENFORCEMENT OF THIS ACT AND  
22 THE RULES PROMULGATED UNDER THIS ACT, AND, SUBJECT TO THE RULES  
23 AND REGULATIONS OF THE CIVIL SERVICE COMMISSION, MAY DISMISS,  
24 SUSPEND, PROMOTE, DISCIPLINE, DEMOTE, OR TRANSFER THOSE  
25 EMPLOYEES.

26       (3) THE DEPARTMENT MAY CONTRACT WITH PERSONS OR AGENCIES WHO  
27 ARE NOT EMPLOYEES OR AGENCIES OF THE DEPARTMENT TO IMPLEMENT THIS

1 ACT AND TO PERFORM CERTAIN RESPONSIBILITIES OF THE DEPARTMENT  
2 UNDER THIS ACT.

3 (4) THE DEPARTMENT SHALL HAVE AUTHORITY OVER AND RESPONSI-  
4 BILITY FOR THE MANAGERIAL, ADMINISTRATIVE, BUDGETARY, AND PERSON-  
5 NEL FUNCTIONS OF THE BOARD.

6 Sec. 8. (1) The department shall charge the following fees  
7 for permits to operate, annual inspections, reinspections, and  
8 special inspector commissions:

|    |  |                 |
|----|--|-----------------|
| 9  | (a) <del>Permit to operate</del> ANNUAL RIDE PERMIT. | \$ 10.00        |
| 10 | (B) ANNUAL OWNER/OPERATOR PERMIT.....                | 20.00           |
| 11 | (C) LATE PROCESSING FEE FOR OWNER/OPERATOR           |                 |
| 12 | PERMIT.....  | 50.00           |
| 13 | (D) <del>(b)</del> Annual inspection:                |                 |
| 14 | (i) Kiddie rides.....                                | 40.00           |
| 15 | (ii) Fixed coaster.....                              | 90.00           |
| 16 | (iii) Aerial lifts.....                              | 115.00          |
| 17 | (iv) GO-CART TRACKS (PER GO-CART).....               | 10.00           |
| 18 | (v) <del>(iv)</del> Miscellaneous rides.....         | 50.00           |
| 19 | (E) <del>(c)</del> Reinspection:                     |                 |
| 20 | (i) Kiddie rides.....                                | 20.00           |
| 21 | (ii) Fixed coaster.....                              | 75.00           |
| 22 | (iii) Aerial lifts.....                              | 75.00           |
| 23 | (iv) Miscellaneous rides.....                        | 20.00           |
| 24 | <del>(d) Special inspector commission.....</del>     | <del>5.00</del> |

25 (2) ~~If the fee prescribed by subsection (1) is not received~~  
26 ~~by the department within 30 calendar days after notice of the~~

~~1 amount due is given, the fee automatically shall be doubled.~~ AN  
2 ANNUAL OWNER/OPERATOR PERMIT FEE AND AN ANNUAL RIDE PERMIT FEE  
3 SHALL BE PAID AT THE TIME AN APPLICATION FOR A PERMIT IS  
4 SUBMITTED. INSPECTION AND REINSPECTION FEES SHALL BE PAID WITHIN  
5 30 CALENDAR DAYS AFTER THE DATE THE APPLICABLE INSPECTION OR  
6 REINSPECTION IS PERFORMED. IF AN INSPECTION OR REINSPECTION FEE  
7 IS NOT RECEIVED BY THE DEPARTMENT WITHIN 30 CALENDAR DAYS AFTER  
8 THE DATE OF THE INSPECTION OR REINSPECTION, THE OWNER/OPERATOR  
9 SHALL BE ASSESSED AN ADDITIONAL CHARGE IN AN AMOUNT EQUAL TO 10%  
10 OF THE BALANCE DUE. FEES ARE EARNED UPON RECEIPT AND SHALL NOT  
11 BE REFUNDED EXCEPT AS PROVIDED IN THIS ACT OR RULES PROMULGATED  
12 UNDER THIS ACT.

13 (3) ~~The department shall review the fees prescribed by sub-~~  
14 ~~section (1), shall report to the legislature before October 1,~~  
15 ~~1983 concerning the appropriateness of those fees, and shall make~~  
16 ~~recommendations, if necessary, to reflect actual costs.~~ IN ADDI-  
17 TION TO THE INSPECTION AND REINSPECTION FEES IMPOSED BY SUBSEC-  
18 TION (1), WHEN AN OWNER/OPERATOR REQUESTS THAT THE INSPECTION OR  
19 REINSPECTION OF A CARNIVAL OR AMUSEMENT RIDE BE MADE AT A LOCA-  
20 TION OUTSIDE THIS STATE, ALL EXPENSES OF THE INSPECTION OR REIN-  
21 SPECTION SHALL BE REIMBURSED BY THE OWNER/OPERATOR AND SHALL BE  
22 PAID AT THE TIME THE INSPECTION OR REINSPECTION IS MADE. THE  
23 DEPARTMENT MAY REQUIRE A DEPOSIT TO BE MADE BY THE OWNER/OPERATOR  
24 BEFORE ASSIGNING AN INSPECTOR TO MAKE AN INSPECTION OR REINSPEC-  
25 TION OUTSIDE THIS STATE.

26 Sec. 10. (1) ~~No person shall operate a carnival amusement~~  
27 ~~ride without a permit issued by the director. On or before March~~



~~1 of each year an operator shall apply for a permit to the~~  
~~2 director on a form furnished by the director and containing such~~  
~~3 information as the board may require. All carnival amusement~~  
~~4 rides shall be inspected before they are originally put into~~  
~~5 operation for the public's use and thereafter at least once every~~  
~~6 year, unless authorized to operate on a temporary permit.~~  
~~7 Carnival amusement rides may also be inspected each time they are~~  
~~8 disassembled and reassembled.~~ A PERSON SHALL NOT OFFER A CARNI-  
9 VAL OR AMUSEMENT RIDE FOR USE BY THE PUBLIC UNLESS THE PERSON IS  
10 THE HOLDER OF AN OWNER/OPERATOR PERMIT ISSUED UNDER THIS ACT.  
11 THE DEPARTMENT SHALL ISSUE AN OWNER/OPERATOR PERMIT TO A PERSON  
12 WHO HAS APPLIED ON A FORM PROVIDED BY THE DEPARTMENT AND HAS PAID  
13 THE ANNUAL FEE FOR AN OWNER/OPERATOR PERMIT AS SET FORTH IN  
14 SECTION 8. THE OWNER/OPERATOR PERMIT APPLICATION SHALL REQUIRE,  
15 AT A MINIMUM, THE NAME, ADDRESS, PERCENTAGE OF OWNERSHIP, AND  
16 SOCIAL SECURITY NUMBER OF EACH PERSON WHO HAS MORE THAN A 10%  
17 OWNERSHIP INTEREST IN THE APPLICANT BUSINESS, OR IS A MANAGER,  
18 PARTNER, OR OFFICER IN CONTROL OF THE ACTIVITIES OF THE APPLICANT  
19 BUSINESS. THE OWNER/OPERATOR PERMIT SHALL EXPIRE MARCH 1 OF EACH  
20 YEAR AND MAY BE RENEWED BY SUBMISSION OF A COMPLETED  
21 OWNER/OPERATOR PERMIT APPLICATION AND PAYMENT OF THE ANNUAL  
22 OWNER/OPERATOR PERMIT FEE. A PERMIT HOLDER WHO FAILS TO RENEW AN  
23 OWNER/OPERATOR PERMIT BY MARCH 1 MAY RENEW THE OWNER/OPERATOR  
24 PERMIT BY COMPLETING THE OWNER/OPERATOR PERMIT APPLICATION,  
25 PAYING THE ANNUAL OWNER/OPERATOR PERMIT FEE, AND IN ADDITION THE  
26 LATE PROCESSING FEE SET FORTH IN SECTION 8.

1           (2) AT THE TIME OF AN OWNER/OPERATOR'S ORIGINAL PERMIT  
2 APPLICATION OR A RENEWAL APPLICATION, THE APPLICANT SHALL PROVIDE  
3 A LIST OF ALL CARNIVAL OR AMUSEMENT RIDES FOR WHICH ANNUAL RIDE  
4 PERMITS ARE REQUESTED AND PAY THE ANNUAL RIDE PERMIT FEE FOR EACH  
5 RIDE. ADDITIONAL CARNIVAL OR AMUSEMENT RIDES MAY BE ADDED TO THE  
6 LIST AT ANY TIME DURING THE OPERATING SEASON BY FILING AN AMENDED  
7 LIST, BY PAYING THE APPLICABLE RIDE PERMIT FEES, AND BY OBTAINING  
8 AN INSPECTION PURSUANT TO SECTION 11. THE BOARD MAY PROMULGATE  
9 RULES REQUIRING ADDITIONAL INFORMATION TO BE PROVIDED BY AN  
10 OWNER/OPERATOR CONCERNING THE LOCATION OF TRAVELING CARNIVAL OR  
11 AMUSEMENT RIDES IN ORDER FOR THE DEPARTMENT TO PERFORM ITS  
12 INSPECTIONS.

13           SEC. 10A. (1) EACH OWNER/OPERATOR SHALL DO ALL OF THE  
14 FOLLOWING:

15           (A) REQUIRE THAT EACH CARNIVAL OR AMUSEMENT RIDE IS  
16 INSPECTED AND MAINTAINED BEFORE IT IS PLACED IN USE FOR THE DAY  
17 AND THAT THE RESULTS OF EACH INSPECTION ARE ACCURATELY RECORDED  
18 IN A DAILY INSPECTION LOG.

19           (B) PROVIDE SUFFICIENT SUPERVISION TO MONITOR THE ACTIVITIES  
20 OF THE OPERATOR TO ASSURE THAT SAFETY PROCEDURES ARE BEING FOL-  
21 LOWED WHEN A CARNIVAL OR AMUSEMENT RIDE IS BEING OPERATED FOR USE  
22 BY THE PUBLIC.

23           (C) REQUIRE THAT AN OPERATOR ATTEND A CARNIVAL OR AMUSEMENT  
24 RIDE AT ALL TIMES THAT IT IS IN USE BY THE PUBLIC.

25           (D) IF A CARNIVAL OR AMUSEMENT RIDE IS OPEN FOR USE BY THE  
26 PUBLIC, PERMIT ONLY AN INDIVIDUAL WHO IS PROPERLY TRAINED IN THE  
27 OPERATION OF THAT RIDE TO FUNCTION AS AN OPERATOR OF THE RIDE.

1 (E) REPORT A PERSONAL INJURY, A FATAL ACCIDENT, OR A MAJOR  
2 BREAKDOWN INVOLVING A CARNIVAL OR AMUSEMENT RIDE IN A PROMPT AND  
3 TIMELY MANNER AS REQUIRED BY RULES PROMULGATED UNDER THIS ACT.

4 (2) AN OWNER/OPERATOR MAY REQUEST A DETERMINATION FROM THE  
5 BOARD THAT A PARTICULAR CARNIVAL OR AMUSEMENT RIDE DOES NOT  
6 REQUIRE THE SERVICES OF AN OPERATOR. IF THE BOARD FINDS THAT AN  
7 OPERATOR IS NOT REQUIRED, THE AREA WHERE THE CARNIVAL OR AMUSE-  
8 MENT RIDE IS OPERATING SHALL BE PROVIDED WITH CONTINUAL GENERAL  
9 SUPERVISION BY THE OWNER/OPERATOR.

10 Sec. 11. (1) ~~If, after inspection, a carnival amusement~~  
11 ~~ride is found to comply with the rules and regulations of the~~  
12 ~~board, the inspector shall issue a permit to operate.~~ AN  
13 OWNER/OPERATOR SHALL HAVE EACH CARNIVAL OR AMUSEMENT RIDE  
14 INSPECTED BY THE DEPARTMENT BEFORE IT IS ORIGINALLY PUT INTO  
15 OPERATION FOR THE PUBLIC'S USE IN THIS STATE BY THAT  
16 OWNER/OPERATOR. AFTER THE ORIGINAL INSPECTION, AN OWNER/OPERATOR  
17 SHALL HAVE THE CARNIVAL OR AMUSEMENT RIDE INSPECTED BY THE  
18 DEPARTMENT AT LEAST ANNUALLY AND AS OTHERWISE REQUIRED BY THIS  
19 ACT.

20 (2) IF UPON COMPLETION OF AN INSPECTION OF A CARNIVAL OR  
21 AMUSEMENT RIDE THE DEPARTMENT DETERMINES THAT THE CARNIVAL OR  
22 AMUSEMENT RIDE COMPLIES WITH THIS ACT AND THE RULES PROMULGATED  
23 UNDER THIS ACT, THE DEPARTMENT SHALL ISSUE TO THE OWNER/OPERATOR  
24 A RIDE PERMIT STATING THAT THE CARNIVAL OR AMUSEMENT RIDE HAS  
25 PASSED THE ANNUAL INSPECTION. RIDE PERMITS ARE NOT TRANSFERABLE  
26 FROM 1 OWNER/OPERATOR TO ANOTHER OWNER/OPERATOR. EXCEPT AS  
27 PROVIDED IN SUBSECTION (4), THE RIDE PERMIT SHALL BE PROMINENTLY

1 DISPLAYED ON THE CARNIVAL OR AMUSEMENT RIDE AND PROMPTLY REPLACED  
2 IF DEFACED OR IMPROPERLY REMOVED.

3 (3) IF POSSESSION, CONTROL, OR OWNERSHIP OF A CARNIVAL OR  
4 AMUSEMENT RIDE IS TRANSFERRED TO ANOTHER OWNER/OPERATOR, THE RIDE  
5 PERMIT SHALL BE REMOVED, AND THE NEW OWNER/OPERATOR SHALL ARRANGE  
6 FOR THE INSPECTION REQUIRED BY SUBSECTION (1).

7 (4) IF A CARNIVAL OR AMUSEMENT RIDE CONSISTS OF A NUMBER OF  
8 INDIVIDUAL DEVICES OR VEHICLES OPERATED ON OR OVER A FIXED OR  
9 RESTRICTED ROUTE, COURSE, OR AREA, THE CARNIVAL OR AMUSEMENT RIDE  
10 IS CONSIDERED TO CONSIST OF THE COMBINATION OF BOTH THE DEVICES  
11 OR VEHICLES AND THE ROUTE, COURSE, AREA, OR PREMISES WHERE THE  
12 AMUSEMENT RIDE IS OPERATED. EACH DEVICE OR VEHICLE SHALL HAVE  
13 ITS SERIAL NUMBER RECORDED WITH THE DEPARTMENT AT THE TIME OF  
14 INSPECTION. THE RIDE PERMIT FOR A CARNIVAL OR AMUSEMENT RIDE  
15 DESCRIBED IN THIS SUBSECTION SHALL BE POSTED IN A CONSPICUOUS  
16 PLACE CLEARLY VISIBLE TO THE PUBLIC AT THE ENTRANCE TO THE RIDE.  
17 A RIDE PERMIT SHALL BE PROMPTLY REPLACED IF DEFACED OR IMPROPERLY  
18 REMOVED.

19 (5) AN OWNER/OPERATOR OF A CARNIVAL OR AMUSEMENT RIDE BEAR-  
20 ING A VALID RIDE PERMIT ISSUED DURING THE PREVIOUS OPERATING  
21 SEASON MAY CONTINUE TO OPERATE THAT RIDE UNTIL IT IS INSPECTED  
22 FOR THE CURRENT OPERATING SEASON, IF THE OWNER/OPERATOR HAS DONE  
23 ALL OF THE FOLLOWING:

24 (A) APPLIED FOR AN OWNER/OPERATOR PERMIT FOR THE CURRENT  
25 OPERATING SEASON.

26 (B) APPLIED FOR AN ANNUAL RIDE PERMIT FOR THAT CARNIVAL OR  
27 AMUSEMENT RIDE FOR THE CURRENT OPERATING SEASON.

1 (C) PROVIDED ANY ADDITIONAL INFORMATION REQUIRED FOR  
2 TRAVELING CARNIVAL OR AMUSEMENT RIDES UNDER THE RULES PROMULGATED  
3 PURSUANT TO SECTION 10.

4 Sec. 12. Before a new ~~carnival amusement~~ CARNIVAL OR  
5 AMUSEMENT ride is erected, or ~~whenever any additions or alter-~~  
6 ~~ations are made which~~ BEFORE AN ADDITION OR ALTERATION IS MADE  
7 THAT WOULD change the structure, mechanism, classification, or  
8 capacity of ~~any carnival amusement ride, the operator shall file~~  
9 ~~with the department a notice of his intention and any plans or~~  
10 ~~diagrams requested by the director~~ A CARNIVAL OR AMUSEMENT RIDE,  
11 THE OWNER/OPERATOR SHALL OBTAIN APPROVAL FROM THE DEPARTMENT. AN  
12 OWNER/OPERATOR SHALL APPLY FOR APPROVAL ON A FORM PROVIDED BY THE  
13 DEPARTMENT AND SHALL INDICATE THE DATE THAT THE OWNER/OPERATOR  
14 EXPECTS TO PLACE THE NEW OR MODIFIED RIDE IN OPERATION. UPON  
15 RECEIPT OF AN APPLICATION, THE DEPARTMENT SHALL ADVISE THE  
16 OWNER/OPERATOR OF ANY MANUALS, PLANS, PRINTS, DIAGRAMS, OR STRESS  
17 ANALYSES THAT ARE NECESSARY FOR THE DEPARTMENT'S REVIEW OF THE  
18 APPLICATION. WITHIN 30 WORKING DAYS AFTER RECEIVING THE MATERI-  
19 AL, THE DEPARTMENT SHALL NOTIFY THE OWNER/OPERATOR OF ANY ADDI-  
20 TIONAL MATERIAL THAT MUST BE SUBMITTED FOR THE DEPARTMENT TO COM-  
21 PLETE ITS REVIEW. THE DESIGN MATERIAL OR EVALUATIONS SUBMITTED  
22 BY THE OWNER/OPERATOR SHALL BEAR THE SEAL OF A PROFESSIONAL ENGI-  
23 NEER LICENSED OR REGISTERED IN ANY STATE OF THE UNITED STATES AND  
24 SHALL BE IN THE ENGLISH LANGUAGE. THE DEPARTMENT SHALL GRANT OR  
25 DENY APPROVAL WITHIN 60 DAYS AFTER ALL MATERIAL HAS BEEN RECEIVED  
26 BY THE DEPARTMENT. IF THE APPLICANT IS NOT NOTIFIED OF THE GRANT  
27 OR DENIAL OF APPROVAL WITHIN 60 DAYS AFTER ALL MATERIAL CONTAINED

1 IN THE LAST NOTICE FROM THE DEPARTMENT HAS BEEN RECEIVED BY THE  
2 DEPARTMENT, THE OWNER/OPERATOR MAY BEGIN CONSTRUCTION OF OR MODI-  
3 FICATION OF THE CARNIVAL OR AMUSEMENT RIDE. UPON COMPLETION OF  
4 THE CONSTRUCTION OR THE MODIFICATION OF THE RIDE, THE  
5 OWNER/OPERATOR SHALL ARRANGE FOR AN INSPECTION OF THE CARNIVAL OR  
6 AMUSEMENT RIDE BY THE DEPARTMENT.

7       Sec. 13. (1) ~~The director or board may order, in writing,~~  
8 ~~a temporary cessation of operation of a carnival amusement ride~~  
9 ~~if it has been determined after inspection to be hazardous or~~  
10 ~~unsafe. Operation shall not resume until such conditions are~~  
11 ~~corrected to the satisfaction of the director or board.~~ THE  
12 DEPARTMENT MAY INSPECT A CARNIVAL OR AMUSEMENT RIDE AT ANY TIME  
13 DURING THE RIDE'S OPERATING SEASON WITHIN THE STATE. THE DEPART-  
14 MENT MAY REINSPECT A CARNIVAL OR AMUSEMENT RIDE AND IMPOSE A  
15 REINSPECTION FEE AS PROVIDED IN SECTION 8 WHEN IT APPEARS THAT  
16 THE RIDE MAY BE UNSAFE OR THAT THE OWNER/OPERATOR OR THE RIDE MAY  
17 NOT BE IN COMPLIANCE WITH THIS ACT OR THE RULES PROMULGATED UNDER  
18 THIS ACT. AN OWNER/OPERATOR MAY REQUEST A REINSPECTION AT ANY  
19 TIME AND SHALL PAY THE FEE FOR THAT REINSPECTION.

20       (2) IF A CARNIVAL OR AMUSEMENT RIDE DOES NOT MEET THE  
21 REQUIREMENTS OF THIS ACT OR THE RULES PROMULGATED UNDER THIS ACT,  
22 THE DEPARTMENT SHALL ISSUE A SAFETY NOTICE FOR THE RIDE. THE  
23 SAFETY NOTICE SHALL STATE A DATE BY WHICH THE CARNIVAL OR AMUSE-  
24 MENT RIDE IS REQUIRED TO BE BROUGHT INTO COMPLIANCE WITH THIS ACT  
25 OR THE RULES PROMULGATED UNDER THIS ACT. THE DEPARTMENT MAY FUR-  
26 THER PROVIDE IN THE SAFETY NOTICE THAT THE CARNIVAL OR AMUSEMENT  
27 RIDE SHALL NOT BE OPERATED FOR USE BY THE PUBLIC UNTIL IT HAS

1 BEEN BROUGHT INTO COMPLIANCE AND REINSPECTED. IF THE CARNIVAL OR  
2 AMUSEMENT RIDE IS NOT BROUGHT INTO COMPLIANCE BY THE DATE SPECI-  
3 FIED IN THE SAFETY NOTICE, THE DEPARTMENT MAY REQUIRE THAT THE  
4 RIDE PERMIT BE REMOVED FROM THE CARNIVAL OR AMUSEMENT RIDE OR THE  
5 ENTRANCE TO THE CARNIVAL OR AMUSEMENT RIDE UNTIL IT HAS PASSED  
6 REINSPECTION AND A NEW RIDE PERMIT FEE HAS BEEN PAID.

7       Sec. 15. If ~~there are~~ AN OWNER/OPERATOR WILL ENCOUNTER  
8 practical difficulties or unnecessary hardships ~~for an operator~~  
9 ~~to comply~~ IN COMPLYING with THIS ACT AND the rules ~~and~~  
10 ~~regulations~~ PROMULGATED under this act, the ~~director~~  
11 DEPARTMENT, with the approval of the board, may ~~modify the~~  
12 ~~application of such~~ GRANT EXCEPTIONS TO THE REQUIREMENTS OF THIS  
13 ACT AND THE rules ~~or regulations~~ PROMULGATED UNDER THIS ACT ON  
14 A CASE BY CASE BASIS if the spirit of THIS ACT AND the rules ~~and~~  
15 ~~regulations shall be~~ PROMULGATED UNDER THIS ACT ARE observed and  
16 the public safety is secure. ~~Any operator~~ AN OWNER/OPERATOR  
17 may make a written request to the ~~board~~ DEPARTMENT stating ~~his~~  
18 ~~grounds and~~ THE REASONS FOR applying for ~~such modification.~~  
19 ~~Any authorization by the director~~ EXCEPTIONS FROM THE REQUIRE-  
20 MENTS OF THIS ACT OR THE RULES PROMULGATED UNDER THIS ACT. IF  
21 THE REQUEST IS APPROVED, THE DEPARTMENT and the board shall ~~be~~  
22 ISSUE AN AUTHORIZATION in writing ~~and shall describe~~ THAT  
23 DESCRIBES the conditions under which the ~~modifications~~  
24 EXCEPTIONS are permitted. ~~A record of all modifications shall~~  
25 ~~be kept in the department and open to the public.~~ THE DEPARTMENT  
26 SHALL MAINTAIN A RECORD AVAILABLE TO THE PUBLIC OF ALL EXCEPTIONS  
27 GRANTED UNDER THIS SECTION.

1       Sec. 17. ~~(1) A temporary cessation of operations of a~~  
2 ~~carnival amusement ride may be ordered by the director when the~~  
3 ~~inspection of the ride has been impeded, obstructed or interfered~~  
4 ~~with. The order to cease operations shall remain in effect until~~  
5 ~~an inspection has been made and the ride has been found safe for~~  
6 ~~use.~~

7       ~~(2) Except for the late payment of fees as provided in sec-~~  
8 ~~tion 8(2), a person who violates this act is guilty of a~~  
9 ~~misdemeanor. Each day a violation occurs is a separate offense.~~  
10 THE BOARD MAY IMPOSE SANCTIONS AS PROVIDED IN SECTION 19 AGAINST  
11 AN OWNER/OPERATOR WHO DOES 1 OR MORE OF THE FOLLOWING:

12       (A) OPERATES A CARNIVAL OR AMUSEMENT RIDE IN THIS STATE  
13 WITHOUT ALL OF THE FOLLOWING:

14       (i) A CURRENT OWNER/OPERATOR PERMIT.

15       (ii) A VALID, CURRENT, AND LEGIBLE RIDE PERMIT FOR THAT RIDE  
16 PROMINENTLY DISPLAYED AS REQUIRED BY SECTION 11.

17       (iii) ADEQUATE SUPERVISION OF RIDE OPERATORS TO ASSURE THE  
18 SAFETY OF THE PUBLIC.

19       (iv) DAILY INSPECTIONS AND MAINTENANCE, AND THE ACCURATE  
20 COMPLETION OF THE DAILY INSPECTION LOG REQUIRED BY SECTION 10A.

21       (B) OPERATES A CARNIVAL OR AMUSEMENT RIDE FOR THE PUBLIC'S  
22 USE BEFORE COMPLIANCE WITH A SAFETY NOTICE THAT HAS BEEN ISSUED  
23 FOR THAT RIDE.

24       (C) FAILS TO COMPLY WITH A SAFETY NOTICE WITHIN THE TIME  
25 SPECIFIED IN THAT NOTICE, UNLESS THE RIDE ON WHICH THE NOTICE WAS  
26 ISSUED IS NOT BEING OPERATED FOR USE BY THE PUBLIC.



1 (D) ORDERS AN OPERATOR TO OPERATE A RIDE FOR THE PUBLIC'S  
2 USE IN VIOLATION OF A SAFETY NOTICE.

3 (E) FAILS TO FILE OR FALSIFIES, OR REQUIRES ANOTHER TO FAL-  
4 SIFY, A REPORT OR LOG REQUIRED UNDER THIS ACT OR THE RULES  
5 PROMULGATED UNDER THIS ACT.

6 (F) ERECTS OR OPERATES A NEW OR MODIFIED CARNIVAL OR AMUSE-  
7 MENT RIDE BEFORE OBTAINING DEPARTMENTAL APPROVAL UNDER SECTION  
8 12.

9 (G) USES FRAUD, DECEIT, OR DISHONESTY TO OBTAIN AN  
10 OWNER/OPERATOR PERMIT OR RIDE PERMIT.

11 (H) FAILS TO USE TRAINED OPERATORS ON A RIDE BEING OPERATED  
12 FOR USE BY THE PUBLIC.

13 (I) FAILS TO PAY A JUDGMENT AGAINST THAT OWNER/OPERATOR THAT  
14 RESULTED FROM A PERSONAL INJURY INVOLVING A CARNIVAL OR AMUSEMENT  
15 RIDE.

16 (J) VIOLATES ANY PROVISION OF THIS ACT OR A RULE PROMULGATED  
17 UNDER THIS ACT FOR WHICH A SANCTION IS NOT SPECIFICALLY  
18 PRESCRIBED.

19 SEC. 18. (1) THE DEPARTMENT MAY INVESTIGATE COMPLAINTS AND  
20 MAY INITIATE AN ACTION BASED UPON THE FINDINGS OF A DEPARTMENT  
21 INSPECTION. THE DEPARTMENT MAY ATTEMPT TO RESOLVE MATTERS INFOR-  
22 MALLY BEFORE PROCEEDING WITH A REINSPECTION OR FORMAL ACTION.

23 (2) AFTER AN INVESTIGATION HAS BEEN CONDUCTED, THE DEPART-  
24 MENT MAY SUMMARILY SUSPEND AN OWNER/OPERATOR PERMIT, MAY SUSPEND  
25 THE RIDE PERMIT FOR A SPECIFIC CARNIVAL OR AMUSEMENT RIDE, OR MAY  
26 ISSUE A CEASE AND DESIST ORDER, IN WRITING, FOR 1 OR MORE OF THE  
27 FOLLOWING REASONS:

1 (A) OPERATING A RIDE FOR THE PUBLIC'S USE IN VIOLATION OF A  
2 SAFETY NOTICE.

3 (B) OPERATING A RIDE FOR THE PUBLIC'S USE WITHOUT A VALID  
4 OWNER/OPERATOR PERMIT OR RIDE PERMIT.

5 (C) OPERATING A RIDE FOR THE PUBLIC'S USE AFTER THE  
6 OWNER/OPERATOR RECEIVES NOTIFICATION THROUGH A SAFETY NOTICE OR  
7 OTHER COMMUNICATIONS BY THE DEPARTMENT, OR A WARNING ISSUED BY  
8 ANOTHER POLITICAL JURISDICTION OR A MANUFACTURER THAT THE RIDE IS  
9 HAZARDOUS OR UNSAFELY MANUFACTURED.

10 (D) INTERFERING WITH, IMPEDING, OR OBSTRUCTING THE INSPEC-  
11 TION OR REINSPECTION OF A RIDE.

12 (3) AFTER THE ISSUANCE OF A FORMAL COMPLAINT BY THE DEPART-  
13 MENT, A CASE SHALL BE PROCESSED IN ACCORDANCE WITH THE ADMINIS-  
14 TRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC ACTS OF  
15 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN COMPILED  
16 LAWS.

17 (4) IF A SUMMARY ACTION IS TAKEN BY THE DEPARTMENT PURSUANT  
18 TO SUBSECTION (2), CONTESTED CASE PROCEEDINGS SHALL BE PROMPTLY  
19 COMMENCED BY THE DEPARTMENT AND DECIDED BY THE BOARD IN ACCORD-  
20 ANCE WITH SUBSECTION (5) AND ACT NO. 306 OF THE PUBLIC ACTS OF  
21 1969.

22 (5) BASED UPON FINDINGS OF FACT AND CONCLUSIONS OF LAW, AN  
23 ADMINISTRATIVE LAW JUDGE SHALL DETERMINE IF A VIOLATION OF THIS  
24 ACT OR THE RULES PROMULGATED UNDER THIS ACT HAS OCCURRED. IF THE  
25 ADMINISTRATIVE LAW JUDGE HAS DETERMINED THAT A VIOLATION OF THIS  
26 ACT OR THE RULES PROMULGATED UNDER THIS ACT HAS OCCURRED, THE

1 BOARD SHALL DETERMINE THE SANCTIONS TO BE IMPOSED AS PROVIDED IN  
2 SECTION 19.

3 SEC. 19. (1) THE BOARD MAY IMPOSE THE FOLLOWING SANCTIONS  
4 AGAINST A PERSON WHO VIOLATES THIS ACT, A RULE PROMULGATED UNDER  
5 THIS ACT, OR AN ORDER ISSUED UNDER THIS ACT:

6 (A) REVOKE AN OWNER/OPERATOR PERMIT OR RIDE PERMIT.

7 (B) SUSPEND AN OWNER/OPERATOR PERMIT OR RIDE PERMIT.

8 (C) IMPOSE A CIVIL FINE OF UP TO \$10,000.00 FOR EACH  
9 OFFENSE.

10 (D) DENY FOR A SPECIFIED TIME THE ISSUANCE OF AN  
11 OWNER/OPERATOR PERMIT, A RIDE PERMIT, OR THE RENEWAL OF AN  
12 OWNER/OPERATOR PERMIT.

13 (E) IMPOSE A REQUIREMENT THAT RESTITUTION BE MADE.

14 (F) ISSUE AN OWNER/OPERATOR PERMIT OR RIDE PERMIT WITH SPE-  
15 CIAL CONDITIONS, LIMITATIONS, OR REQUIREMENTS.

16 (G) ISSUE A WRITTEN REPRIMAND OR LETTER OF CENSURE AS A PART  
17 OF THE PERMANENT RECORD OF AN OWNER/OPERATOR OR INDIVIDUAL CARNI-  
18 VAL OR AMUSEMENT RIDE. THE BOARD'S ORDER SHALL STATE A DATE FOL-  
19 LOWING WHICH A PERSON MAY PETITION THE BOARD TO REMOVE THE REPRI-  
20 MAND OR CENSURE FROM THE FILE.

21 (H) ISSUE A CEASE AND DESIST ORDER.

22 (2) IF AN OWNER/OPERATOR FAILS TO PAY A JUDGMENT AGAINST  
23 THAT OWNER/OPERATOR THAT RESULTED FROM A PERSONAL INJURY INVOLV-  
24 ING A CARNIVAL OR AMUSEMENT RIDE, AND IF THE OWNER/OPERATOR  
25 PERMIT HAS BEEN SUSPENDED OR REVOKED, THEN THE DEPARTMENT MAY  
26 DENY THAT OWNER/OPERATOR OR AN OFFICER, OWNER, PARTNER, OR  
27 MANAGER OF THAT OWNER/OPERATOR A PERMIT UNTIL IT IS DEMONSTRATED

1 TO THE DEPARTMENT THAT THE JUDGMENT HAS BEEN PAID, SATISFIED, OR  
2 DISCHARGED.

3 SEC. 20. IN ADDITION TO THE SANCTIONS PRESCRIBED IN SECTION  
4 19, A PERSON THAT DOES ANY OF THE FOLLOWING IS GUILTY OF A MISDE-  
5 MEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BY  
6 A PENAL FINE OF NOT MORE THAN \$10,000.00, OR BOTH:

7 (A) OPERATES A CARNIVAL OR AMUSEMENT RIDE WITHOUT AN  
8 OWNER/OPERATOR PERMIT.

9 (B) OPERATES A CARNIVAL OR AMUSEMENT RIDE WITHOUT A RIDE  
10 PERMIT.

11 (C) OPERATES A CARNIVAL OR AMUSEMENT RIDE IN VIOLATION OF  
12 EITHER A SAFETY NOTICE OR A CEASE AND DESIST ORDER REQUIRING THAT  
13 THE RIDE BE SHUT DOWN.

14 (D) INTERFERES WITH, IMPEDES, OR OBSTRUCTS THE INSPECTION OR  
15 REINSPECTION OF A CARNIVAL OR AMUSEMENT RIDE.

16 SEC. 21. EACH DAY THAT A VIOLATION OF THIS ACT OR THE RULES  
17 PROMULGATED UNDER THIS ACT OCCURS IS A SEPARATE OFFENSE.

18 SEC. 22. (1) THE DEPARTMENT OR THE ATTORNEY GENERAL MAY  
19 PETITION THE CIRCUIT COURT TO ISSUE A SUBPOENA THAT REQUIRES THE  
20 PERSON SUBPOENAED TO APPEAR OR PRODUCE RELEVANT DOCUMENTARY MATE-  
21 RIAL FOR EXAMINATION DURING THE CONDUCT OF AN INVESTIGATION, OR  
22 AT A PROCEEDING CONDUCTED UNDER THE ADMINISTRATIVE PROCEDURES ACT  
23 OF 1969, ACT NO. 306 OF THE PUBLIC ACTS OF 1969, BEING  
24 SECTIONS 24.201 TO 24.328 OF THE MICHIGAN COMPILED LAWS.

25 (2) THE DEPARTMENT OR THE ATTORNEY GENERAL MAY FILE A CIVIL  
26 ACTION IN ANY COURT OF COMPETENT JURISDICTION TO DO 1 OR MORE OF  
27 THE FOLLOWING:

1 (A) ENFORCE THIS ACT OR RULES PROMULGATED UNDER THIS ACT.

2 (B) ENFORCE ORDERS OF THE DEPARTMENT AND OF THE BOARD.

3 (C) COLLECT CIVIL FINES IMPOSED UNDER SECTION 19.

4 SEC. 23. AN OWNER/OPERATOR MAY DO ANY OF THE FOLLOWING:

5 (A) REFUSE TO PERMIT AN INDIVIDUAL TO RIDE A CARNIVAL OR  
6 AMUSEMENT RIDE IF THE INDIVIDUAL REFUSES TO OBEY SAFETY RULES OR  
7 TO USE REQUIRED SAFETY DEVICES.

8 (B) HALT THE OPERATION OF A CARNIVAL OR AMUSEMENT RIDE IF  
9 ANY INDIVIDUAL IS ENDANGERING THE SAFE OPERATION OF THE RIDE OR  
10 THE SAFETY OF ANY PARTICIPANT OR SPECTATOR AND REFUSE TO OPERATE  
11 THE RIDE UNTIL THE DANGER NO LONGER EXISTS.

12 SEC. 24. (1) EFFECTIVE MARCH 1, 1994, EACH GO-CART OFFERED  
13 BY AN OWNER/OPERATOR FOR THE USE OF THE PUBLIC IN THIS STATE  
14 SHALL BE EQUIPPED WITH A ROLL BAR, SHOULDER HARNESS, SEAT, AND  
15 BACK REST FOR EACH OCCUPANT.

16 (2) AN OWNER/OPERATOR SHALL NOT PERMIT MORE THAN 1 INDIVID-  
17 UAL TO RIDE IN A GO-CART UNLESS THE GO-CART IS DESIGNED AND  
18 EQUIPPED TO CARRY ADDITIONAL INDIVIDUALS AND EACH INDIVIDUAL IN  
19 THE GO-CART SITS IN THE SEAT PROVIDED AND PROPERLY FASTENS THE  
20 SHOULDER HARNESS.

21 (3) EFFECTIVE MARCH 1, 1994, AN OWNER/OPERATOR SHALL HAVE  
22 AND MAKE AVAILABLE CRASH HELMETS FOR USE BY GO-CART OCCUPANTS. A  
23 SIGN ANNOUNCING THE AVAILABILITY OF CRASH HELMETS SHALL BE POSTED  
24 AT THE GO-CART TRACK AT THE SAME LOCATION AS THE ANNUAL RIDE  
25 PERMIT. THE CRASH HELMETS SHALL MEET THE STANDARDS PRESCRIBED IN  
26 THE FEDERAL REGULATIONS CONTAINED IN 49 C.F.R. 571.218, AND SHALL

1 HAVE THE SYMBOL DOT AFFIXED IN THE MANNER PRESCRIBED IN THOSE  
2 REGULATIONS.

3       Section 2. Sections 9 and 14 of Act No. 225 of the Public  
4 Acts of 1966, being sections 408.659 and 408.664 of the Michigan  
5 Compiled Laws, are repealed.