

HOUSE BILL No. 5486

January 21, 1998, Introduced by Rep. Whyman and referred to the Committee on Judiciary.

A bill to amend 1988 PA 389, entitled "Roller skating safety act of 1988," by amending sections 2, 3, 4, 5, and 6 (MCL 445.1722, 445.1723, 445.1724, 445.1725, and 445.1726).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Emergency personnel" means police, fire, or other
3 appropriate emergency medical personnel.

4 (b) "Operator" means a person or entity who owns or controls
5 or who has operational responsibility for a roller skating
6 center.

7 (c) "Roller skater" means a person wearing roller skates
8 while that person is in a roller skating center for the purpose
9 of roller skating.

1 (d) "Roller skating center" means a building, facility, or
2 premises ~~which~~ THAT provides an area specifically designed to
3 be used for roller skating OR SKATEBOARDING by the public.

4 (E) "SKATEBOARDER" MEANS A PERSON OPERATING A SKATEBOARD
5 WHILE THAT PERSON IS IN A ROLLER SKATING CENTER FOR THE PURPOSE
6 OF SKATEBOARDING.

7 (F) ~~(e)~~ "Spectator" means a person who is present in a
8 roller skating center only for the purpose of observing ROLLER
9 skating OR SKATEBOARDING activity, whether recreational or
10 competitive.

11 Sec. 3. Each roller skating center operator shall do all of
12 the following:

13 (a) Post the duties of roller skaters, SKATEBOARDERS, and
14 spectators as prescribed in this act and the duties, obligations,
15 and liabilities of operators as prescribed in this act in con-
16 spicuous places.

17 (b) Comply with the safety standards specified in the roller
18 skating rink safety standards published by the roller skating
19 rink operators association, (1980).

20 (c) Maintain roller skating equipment, ~~and~~ roller skating
21 surfaces, SKATEBOARD EQUIPMENT, AND SKATEBOARDING SURFACES
22 according to the safety standards cited in subdivision (b).

23 (d) Maintain the stability and legibility of all required
24 signs, symbols, and posted notices.

25 Sec. 4. While in a roller skating area, each roller skater
26 OR SKATEBOARDER shall do all of the following:

1 (a) Maintain reasonable control of his or her speed and
2 course at all times.

3 (b) Read all posted signs and warnings.

4 (c) Maintain a proper lookout to avoid other roller skaters,
5 SKATEBOARDERS, and objects.

6 (d) Accept the responsibility for knowing the range of his
7 or her own ability to negotiate the intended direction of travel
8 while on roller skates OR WHILE OPERATING A SKATEBOARD and to
9 ROLLER skate OR SKATEBOARD within the limits of that ability.

10 (e) Refrain from acting in a manner ~~which~~ THAT may cause
11 injury to others.

12 Sec. 5. Each person who participates in roller skating OR
13 SKATEBOARDING accepts the danger that ~~inheres~~ IS INHERENT in
14 that activity ~~insofar as~~ TO THE EXTENT THAT the dangers are
15 obvious and necessary. Those dangers include, but are not
16 limited to, injuries that result from collisions with other
17 roller skaters, OTHER SKATEBOARDERS, or other spectators, inju-
18 ries that result from falls, and injuries ~~which~~ THAT involve
19 objects or artificial structures properly within the intended
20 travel of the roller skater ~~which~~ OR SKATEBOARDER THAT are not
21 otherwise attributable to the operator's breach of his or her
22 common law duties.

23 Sec. 6. A roller skater, SKATEBOARDER, spectator, or opera-
24 tor who violates this act ~~shall be~~ IS liable in a civil action
25 for damages for that portion of the loss or damage resulting from
26 the violation.