

A SUMMARY OF HOUSE BILL 5563 AS INTRODUCED 12-21-01

Public Act 346 of 2000 amended the Carnival-Amusement Safety Act (MCL 408.667) to add language specifying responsibilities of riders and operators of carnival or amusement rides. A violation of the act is a misdemeanor, but the act specifies that the misdemeanor penalty does not apply to a violation by a rider or a rider's parent or guardian. House Bill 5563 would delete this exemption, so that violations by riders and their parents would also be misdemeanors.

[The act requires each rider to:

- Obey the reasonable safety rules posted, and oral instructions given by the operator (unless those rules or instructions are contrary to the safety rules in the act).

- Refrain from acting in any manner that may cause or contribute to the injury of himself or herself or others, including such things as exceeding the limits of the person's ability; interfering with, failing to use, or disconnecting safety devices; altering the intended speed, course or direction of a ride; extending arms or legs beyond the carrier or seating area; throwing or dropping objects from or toward a ride; getting on or off at other than the designated time and place; not reasonably controlling the speed or direction of the ride or the rider's body (when the ride requires that); or in any way interfering with the operation of the ride.

- Report in writing to the operator or an employee, on a form provided by the operator or employee, any injury sustained by the rider.

In addition, a rider may not get on or attempt to get on a ride unless the rider (or his or her parent or guardian) reasonably determines that the rider:

- has sufficient knowledge to get on, use, and get off the ride safely;
- has read and understands any applicable signs and meets any posted height, medical, or other requirements;
- knows the range and limits of his or her ability and that the ride will not exceed those limits;
- is not under the influence of alcohol or any drug that affects his or her ability to safely use the ride or obey the rules or instructions; and
- is authorized by the operator to get on the ride.]

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.