

CARNIVAL-AMUSEMENT SAFETY ACT OF 1966 (EXCERPT)
Act 225 of 1966

408.652 Definitions.

Sec. 2. As used in this act:

(a) "Carnival or amusement ride" means a device that carries or conveys passengers along, around, or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills, or excitement. Carnival or amusement ride does not include a hobby locomotive that operates on narrow gauge tracks that have a width that is narrower than 24 inches and is powered by steam, electricity, gas, or other fuel, whether or not it is operated on the owner's property.

(b) "Department" means the department of licensing and regulatory affairs.

(c) "Director" means the director of the department or his or her designee.

(d) "Hobby" means an interest or activity that an individual pursues without compensation in his or her leisure time.

(e) "Operator" means a person who controls the operation of a carnival or amusement ride.

(f) "Owner" means any person who owns or leases and controls or manages the operation of a carnival or amusement ride, and includes an individual, partnership, corporation, both profit and nonprofit, or the state and any of its political subdivisions and their departments or agencies.

(g) "Rider" or "rider of a carnival or amusement ride" means an individual who is waiting in the immediate vicinity of a carnival or amusement ride to get on the carnival or amusement ride, getting on a carnival or amusement ride, using a carnival or amusement ride, getting off a carnival or amusement ride, or leaving a carnival or amusement ride and is still in the immediate vicinity of the carnival or amusement ride. Rider does not include an individual who is an employee or agent of the operator while engaged in the duties of his or her employment or engagement.

(h) "Serious injury" means a physical injury that is not necessarily permanent, but that constitutes serious bodily disfigurement or that seriously impairs the functioning of a body organ or limb. Serious injury includes, but is not limited to, 1 or more of the following:

(i) Loss of a limb or use of a limb.

(ii) Loss of a hand, foot, finger, or thumb or use of a hand, foot, finger, or thumb.

(iii) Loss of an eye or ear or use of an eye or ear.

(iv) Loss or substantial impairment of a bodily function.

(v) Serious visible disfigurement.

(vi) A comatose state that lasts for more than 3 days.

(vii) Measurable brain damage or mental impairment.

(viii) A skull fracture or other serious bone fracture.

(ix) Subdural hemorrhage or hematoma.

(i) "Sign" means any symbol or language that is reasonably calculated to communicate information to a rider or the rider's parent or guardian, including placards, prerecorded messages, live public address, stickers, pictures, pictograms, video, verbal information, and visual signals.

(j) "Special inspector commission" means an authorization issued annually by the department that requires an owner or operator, or the representative of an owner or operator, to perform daily inspections of a carnival or amusement ride, to maintain a daily inspection log, and to be present on the premises where the ride is located while the ride is being operated.

History: 1966, Act 225, Imd. Eff. July 11, 1966;—Am. 1982, Act 35, Imd. Eff. Mar. 12, 1982;—Am. 1998, Act 507, Imd. Eff. Jan. 8, 1999;—Am. 2000, Act 346, Eff. Mar. 28, 2001;—Am. 2022, Act 97, Eff. Sept. 30, 2022.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

Transfer of powers: See MCL 16.732.