

1 AN ACT concerning carnival ride operators.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Carnival Ride Operator Registration Act.

6 Section 5. Intent. It is the intent of the Illinois General
7 Assembly to ensure that individuals who operate amusement rides
8 and attractions in the State of Illinois be persons of good
9 character and not pose a threat or danger to riders. It is
10 therefore the intent of the General Assembly to establish a
11 process whereby amusement ride and attraction operators, as
12 defined in this Act, apply for a registration card from the
13 State of Illinois. Further, it is the intent of the General
14 Assembly that no person who is required to apply for a
15 registration card be allowed to operate an amusement ride or
16 attraction without possessing a valid registration card.

17 Section 10. Definitions. As used in this Act:

18 "Amusement attraction" has the meaning given in the
19 Carnival and Amusement Rides Safety Act.

20 "Amusement ride" has the meaning given in the Carnival and
21 Amusement Rides Safety Act.

22 "Carnival" has the meaning given in the Carnival Regulation
23 Act.

24 "Carnival ride operator" means a person who is employed to
25 actually control the operation of a particular amusement ride
26 or amusement attraction at a carnival.

27 "Department" means the Department of State Police.

28 "Ride Operator Identification Card" means a card issued to
29 a carnival ride operator by the Department.

30 Section 15. Ride Operator Identification Card. Beginning

1 January 1, 2005, every carnival ride operator must apply for a
2 Ride Operator Identification Card. The person shall apply to
3 the Department on forms provided by the Department. There shall
4 be no cost for application for or issuance of a Ride Operator
5 Identification Card. The applicant may not operate amusement
6 rides and amusement attractions pending issuance of a Ride
7 Operation Identification Card. If the Department denies the
8 application, the applicant may not be employed to operate
9 amusement rides or amusement attractions at a carnival in the
10 State of Illinois. If the application is approved, the
11 Department shall send the card to the applicant. If the
12 application is denied, the Department shall send a notice of
13 denial to the applicant. The Department shall send a duplicate
14 copy of any card issued and any notice of denial to the
15 carnival employer listed on the identification card
16 application. The Department shall establish a process for
17 appeal and administrative review of any application denial.

18 Section 20. Ride Operator Identification Card application.
19 The Department shall provide application forms for persons
20 applying for a Ride Operator Identification Card. The form
21 shall request only the following information:

- 22 (1) name;
- 23 (2) address;
- 24 (3) date of birth;
- 25 (4) name and address of current carnival employer;
- 26 (5) citizenship;
- 27 (6) height, weight, and eye color; and
- 28 (7) driver's license number if available.

29 Section 25. Expiration of Ride Operator Identification
30 Card. A properly issued Ride Operator Identification Card shall
31 be valid until December 31 of the year it is issued. Carnival
32 ride operators must apply annually for Ride Operator
33 Identification Cards.

1 Section 30. Criminal history fingerprinting check. All
2 applicants for Ride Operator Identification Cards must submit
3 his or her fingerprints to the Department of State Police in
4 the form and manner prescribed by the Department of State
5 Police. These fingerprints shall be checked against the
6 fingerprint records now and hereafter filed in the Department
7 of State Police criminal history records databases and, in the
8 case of an applicant 18 years of age or older, the Federal
9 Bureau of Investigation criminal history records databases. An
10 application for a Ride Operator Identification Card shall be
11 denied if the applicant has any current wants or warrants or
12 has ever been convicted of any sexual crime or sex offense as
13 defined in the Criminal Code of 1961. Specifically, no person
14 who is a registered sex offender may be issued a Ride Operator
15 Identification Card.

16 Section 35. Ride operator requirements. Each carnival ride
17 operator, in addition to applying for a Ride Operator
18 Identification Card, must:

19 (1) be at least 16 years of age;

20 (2) have completed any employment application required
21 by the amusement ride or amusement attraction owner;

22 (3) have identification available;

23 (4) if required by the carnival owner, wear a standard
24 operator's uniform that identifies the individual as a ride
25 or attraction operator;

26 (5) be lawfully able to work in Illinois and, if not a
27 United States citizen, be currently permitted to work by
28 the United States Immigration and Naturalization Service;
29 and

30 (6) be trained on the function, procedures, and safety
31 requirements of every amusement ride and amusement
32 attraction that he or she operates.

33 Section 40. Responsibility of carnival owner for failure of
34 employee to comply with this Act. A carnival owner shall not be

1 responsible for any information submitted by an employee or for
2 the failure of an employee to apply or qualify for a Ride
3 Operator Identification Card. A carnival owner shall not be
4 liable to an employee for any of the requirements imposed by
5 this Act.

6 Section 45. Penalties. Any person who knowingly violates
7 any provision of this Act shall be guilty of a Class A
8 misdemeanor.

9 Section 905. The Illinois Municipal Code is amended by
10 changing Section 11-54.1-3 as follows:

11 (65 ILCS 5/11-54.1-3) (from Ch. 24, par. 11-54.1-3)

12 Sec. 11-54.1-3. No such permit shall be granted by the
13 corporate authorities until they shall have investigated the
14 carnival and are satisfied that, if permitted, it will be
15 operated in accordance with the permit and the provisions of
16 this Division 54.1. Such corporate authorities may issue the
17 permit and collect permit fees necessary to pay the expenses of
18 the investigation and to aid in policing the grounds and
19 otherwise to compensate the city, village or incorporated town
20 in such amount as the corporate authorities may determine. A
21 carnival, upon request of the municipality, must provide copies
22 of all Ride Operator Identification Cards for carnival
23 employees who will work at the site. The permitting entity must
24 request copies of Ride Operator Identification Cards at least
25 14 days before the carnival will be open to the public. If the
26 carnival has provided copies of Ride Operator Identification
27 Cards, the issuance of a permit may not be delayed or denied on
28 the basis that a carnival has failed to provide the name,
29 address, and background of or any other information related to
30 carnival employees. Each permit shall contain the proviso that
31 sheriffs and police officers shall have free access to the
32 grounds and all booths, shows and concessions on such grounds
33 at all times, and it shall be the duty of all officers present

1 at such carnival to enforce all the provisions of this Division
2 54.1.

3 (Source: P.A. 83-341.)

4 Section 910. The Carnival Regulation Act is amended by
5 changing Sections 1, 2 and 3 as follows:

6 (225 ILCS 205/1) (from Ch. 85, par. 2001)

7 Sec. 1. "Carnival" means and includes an aggregation of
8 attractions, whether shows, acts, games, vending devices or
9 amusement devices, whether conducted under one or more
10 managements or independently, which are temporarily set up or
11 conducted in a public place or upon any private premises
12 accessible to the public, with or without admission fee, and
13 which, from the nature of the aggregation, attracts attendance
14 and causes promiscuous intermingling of persons in the spirit
15 of merrymaking and revelry.

16 "Fair board" means and includes the officers of any State
17 or county fair association.

18 "Ride Operator Identification Card" has the meaning given
19 in the Carnival Ride Operator Registration Act.

20 (Source: Laws 1963, p. 868.)

21 (225 ILCS 205/2) (from Ch. 85, par. 2002)

22 Sec. 2. No carnival shall be set up, run, operated or
23 conducted except within the limits of an incorporated
24 municipality, as provided in Division 54.1 of Article 11 of the
25 "Illinois Municipal Code", approved May 29, 1961, as heretofore
26 and hereafter amended, or within the limits or upon the grounds
27 of a State or county fair association, or any association
28 entitled to share in the funds appropriated by the State for
29 distribution among fair associations of the State, and unless a
30 written permit from the proper fair board has been issued,
31 setting forth the conditions under which such carnival shall be
32 operated. The permit shall be granted upon the condition that
33 there shall not be set up or operated any gambling device,

1 lottery, number or paddle wheel, number board, punch board, or
2 other game of chance, or any lewd, lascivious or indecent show
3 or attraction making an indecent exposure of the person or
4 suggesting lewdness or immorality. A carnival, upon request of
5 the municipality, county, or fair board, must provide copies of
6 all Ride Operator Identification Cards for carnival employees
7 who will work at the site. The permitting entity must request
8 copies of Ride Operator Identification Cards at least 14 days
9 before the carnival will be open to the public. If the carnival
10 has provided copies of Ride Operator Identification Cards, the
11 issuance of a permit may not be delayed or denied on the basis
12 that a carnival has failed to provide the name, address, or
13 background of or any other information related to carnival
14 employees.

15 (Source: Laws 1963, p. 868.)

16 (225 ILCS 205/3) (from Ch. 85, par. 2003)

17 Sec. 3. No such permit shall be granted by a fair board
18 until it has investigated the carnival and is satisfied that,
19 if permitted, it will be operated in accordance with the permit
20 and the provisions of this Act. Such fair boards are authorized
21 to issue the permit and to collect permit fees necessary to pay
22 the expenses of the investigation and to aid in policing the
23 grounds and otherwise to compensate the association in such
24 amount as they may determine. A carnival, upon request of the
25 fair board, must provide copies of all Ride Operator
26 Identification Cards for carnival employees who will work at
27 the site. The permitting entity must request copies of Ride
28 Operator Identification Cards at least 14 days before the
29 carnival will be open to the public. If the carnival has
30 provided copies of Ride Operator Identification Cards, the
31 issuance of a permit may not be delayed or denied on the basis
32 that a carnival has failed to provide the name, address, or
33 background of or any other information related to carnival
34 employees. Each permit shall contain the proviso that sheriffs
35 and police officers shall have free access to the grounds and

1 all booths, shows and concessions on such grounds at all times,
2 and it shall be the duty of all officers present at such
3 carnival to enforce all the provisions of this Act.

4 (Source: Laws 1965, p. 290.)

5 Section 999. Effective date. This Act takes effect upon
6 becoming law.