



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2688

Introduced 2/24/2009, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

430 ILCS 85/2-2

from Ch. 111 1/2, par. 4052

430 ILCS 85/2-16.1 new

Amends the Carnival and Amusement Rides Safety Act. Provides that a non-profit religious, educational, or charitable institution or association holding a carnival or fair may use the services of a volunteer attendant at an inflatable amusement attraction and such a volunteer attendant is not subject to any of the requirements of the Act or rules adopted under the Act pertaining to carnival workers. Effective immediately.

LRB096 08048 KTG 18154 b

1 AN ACT concerning safety.

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

4 Section 5. The Carnival and Amusement Rides Safety Act is
5 amended by changing Section 2-2 and adding Section 2-16.1 as
6 follows:

7 (430 ILCS 85/2-2) (from Ch. 111 1/2, par. 4052)

8 Sec. 2-2. Definitions. As used in this Act, unless the
9 context otherwise requires:

10 1. "Director" means the Director of Labor or his or her
11 designee.

12 2. "Department" means Department of Labor.

13 3. "Amusement Attraction" means an enclosed building or
14 structure, including electrical equipment which is an integral
15 part of the building or structure, through which people walk
16 without the aid of any moving device, that provides amusement,
17 thrills or excitement at a fair or carnival, except any such
18 enclosed building or structure which is subject to the
19 jurisdiction of a local building code.

20 4. "Amusement ride" means:

21 (a) any mechanized device or combination of devices,
22 including electrical equipment which is an integral part of
23 the device or devices, which carries passengers along,

1 around, or over a fixed or restricted course for the
2 primary purpose of giving its passengers amusement,
3 pleasure, thrills, or excitement;

4 (b) any ski lift, rope tow, or other device used to
5 transport snow skiers;

6 (c) (blank);

7 (d) any dry slide over 20 feet in height, alpine slide,
8 or toboggan slide;

9 (e) any tram, open car, or combination of open cars or
10 wagons pulled by a tractor or other motorized device which
11 is not licensed by the Secretary of State, which may, but
12 does not necessarily follow a fixed or restricted course,
13 and is used primarily for the purpose of giving its
14 passengers amusement, pleasure, thrills or excitement, and
15 for which an individual fee is charged or a donation
16 accepted with the exception of hayrack rides; or

17 (f) any bungee cord or similar elastic device.

18 5. "Carnival" means an enterprise which offers amusement or
19 entertainment to the public by means of one or more amusement
20 attractions or amusement rides.

21 6. "Fair" means an enterprise principally devoted to the
22 exhibition of products of agriculture or industry in connection
23 with which amusement rides or amusement attractions are
24 operated.

25 7. "Operator" means a person, or the agent of a person, who
26 owns or controls or has the duty to control the operation of an

1 amusement ride or an amusement attraction at a carnival or
2 fair. "Operator" includes an agency of the State or any of its
3 political subdivisions.

4 8. "Carnival worker" means a person who is employed by a
5 carnival or fair to manage, physically operate, or assist in
6 the operation of an amusement ride or amusement attraction when
7 it is open to the public. "Carnival worker" does not include a
8 volunteer attendant at an inflatable amusement attraction at a
9 carnival or fair held by a non-profit religious, educational,
10 or charitable institution or association.

11 9. "Inflatable amusement attraction" means a device
12 consisting of air-filled structures designed for use, as
13 specified by the manufacturer, that may include but is not
14 limited to bounce, climb, slide or interactive play. They are
15 made of flexible fabric, kept inflated by continuous air flow
16 by one or more blowers, and rely upon air pressure to maintain
17 their shape. This definition shall not include inflatable
18 devices that are used for professional exhibition or stunt
19 work, safety and rescue activities, aerial or aviation
20 structures or devices, exhibit floats or similar inflatable
21 devices.

22 (Source: P.A. 94-801, eff. 5-25-06; 95-397, eff. 8-24-07;
23 95-687, eff. 10-23-07.)

24 (430 ILCS 85/2-16.1 new)

25 Sec. 2-16.1. Volunteer attendant at an inflatable

1 amusement attraction. Notwithstanding any other provision of
2 this Act, a non-profit religious, educational, or charitable
3 institution or association holding a carnival or fair may use
4 the services of a volunteer attendant at an inflatable
5 amusement attraction at the carnival or fair and such a
6 volunteer attendant is not subject to any of the requirements
7 of this Act or rules adopted under this Act pertaining to
8 carnival workers.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.