

# HB3359



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3359

by Rep. Martin J. Moylan - Brandon W. Phelps

### SYNOPSIS AS INTRODUCED:

430 ILCS 85/2-2

from Ch. 111 1/2, par. 4052

Amends the Amusement Ride and Attraction Safety Act. Makes a change to the definition of "amusement ride". Effective January 1, 2016.

LRB099 10971 MGM 31326 b

A BILL FOR

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 Amusement Ride and Attraction Safety Act is  
5 amended by changing Section 2-2 as follows:

6 (430 ILCS 85/2-2) (from Ch. 111 1/2, par. 4052)

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

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

11 2. "Department" means Department of Labor.

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

19 4. "Amusement ride" means:

20 (a) any mechanized device or combination of devices,  
21 including electrical equipment which is an integral part of  
22 the device or devices, which carries passengers along,  
23 around, or over a fixed or restricted course for the

1 primary purpose of giving its passengers amusement,  
2 pleasure, thrills, or excitement;

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

5 (c) (blank);

6 (d) any dry slide that requires a mat to ride ~~over 20~~  
7 ~~feet in height~~, alpine slide, or toboggan slide;

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

16 (f) any bungee cord or similar elastic device; or

17 (g) any inflatable attraction.

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

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

26 7. "Operator" means a person, or the agent of a person, who

1 owns or controls or has the duty to control the operation of an  
2 amusement ride or an amusement attraction at a carnival,  
3 amusement enterprise, or fair. "Operator" includes an agency of  
4 the State or any of its political subdivisions.

5 8. "Carnival worker" or "amusement enterprise worker"  
6 means a person who is employed (and is therefore not a  
7 volunteer) by a carnival, amusement enterprise, or fair to  
8 manage, physically operate, or assist in the operation of an  
9 amusement ride or amusement attraction when it is open to the  
10 public.

11 9. "Volunteer" means a person who operates or assists in  
12 the operation of an amusement ride or amusement attraction for  
13 an owner or operator without pay or lodging. An individual  
14 shall not be considered a volunteer if the individual is  
15 otherwise employed by the same owner or operator to perform the  
16 same type of service as those for which the individual proposes  
17 to volunteer.

18 10. "Inflatable attraction" means an amusement ride or  
19 device designed for use that may include, but not be limited  
20 to, bounce, climb, slide, or interactive play, which is made of  
21 flexible fabric, is kept inflated by continuous air flow by one  
22 or more blowers, and relies upon air pressure to maintain its  
23 shape.

24 (Source: P.A. 98-541, eff. 8-23-13; 98-769, eff. 1-1-15.)

25 Section 99. Effective date. This Act takes effect January  
26 1, 2016.