

## CHAPTER 382—S.F.No. 764

*An act relating to public safety; regulating amusement rides; requiring insurance and inspections; providing penalties; proposing coding for new law as Minnesota Statutes, chapter 184B.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[184B.01] DEFINITIONS.**

Subdivision 1. SCOPE. For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. AMUSEMENT RIDE. "Amusement ride" means a mechanical 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.

"Amusement ride" does not include:

(1) a coin-operated ride that is manually, mechanically, or electrically operated and customarily placed in a public location and that does not normally require the supervision or services of an operator; or

(2) nonmechanized playground equipment, including but not limited to swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, playground slides, trampolines, and physical fitness devices.

Subd. 3. COMMISSIONER. "Commissioner" means the commissioner of labor and industry.

Subd. 4. OPERATOR. "Operator" means a person, who owns an amusement ride.

Sec. 2. **[184B.02] INSURANCE REQUIREMENTS.**

An operator must have an insurance policy in force written by an insurance company authorized to do business in this state, in an amount of not less than \$1,000,000 per occurrence, insuring the operator against liability for injury to persons arising out of the use of an amusement ride.

Sec. 3. **[184B.03] INSPECTION.**

(a) An amusement ride must be inspected at least once annually by an insurer or a person with whom the insurer has contracted. If an inspection reveals that an amusement ride does not meet the insurer's underwriting standards, the insurer must notify the operator. An operator must not operate an amusement ride until the ride passes an insurer's inspection for all items related to safe operation of the amusement ride.

New language is indicated by underline, deletions by ~~strikeout~~.

(b) The inspection required under this section must include testing consistent with current American Society for Testing and Material standards and specifications for amusement rides and devices. The inspection required by this section is in addition to any other inspection required or permitted by law.

(c) An operator must permit reasonable inspection of an amusement ride by the insurance company that insures the ride.

(d) Paragraphs (a) and (b) do not apply to amusement rides permanently located in an amusement park where the owner has a rehabilitative and preventative ride maintenance program that includes daily ride inspections for the protection of the general public and a full-time, permanent maintenance staff and has an insurance policy in force written by an insurance company authorized to do business in this state, in an amount of not less than \$50,000,000, insuring the operator against liability for injury to persons arising out of the use of an amusement ride.

#### Sec. 4. [184B.04] FILING.

An operator must file with each sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public:

(1) a certificate stating that the insurance required by section 2 is in effect; and

(2) an affidavit attesting that the inspection required by section 3 has been performed.

#### Sec. 5. [184B.05] COMMISSIONER INFORMATION REQUESTS.

The commissioner may request from the sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public, whether or not the person is the operator, information concerning whether the insurance required by section 2 is in effect on the amusement ride, and whether the inspection required by section 3 has occurred. The person to whom the information request is made must respond to the commissioner within 15 days after the request is made.

#### Sec. 6. [184B.06] CIVIL PENALTY.

A person that violates sections 1 to 5 is subject to a fine of up to \$2,000 for each day the violation exists. A county attorney in a county in which an amusement ride is operated in violation of this chapter may enforce this section by action in district court.

#### Sec. 7. [184B.07] INJUNCTIONS.

A county attorney in a county in which an amusement ride is operated or, on request of the commissioner, the attorney general, may obtain an injunction or other equitable relief against an actual or threatened violation of this chapter.

New language is indicated by underline, deletions by ~~strikeout~~.

**Sec. 8. EFFECTIVE DATE.**

Sections 1 to 7 are effective August 1, 1991.

Presented to the governor March 30, 1992

Signed by the governor March 31, 1992, 6:05 p.m.

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**CHAPTER 383—S.F.No. 2210**

*An act relating to Ramsey county; providing for the certification of eligibles for county positions; amending Minnesota Statutes 1990, section 383A.291, by adding a subdivision.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. Minnesota Statutes 1990, section 383A.291, is amended by adding a subdivision to read:

Subd. 4. In addition to the eligibles certified under other subdivisions of this section, the personnel director shall certify as eligibles for a position each county employee who has been displaced or laid off because of the closing of a county facility or for another reason and meets the minimum qualifications of the position and passes the competitive open or competitive promotional examination for the position.

**Sec. 2. LOCAL APPROVAL.**

This act takes effect the day after the Ramsey county board complies with the provisions of Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor March 30, 1992

Signed by the governor April 1, 1992, 4:42 p.m.

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**CHAPTER 384—S.F.No. 1633**

*An act relating to the city of Bloomington; providing for the membership of the port authority; amending Minnesota Statutes 1990, section 469.071, by adding a subdivision.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. Minnesota Statutes 1990, section 469.071, is amended by adding a subdivision to read:

Subd. 6. MEMBERSHIP. The port authority of the city of Bloomington

New language is indicated by underline, deletions by ~~strikeout~~.