

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 478

Short Title: Amusement Devices.

(Public)

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Sponsors: Representative Payne.

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Referred to: Economic Expansion.

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April 1, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE TYPE OF DEVICE COVERED BY THE  
3 AMUSEMENT DEVICE SAFETY ACT.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 95-111.2(b) reads as rewritten:

6 "(b) This Article shall not apply to any ~~single passenger coin-operated device,~~  
7 ~~manually, mechanically, or electrically operated which customarily is placed, singly or~~  
8 ~~in groups, in a public location and device~~ which does not normally require the  
9 supervision or services of an operator. Unless they are located in an amusement park or  
10 carnival area, the following devices or attractions are exempt from this Article:

11 (1) Hot or cold air inflatable devices;

12 (2) Wavepools;

13 (3) Bumper boats;

14 (4) Roller skating rinks;

15 (5) Ice skating rinks;

16 (6) Skateboard ramps or courses;

17 (7) Mechanical bulls;

18 (8) Simulator devices that simulate the movement shown on various video  
19 tapes;

20 (9) Buildings or concourses used in laser games;

21 (10) Waterslides;

22 (11) All terrain vehicles;

23 (12) Motorcycles;

24 (13) Bicycles; and

1 (14) Mopeds."

2 Sec. 2. G.S. 95-111.3 reads as rewritten:

3 "**§ 95-111.3. Definitions.**

4 (a) The term 'amusement device' shall mean any mechanical or structural device  
5 or attraction that carries or conveys or permits persons to walk along, around or over a  
6 fixed or restricted route or course or within a defined area including the entrances and  
7 exits thereto, for the purpose of giving such persons amusement, pleasure, thrills or  
8 excitement. The term shall include but not be limited to roller coasters, Ferris wheels,  
9 merry-go-rounds, glasshouses, waterslides, and walk-through dark houses. This term  
10 shall not include devices operated on a river, lake, or any other natural body of water.

11 (b) The term 'amusement park' shall mean any tract or area used principally as a  
12 permanent location for amusement devices.

13 (b1) The term 'carnival area' shall mean any area, tract, or structure that is rented,  
14 leased, or owned as a temporary location for amusement devices.

15 (c) The term 'Commissioner' shall mean the North Carolina Commissioner of  
16 Labor or his authorized representative.

17 (d) The term 'Director' shall mean the Director of the Elevator and Amusement  
18 Device Division of the North Carolina Department of Labor.

19 (e) The term 'operator' shall mean any person having direct control of the  
20 operation of an amusement device. The term 'operator' shall not include any person on  
21 the device for the purpose of receiving amusement, pleasure, thrills, or excitement.

22 (f) The term 'owner' shall mean any person or authorized agent of such person  
23 who owns an amusement device or in the event such device is leased, the lessee. The  
24 term 'owner' also shall include the State of North Carolina or any political subdivision  
25 thereof or any unit of local government.

26 (g) The term 'person' shall mean any individual, association, partnership, firm,  
27 corporation, private organization, or the State of North Carolina or any political  
28 subdivision thereof or any unit of local government.

29 (h) The term 'waterslide' shall mean a stationary amusement device that provides  
30 a descending ride on a flowing water film through a trough or tube or on an inclined  
31 plane into a pool of water. This term does not include devices where the vertical  
32 distance between the highest and the lowest points does not exceed 15 feet."

33 Sec. 2. This act is effective upon ratification.