

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:3-32 (Carnival rides - safety law covers water slide rides)

LAWS OF: 1983

CHAPTER: 274

Bill No: A2072

Sponsor(s): Felice and others

Date Introduced: November 15, 1982

Committee: Assembly: Labor

Senate: Labor, Industry and Professions

Amended during passage: No

Date of Passage: Assembly: February 14, 1983

Senate: June 16, 1983

Date of Approval: July 18, 1983

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: Yes

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Sponsors' statement:

This bill would amend the "Carnival - Amusement Rides Safety Act" to clearly extend coverage to certain water slide rides and passenger propelled conveyances over a fixed water course.

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ASSEMBLY, No. 2072

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 15, 1982

By Assemblymen FELICE, LITTELL, KERN and HAYTAIAN

AN ACT to amend the "Carnival-Amusements Rides Safety Act,"  
approved May 29, 1975 (P. L. 1975, c. 105).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 2 of P. L. 1975, c. 105 (C. 5:3-32) is amended to  
2 read as follows:

3 2. As used in this act, except where a different meaning is clearly  
4 implied by the context:

5 a. "Carnival" or "amusement ride" means any mechanical device  
6 or devices *including water slides exceeding 15 feet in height* which  
7 carry or convey passengers along, around, or over a fixed or re-  
8 stricted route or course for the purpose of giving its passengers  
9 amusement, pleasure, thrills or excitement; *and any passenger or*  
10 *gravity propelled ride when located in an amusement area or park*  
11 *in which there are other rides covered by P. L. 1975, c. 105*  
12 *(C. 5:3-31 et seq.);* provided, however, that this shall not include  
13 locomotives weighing more than seven tons, operating on a track  
14 the length of which is one-half mile or greater, the gauge of which  
15 is three feet or greater, and the weight of which is at least 60  
16 pounds per yard. Any facility exempted pursuant to this subsec-  
17 tion shall be under the jurisdiction of the Department of Trans-  
18 portation for the purpose of safety inspection.

19 b. "Owner" means a person who owns, leases, controls, or man-  
20 ages the operations of a carnival or amusement ride, including the  
21 State or any of its subdivisions;

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.  
Matter printed in italics *thus* is new matter.

22 c. "Ride operator" means any person or persons actually engaged  
23 in or directly controlling the operations of a carnival or amusement  
24 ride;

25 d. "Commissioner" means the Commissioner of Labor [and In-  
26 dustry]; and

27 e. "Department" means the State Department of Labor [and  
28 Industry]; and

29 f. "Advisory board" means the Advisory Board on Carnival-  
30 Amusement Ride Safety.

1 2. This act shall take effect immediately.

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STATEMENT

This bill would amend the "Carnival-Amusement Rides Safety Act" to clearly extend coverage to certain water slide rides and passenger propelled conveyances over a fixed water course.

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ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2072

**STATE OF NEW JERSEY**

DATED: JANUARY 31, 1983

This bill amends the "Carnival-Amusements Rides Safety Act," including within the definition of carnival or amusement ride any water slide exceeding 15 feet in height and any passenger or gravity propelled ride when the ride is located in an amusement area or park which contains other rides subject to the act.

This bill is intended to clarify the jurisdiction of the Division of Workplace Standards in the Department of Labor over amusement rides which are not properly defined as "mechanical devices," but which are operated by other means.

When the "Carnival-Amusements Rides Safety Act" was passed in 1975, it defined rides subject to the act (and thus subject to inspection) as those rides which were mechanically operated—i.e., utilizing an outside power source. The Department of Labor, however, assumed jurisdiction over amusement park rides which were gravity propelled or operated by means which were other than mechanical; they promulgated regulations covering these other types of rides and have consistently inspected them. A recent accident involving one of these non-mechanically driven rides has called into question the department's actual jurisdiction over this type of ride. This bill, by amending the definition of "carnival or amusement ride," clarifies the department's jurisdiction.

SENATE LABOR, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO  
ASSEMBLY, No. 2072

**STATE OF NEW JERSEY**

DATED: MARCH 7, 1983

This bill amends the definition of "carnival" or "amusement ride" in the "Carnival-Amusements Rides Safety Act to include any water slide exceeding 15 feet in height and any passenger or gravity propelled ride when the ride is located in an amusement area or park which has other rides subject to the act.

The act currently defines a carnival or amusement ride as a ride which is mechanically operated with an outside power source.

However, the Department of Labor has assumed jurisdiction over amusement park rides which are gravity propelled or operated by means which are other than mechanical; has promulgated regulations covering these types of ride; and has annually inspected such rides.

A recent accident involving a nonmechanical, water ride raised a question as to the department's jurisdiction over this type of ride. This bill clarifies the department's jurisdiction in this regard.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: PAUL WOLCOTT

MONDAY, JULY 18, 1983

Governor Thomas H. Kean has signed legislation creating the Hackensack Meadowlands Food Distribution Center Commission. The bill, S-1908, was sponsored by State Senator Frank X. Graves, D-Passaic, and was the subject of a conditional veto by the Governor.

Under amendments proposed by the Governor, authority to undertake construction and operation of a regional food distribution center is placed in the hands of the commission, which will consist of representatives from the Hackensack Meadowlands Development Commission, the municipalities in which the food center would be located, members of the public, and members of the Governor's cabinet.

The Governor has also signed the following bills:

A-2072, sponsored by Assemblyman Nicholas Felice, R-Bergen, which authorizes the Department of Labor to bring water slide rides and passenger-propelled rides over a fixed water course under the provisions of the Carnival-Amusement Rides Safety Act.

S-1563, sponsored by State Senator Edward T. O'Connor Jr., D-Hudson, which requires towing services contracted to a public or private entity such as State, local or county government and certain private authorities and commissions, to remove debris when towing vehicles from the road. The bill does not require the tow operator to remove toxic or hazardous materials which he is not equipped to handle.

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