

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1998

CHAPTER: 10

NJSA:5:3-33 et al

"Carnival amusement rides -- safety violations"

BILL NO: A1180 (Substituted for S928)

SPONSOR(S): Geist

DATE INTRODUCED: Pre-filed

COMMITTEE:

*ASSEMBLY:*Labor

*SENATE:*Law & Public Safety

AMENDED DURING PASSAGE:Yes

DATE OF PASSAGE:

ASSEMBLY: March 23, 1998

SENATE: March 30, 1998

DATE OF APPROVAL:April 29, 1998

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: 1st reprint

(Amendments during passage denoted by superscript numbers)

A1180

SPONSORS STATEMENT: *Yes* (Begins on page 4 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: Yes

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

S928

SPONSORS STATEMENT: *Yes* (Begins on page 4 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *Yes* (Identical to Assembly Statement for A1180)

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

To check for circulating copies contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 102 or refdesk@njstatelib.org

REPORTS: *No*

HEARINGS:

974.90 I59 1995

New Jersey. Recreational Sports and Leisure Activities Liability Study Commission. Meetings held 3-29-95, 4-26-95, 5-31-95, 8-30-95, 10-12-95, 11-21-95, 6 volumes, Trenton, 1995

974.90 I59 1996

New Jersey. Recreational Sports and Leisure Activities Liability Study Commission. Meeting held 9-27-96, Trenton, 1996.

NEWSPAPER ARTICLES:

"Ride safety bill advances to governor's desk,"
3-31-98, Atlantic City Press, p. C1.

"Amusement park law ends wild ride for thrill-seekers,"
4-30-98, Asbury Park Press, p. A3.

"Whitman signs legislation on amusement-ride safety,"
4-30-98, Atlantic City Press, p. A1.

"New state law cracks down on unsafe rides,"
4-30-98, Philadelphia Inquirer, (South Jersey Edition) p. B3.

[First Reprint]

ASSEMBLY, No. 1180

STATE OF NEW JERSEY
208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman GEORGE F. GEIST

District 4 (Camden and Gloucester)

Co-Sponsored by:

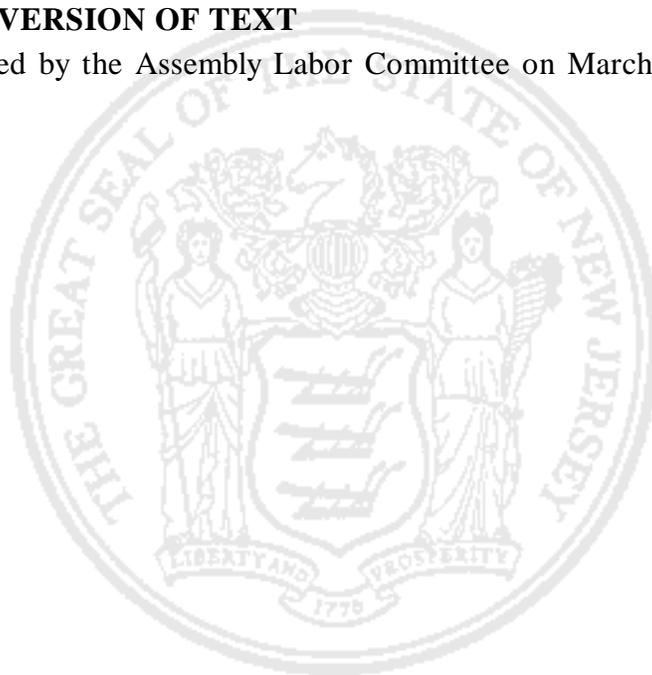
Senators Gormley, Cafiero, Singer and Baer

SYNOPSIS

Authorizes increased fines and penalties for carnival amusement ride safety violations.

CURRENT VERSION OF TEXT

As reported by the Assembly Labor Committee on March 9, 1998, with amendments.



(Sponsorship Updated As Of: 3/31/1998)

1 AN ACT concerning carnival amusement ride safety and amending and
2 supplementing P.L.1975, c.105.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 3 of P.L.1975, c.105 (C.5:3-33) is amended to read as
8 follows:

9 3. a. There is hereby established within the Department of Labor
10 **[and Industry]** an Advisory Board on Carnival-Amusement Ride
11 Safety to consist of 10 members, of whom one shall be a
12 representative of the carnival-amusement ride manufacturers, one shall
13 be a representative of the carnival-amusement owners, one shall be an
14 owner or operator of a registered fair, one shall be an owner or
15 operator of an amusement park or enterprise, one shall be a
16 representative of the insurance underwriters, one shall be a licensed
17 professional engineer, three shall be public members, and one shall be
18 a representative of the Department of Labor **[and Industry]** who shall
19 be appointed by the commissioner. The nine citizen members shall be
20 appointed by the Governor, with the advice and consent of the Senate.
21 The Governor shall designate the chairman and vice-chairman of the
22 advisory board.

23 b. Of the eight members first to be appointed by the Governor,
24 three shall be appointed for terms of 2 years, three for terms of 3
25 years, and three for terms of 4 years. All appointments thereafter
26 shall be made for terms of 4 years. All members so appointed shall
27 serve until their respective successors are appointed and shall qualify,
28 and any vacancy occurring in the appointed members of the board, by
29 expiration of term or otherwise, shall be filled in the same manner as
30 the original appointment for the unexpired term and the appointee
31 shall serve until a successor is appointed and shall qualify.

32 (cf: P.L.1975, c.105, s.3)

33
34 2. Section 6 of P.L.1975, c.105 (C.5:3-36) is amended to read as
35 follows:

36 6. The Department of Labor **[and Industry]**, pursuant to the
37 provisions of the "Administrative Procedure Act," P.L.1968, c.410
38 (C.52:14B-1 et seq.), shall adopt and promulgate rules and regulations
39 **[for the safe installation, repair, maintenance, use, operation and**
40 **inspection of all carnival-amusement rides]** ¹for the safe installation,
41 repair, maintenance, use, operation and inspection of all

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALA committee amendments adopted March 9, 1998.

1 carnival-amusement rides¹ as the department may find necessary for
2 the protection of the general public¹, including regulations concerning
3 written warnings and directions regarding the use of carnival-
4 amusement rides¹.

5 (cf: P.L.1975, c.105, s.6)

6

7 3. Section 11 of P.L.1975, c.105 (C.5:3-41) is amended to read as
8 follows:

9 11. No carnival-amusement ride may be operated without a permit
10 issued by the department. Before commencing operations and in each
11 calendar year thereafter, an owner shall apply for a permit to the
12 department on a form furnished by the department and containing such
13 information as the department may require. All carnival-amusement
14 rides shall be inspected before they are originally put into operation for
15 the public's use and thereafter at least once every year, unless
16 authorized to operate on a temporary permit. Annual permits shall be
17 issued for a period commencing January 1 and expiring the following
18 December 31, unless suspended or revoked in accordance with section
19 '[6] 7¹ of P.L. , c. (C.) (now pending before the Legislature
20 as this bill). Carnival-amusement rides **[may also be required to]** shall
21 be inspected by the owner, in accordance with standards promulgated
22 by the department, each time they are disassembled and reassembled.
23 (cf: P.L.1977, c.341, s.1)

24

25 ¹**[4.** Section 13 of P.L.1975, c.105 (C.5:3-43) is amended to read
26 as follows:

27 13. Before a new carnival-amusement ride is erected, or whenever
28 any additions or alterations are made which change the structure,
29 mechanism, classification or capacity of any carnival-amusement ride
30 or the physical spacing between rides, the owner shall file with the
31 department a notice of his intentions and any plans or diagrams
32 requested by the department. Such plans and specifications for new
33 carnival-amusement rides, or for additions or alterations thereon, shall
34 be reviewed and **[approved]** certified by an engineer retained or
35 employed by the **[department]** owner and licensed in this State as a
36 professional engineer. Upon approval of the plans and specifications
37 the department shall authorize the ride or device for use by the public.
38 (cf: P.L.1975, c.105, s.13)]¹

39

40 ¹**[5.] 4.**¹ Section 24 of P.L.1975, c.105 (C.5:3-54) is amended to
41 read as follows:

42 24. Any person who interferes in any manner with the
43 implementation of or otherwise fails to comply with the provisions of
44 this act, shall be liable to a fine of not more than **[\$500.00]** \$5,000 per
45 day for each violation to be adjudged, collected and enforced, in suit
46 filed by the department, pursuant to the provisions of "the penalty

1 enforcement law" (N.J.S.2A:58-1 et seq.).
2 (cf: P.L.1975, c.105, s.24)

3
4 ¹5. (New section) Each individual who rides a carnival-amusement
5 ride shall comply with written warnings and directions posted by the
6 operator of the carnival-amusement ride pursuant to section 6 of this
7 amendatory and supplementary act and refrain from behaving in a
8 reckless manner which may cause or contribute to the injury of the
9 individual or others. An individual who violates the provisions of this
10 section shall be guilty of a disorderly person offense.¹

11
12 ¹6. (New section) Each person who operates a carnival-
13 amusement ride shall post a written notice which complies with the
14 provisions of this section. The notice shall be posted in a conspicuous
15 public place on or near the ride in a manner consistent with standards
16 set by the Department of Labor and shall include:

17 a. The prominently displayed statement: "State law requires that
18 each rider must obey all written warnings and directions regarding this
19 ride and refrain from behaving in a reckless manner which may cause
20 or contribute to injury of the rider or others. Failure to comply is a
21 violation of law and subject to a penalty under the New Jersey Code
22 of Criminal Justice."; and

23 b. All applicable written warnings and directions regarding the use
24 of the ride which are consistent with regulations adopted by the
25 department based upon standards of nationally recognized technical or
26 scientific authorities that research the proper use of the ride and the
27 potential injuries in connection with improper use of the ride.¹
28

29 ¹[6.] 7.¹ (New section) The department shall have the power to
30 suspend or revoke an owner's permit for any good cause under the
31 meaning and purpose of P.L.1975, c.105 (C.5:3-31 et seq.).

32
33 ¹[7.] 8.¹ This act shall take effect immediately.

ASSEMBLY, No. 1180

STATE OF NEW JERSEY
208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman GEORGE F. GEIST

District 4 (Camden and Gloucester)

SYNOPSIS

Authorizes increased fines and penalties for carnival amusement ride safety violations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A1180 GEIST

2

1 AN ACT concerning carnival amusement ride safety and amending and
2 supplementing P.L.1975, c.105.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 3 of P.L.1975, c.105 (C.5:3-33) is amended to read as
8 follows:

9 3. a. There is hereby established within the Department of Labor
10 **[and Industry]** an Advisory Board on Carnival-Amusement Ride
11 Safety to consist of 10 members, of whom one shall be a
12 representative of the carnival-amusement ride manufacturers, one shall
13 be a representative of the carnival-amusement owners, one shall be an
14 owner or operator of a registered fair, one shall be an owner or
15 operator of an amusement park or enterprise, one shall be a
16 representative of the insurance underwriters, one shall be a licensed
17 professional engineer, three shall be public members, and one shall be
18 a representative of the Department of Labor **[and Industry]** who shall
19 be appointed by the commissioner. The nine citizen members shall be
20 appointed by the Governor, with the advice and consent of the Senate.
21 The Governor shall designate the chairman and vice-chairman of the
22 advisory board.

23 b. Of the eight members first to be appointed by the Governor,
24 three shall be appointed for terms of 2 years, three for terms of 3
25 years, and three for terms of 4 years. All appointments thereafter
26 shall be made for terms of 4 years. All members so appointed shall
27 serve until their respective successors are appointed and shall qualify,
28 and any vacancy occurring in the appointed members of the board, by
29 expiration of term or otherwise, shall be filled in the same manner as
30 the original appointment for the unexpired term and the appointee
31 shall serve until a successor is appointed and shall qualify.

32 (cf: P.L.1975, c.105, s.3)

33

34 2. Section 6 of P.L.1975, c.105 (C.5:3-36) is amended to read as
35 follows:

36 6. The Department of Labor **[and Industry]**, pursuant to the
37 provisions of the "Administrative Procedure Act," P.L.1968, c.410
38 (C.52:14B-1 et seq.), shall adopt and promulgate rules and regulations
39 **[for the safe installation, repair, maintenance, use, operation and**
40 **inspection of all carnival-amusement rides]** as the department may find
41 necessary for the protection of the general public.

42 (cf: P.L.1975, c.105, s.6)

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

Matter underlined thus is new matter.

A1180 GEIST

1 3. Section 11 of P.L.1975, c.105 (C.5:3-41) is amended to read as
2 follows:

3 11. No carnival-amusement ride may be operated without a permit
4 issued by the department. Before commencing operations and in each
5 calendar year thereafter, an owner shall apply for a permit to the
6 department on a form furnished by the department and containing such
7 information as the department may require. All carnival-amusement
8 rides shall be inspected before they are originally put into operation for
9 the public's use and thereafter at least once every year, unless
10 authorized to operate on a temporary permit. Annual permits shall be
11 issued for a period commencing January 1 and expiring the following
12 December 31, unless suspended or revoked in accordance with section
13 6 of P.L. , c. (C.) (now pending before the Legislature as this
14 bill). Carnival-amusement rides **【may also be required to】** shall be
15 inspected by the owner, in accordance with standards promulgated by
16 the department, each time they are disassembled and reassembled.
17 (cf: P.L.1977, c.341, s.1)

18

19 4. Section 13 of P.L.1975, c.105 (C.5:3-43) is amended to read as
20 follows:

21 13. Before a new carnival-amusement ride is erected, or whenever
22 any additions or alterations are made which change the structure,
23 mechanism, classification or capacity of any carnival-amusement ride
24 or the physical spacing between rides, the owner shall file with the
25 department a notice of his intentions and any plans or diagrams
26 requested by the department. Such plans and specifications for new
27 carnival-amusement rides, or for additions or alterations thereon, shall
28 be reviewed and **【approved】** certified by an engineer retained or
29 employed by the **【department】** owner and licensed in this State as a
30 professional engineer. Upon approval of the plans and specifications
31 the department shall authorize the ride or device for use by the public.
32 (cf: P.L.1975, c.105, s.13)

33

34 5. Section 24 of P.L.1975, c.105 (C.5:3-54) is amended to read as
35 follows:

36 24. Any person who interferes in any manner with the
37 implementation of or otherwise fails to comply with the provisions of
38 this act, shall be liable to a fine of not more than **【\$500.00】** \$5,000 per
39 day for each violation to be adjudged, collected and enforced, in suit
40 filed by the department, pursuant to the provisions of "the penalty
41 enforcement law" (N.J.S.2A:58-1 et seq.).
42 (cf: P.L.1975, c.105, s.24)

43

44 6. (New section) The department shall have the power to suspend
45 or revoke an owner's permit for any good cause under the meaning and
46 purpose of P.L.1975, c.105 (C.5:3-31 et seq.).

A1180 GEIST

1 7. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill amends and supplements the "Carnival-Amusement Rides
7 Safety Act," P.L.1975, c.105 (C.5:3-31 et seq.), to provide the
8 Department of Labor, which regulates such rides, with greater
9 discretion with respect to the fines and penalties which may be
10 imposed on ride operators who violate safety standards. Specifically,
11 the bill authorizes the department to revoke or suspend the operating
12 permit of any ride owner for good cause, and increases the fine which
13 may be imposed for violations of the act from not more than \$500 to
14 \$5,000 per day for each violation. The bill also requires that any plans
15 or diagrams filed with the department related to new rides or to
16 additions or alterations of existing rides be certified by a licensed
17 engineer retained or employed by the ride owner.

18 These measures are intended to enhance public safety following a
19 recent increase in the number of serious accidents occurring at
20 amusement parks around the State. Through August of the current
21 year, there have been eighteen such reported accidents, compared to
22 an average of approximately twelve serious accidents per year over the
23 last five years.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1180

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 9, 1998

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 1180.

As amended by the committee, this bill amends and supplements the "Carnival-Amusement Rides Safety Act," P.L.1975, c.105 (C.5:3-31 et seq.), to provide the Department of Labor with greater discretion regarding the fines and penalties which may be imposed on ride operators who violate safety standards. Specifically, the bill authorizes the department to revoke or suspend the operating permit of any ride owner for good cause, and increases the maximum fine which may be imposed for violations of the act from \$500 to \$5,000 per day for each violation. As amended, the bill also makes it a disorderly person offense, subject to a fine of up to \$1,000 and a sentence of up to six months, for a rider on a carnival amusement ride to fail to comply with posted written warnings and directions or to behave in a reckless manner which may cause or contribute to the injury of the rider or others. Each operator is required to post notice of the penalties and all of the warnings and directions.

These measures are intended to enhance public safety following a recent increase in the number of serious accidents occurring at amusement parks around the State.

The committee amendments add the provisions regarding the disorderly person offense and also retain the provision of the current law that the Department of Labor, rather than the operator, is responsible for employing the engineers who review and approve plans for new rides. Unamended, the bill had shifted that responsibility to the operator.

This bill was prefiled for introduction in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1180

STATE OF NEW JERSEY

DATED: MARCH 26, 1998

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1180 (1R).

This bill amends and supplements the "Carnival-Amusement Rides Safety Act," P.L.1975, c.105 (C.5:3-31 et seq.), to provide the Department of Labor with greater discretion regarding the fines and penalties which may be imposed on ride operators who violate safety standards. Specifically, the bill authorizes the department to revoke or suspend the operating permit of any ride owner for good cause, and increases the maximum fine which may be imposed for violations of the act from \$500 to \$5,000 per day for each violation. The bill also makes it a disorderly person offense, subject to a fine of up to \$1,000 and a sentence of up to six months, for a rider on a carnival amusement ride to fail to comply with posted written warnings and directions or to behave in a reckless manner which may cause or contribute to the injury of the rider or others. Each operator is required to post notice of the penalties and all of the warnings and directions.

These measures are intended to enhance public safety following a recent increase in the number of serious accidents occurring at amusement parks around the State.

As reported, this bill is identical to Senate Bill No. 928.

SENATE, No. 928

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MARCH 19, 1998

Sponsored by:

Senator WILLIAM L. GORMLEY

District 2 (Atlantic)

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Senators Singer and Baer

SYNOPSIS

Authorizes increased fines and penalties for carnival amusement ride safety violations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/31/1998)

S928 GORMLEY, CAFIERO

2

1 AN ACT concerning carnival amusement ride safety and amending and
2 supplementing P.L.1975, c.105.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 3 of P.L.1975, c.105 (C.5:3-33) is amended to read as
8 follows:

9 3. a. There is hereby established within the Department of Labor
10 **[and Industry]** an Advisory Board on Carnival-Amusement Ride
11 Safety to consist of 10 members, of whom one shall be a
12 representative of the carnival-amusement ride manufacturers, one shall
13 be a representative of the carnival-amusement owners, one shall be an
14 owner or operator of a registered fair, one shall be an owner or
15 operator of an amusement park or enterprise, one shall be a
16 representative of the insurance underwriters, one shall be a licensed
17 professional engineer, three shall be public members, and one shall be
18 a representative of the Department of Labor **[and Industry]** who shall
19 be appointed by the commissioner. The nine citizen members shall be
20 appointed by the Governor, with the advice and consent of the Senate.
21 The Governor shall designate the chairman and vice-chairman of the
22 advisory board.

23 b. Of the eight members first to be appointed by the Governor,
24 three shall be appointed for terms of 2 years, three for terms of 3
25 years, and three for terms of 4 years. All appointments thereafter
26 shall be made for terms of 4 years. All members so appointed shall
27 serve until their respective successors are appointed and shall qualify,
28 and any vacancy occurring in the appointed members of the board, by
29 expiration of term or otherwise, shall be filled in the same manner as
30 the original appointment for the unexpired term and the appointee
31 shall serve until a successor is appointed and shall qualify.

32 (cf: P.L.1975, c.105, s.3)

33

34 2. Section 6 of P.L.1975, c.105 (C.5:3-36) is amended to read as
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36 6. The Department of Labor **[and Industry]**, pursuant to the
37 provisions of the "Administrative Procedure Act," P.L.1968, c.410
38 (C.52:14B-1 et seq.), shall adopt and promulgate rules and regulations
39 for the safe installation, repair, maintenance, use, operation and
40 inspection of all carnival-amusement rides as the department may find
41 necessary for the protection of the general public, including

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

Matter underlined thus is new matter.

1 regulations concerning written warnings and directions regarding the
2 use of carnival-amusement rides.

3 (cf: P.L.1975, c.105, s.6)

4

5 3. Section 11 of P.L.1975, c.105 (C.5:3-41) is amended to read as
6 follows:

7 11. No carnival-amusement ride may be operated without a permit
8 issued by the department. Before commencing operations and in each
9 calendar year thereafter, an owner shall apply for a permit to the
10 department on a form furnished by the department and containing such
11 information as the department may require. All carnival-amusement
12 rides shall be inspected before they are originally put into operation for
13 the public's use and thereafter at least once every year, unless
14 authorized to operate on a temporary permit. Annual permits shall be
15 issued for a period commencing January 1 and expiring the following
16 December 31, unless suspended or revoked in accordance with section
17 7 of P.L. , c. (C.) (now pending before the Legislature as this
18 bill). Carnival-amusement rides **【may also be required to】** shall be
19 inspected by the owner, in accordance with standards promulgated by
20 the department, each time they are disassembled and reassembled.

21 (cf: P.L.1977, c.341, s.1)

22

23 4. Section 24 of P.L.1975, c.105 (C.5:3-54) is amended to read as
24 follows:

25 24. Any person who interferes in any manner with the
26 implementation of or otherwise fails to comply with the provisions of
27 this act, shall be liable to a fine of not more than **【\$500.00】** \$5,000 per
28 day for each violation to be adjudged, collected and enforced, in suit
29 filed by the department, pursuant to the provisions of "the penalty
30 enforcement law" (N.J.S. 2A:58-1 et seq.).

31 (cf: P.L.1975, c.105, s.24)

32

33 5. (New section) Each individual who rides a carnival-amusement
34 ride shall comply with written warnings and directions posted by the
35 operator of the carnival-amusement ride pursuant to section 6 of this
36 amendatory and supplementary act and refrain from behaving in a
37 reckless manner which may cause or contribute to the injury of the
38 individual or others. An individual who violates the provisions of this
39 section shall be guilty of a disorderly person offense.

40

41 6. (New section) Each person who operates a carnival-amusement
42 ride shall post a written notice which complies with the provisions of
43 this section. The notice shall be posted in a conspicuous public place
44 on or near the ride in a manner consistent with standards set by the
45 Department of Labor and shall include:

1 a. The prominently displayed statement: "State law requires that
2 each rider must obey all written warnings and directions regarding this
3 ride and refrain from behaving in a reckless manner which may cause
4 or contribute to injury of the rider or others. Failure to comply is a
5 violation of law and subject to a penalty under the New Jersey Code
6 of Criminal Justice."; and

7 b. All applicable written warnings and directions regarding the use
8 of the ride which are consistent with regulations adopted by the
9 department based upon standards of nationally recognized technical or
10 scientific authorities that research the proper use of the ride and the
11 potential injuries in connection with improper use of the ride.¹

12
13 7. (New section) The department shall have the power to suspend
14 or revoke an owner's permit for any good cause under the meaning and
15 purpose of P.L.1975, c.105 (C.5:3-31 et seq.).

16
17 8. This act shall take effect immediately.

18
19
20 STATEMENT

21
22 This bill amends and supplements the "Carnival-Amusement Rides
23 Safety Act," P.L.1975, c.105 (C.5:3-31 et seq.), to provide the
24 Department of Labor with greater discretion regarding the fines and
25 penalties which may be imposed on ride operators who violate safety
26 standards. Specifically, the bill authorizes the department to revoke
27 or suspend the operating permit of any ride owner for good cause, and
28 increases the maximum fine which may be imposed for violations of
29 the act from \$500 to \$5,000 per day for each violation. The bill also
30 makes it a disorderly person offense, subject to a fine of up to \$1,000
31 and a sentence of up to six months, for a rider on a carnival
32 amusement ride to fail to comply with posted written warnings and
33 directions or to behave in a reckless manner which may cause or
34 contribute to the injury of the rider or others. Each operator is
35 required to post notice of the penalties and all of the warnings and
36 directions.

37 These measures are intended to enhance public safety following a
38 recent increase in the number of serious accidents occurring at
39 amusement parks around the State.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 928

STATE OF NEW JERSEY

DATED: MARCH 26, 1998

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 928.

This bill amends and supplements the "Carnival-Amusement Rides Safety Act," P.L.1975, c.105 (C.5:3-31 et seq.), to provide the Department of Labor with greater discretion regarding the fines and penalties which may be imposed on ride operators who violate safety standards. Specifically, the bill authorizes the department to revoke or suspend the operating permit of any ride owner for good cause, and increases the maximum fine which may be imposed for violations of the act from \$500 to \$5,000 per day for each violation. The bill also makes it a disorderly person offense, subject to a fine of up to \$1,000 and a sentence of up to six months, for a rider on a carnival amusement ride to fail to comply with posted written warnings and directions or to behave in a reckless manner which may cause or contribute to the injury of the rider or others. Each operator is required to post notice of the penalties and all of the warnings and directions.

These measures are intended to enhance public safety following a recent increase in the number of serious accidents occurring at amusement parks around the State.

As reported, this bill is identical to Assembly Bill No. 1180(1R).

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: JAYNE O'CONNOR
Julie Plocinik
609-777-2600
RELEASE: April 29, 1998

**GOVERNOR SIGNS LAW RAISING THE BAR ON AMUSEMENT RIDE SAFETY,
CRACKING DOWN ON SAFETY VIOLATORS**

Gov. Christie Whitman today helped ensure the safety of New Jersey thrill seekers, children and vacationers when she signed legislation that raises the bar on amusement ride safety and cracks down on violators of ride safety regulations. The law authorizes the Department of Labor to revoke or suspend the license of ride operators who violate the law.

"This law raises the bar on amusement ride safety and cracks down on violators of our safety rules," said Gov. Whitman. "The law provides for stiffer fines and penalties for ride operators who don't meet our standards. The law will ensure that New Jersey's amusement parks and carnivals put safety first."

"Now everyone who buckles up on a ride will do so trusting that the ride operator has tested the equipment, the ride has met safety standards, and that the operator has put safety first," said the Governor. "As we get ready for the summer tourism rush, we can ensure that everyone will have a perfectly safe summer."

Gov. Whitman signed the legislation during a visit to Six Flags Great Adventure theme park, one of New Jersey's premier tourist destinations. Gov. Whitman took part in safety checks and helped launch the "Batman & Robin: The Chiller" ride. Students from Ocean County were on hand to learn about the importance of abiding by passenger rules for amusement rides and also to ride "The Chiller."

The legislation signed by the Governor strengthens the Carnival Amusement Rides Safety Act, authorizing the revocation or suspension of the license of a ride operator for good cause. The law increases the maximum fine for violations from \$500 to \$5,000 for each violation.

Under the law, all plans for new carnival rides, or for additions or alterations to rides, must be reviewed and certified by a state-licensed engineer.

Additionally, the bill requires individuals who ride carnival or amusement rides to refrain from reckless behavior and comply with written warnings and directions posted by the ride operator. Violators will be charged with a disorderly persons offense and can be subject to a fine of up to \$1,000 and up to six months in jail.

"This legislation passed both houses of the Legislature without one dissenting vote. That kind of support sends a strong message: New Jersey is serious about

ride safety - and we intend to back up our concerns with tough penalties for those who put citizens at risk of injury," said the Governor.

The legislation, A-1180, was sponsored by Assembly Member George Geist (R-Camden/Gloucester) and Senators William Gormley (R- Atlantic) and James Cafiero (R-Cape May/Atlantic/Cumberland).
