

1 AN ACT concerning carnival and amusement rides.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Carnival and Amusement Rides Safety Act
5 is amended by changing Sections 2-2, 2-10, and 2-12 as
6 follows:

7 (430 ILCS 85/2-2) (from Ch. 111 1/2, par. 4052)

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

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

12 2. "Department" means Department of Labor.

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

21 4. "Amusement ride" means:

22 (a) any mechanized device or combination of
23 devices, including electrical equipment which is an
24 integral part of the device or devices, which carries
25 passengers along, around, or over a fixed or restricted
26 course for the primary purpose of giving its passengers
27 amusement, pleasure, thrills, or excitement;

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

30 (c) (blank); any-water-slide,--or--water--amusement
31 device--in--a--water-amusement-area,--not--regulated--by--the

1 Department-of-Public-Health-pursuant-to--the--Youth--Camp
 2 Act,--the-Campground-Licensing-and-Recreational-Area-Act,
 3 or-the-Swimming-Pool-and-Bathing-Beach-Act;

4 (d) any dry slide over 20 feet in height, alpine
 5 slide, or toboggan slide;

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

15 (f) any bungee cord or similar elastic device.

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

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

23 7. "Operator" means a person, or the agent of a person,
 24 who owns or controls or has the duty to control the operation
 25 of an amusement ride or an amusement attraction at a carnival
 26 or fair. "Operator" includes an agency of the State or any of
 27 its political subdivisions.

28 (Source: P.A. 88-219.)

29 (430 ILCS 85/2-10) (from Ch. 111 1/2, par. 4060)
 30 Sec. 2-10. No amusement ride or amusement attraction
 31 shall be operated at a carnival or fair in this State without
 32 a permit having been issued by the Director to an operator of
 33 such equipment. On or before the first of May of each year,

1 any person required to obtain a permit by this Act shall
 2 apply to the Director for a permit on a form furnished by the
 3 Director which form shall contain such information as the
 4 Director may require. The Director may waive the requirement
 5 that an application for a permit must be filed on or before
 6 May 1 of each year if the applicant gives satisfactory proof
 7 to the Director that he could not reasonably comply with the
 8 date requirement and if the applicant immediately applies for
 9 a permit after the need for a permit is first determined. For
 10 the purpose of determining if an amusement ride or amusement
 11 attraction is in safe operating condition and will provide
 12 protection to the public using such amusement ride or
 13 amusement attraction, each amusement ride or amusement
 14 attraction shall be inspected by the Director before it is
 15 initially placed in operation in this State, and shall
 16 thereafter be inspected at least once each year.

17 If, after inspection, an amusement ride or amusement
 18 attraction is found to comply with the rules adopted under
 19 this Act, the Director shall issue a permit for the operation
 20 of the amusement ride or amusement attraction. The permit
 21 shall be issued conditioned upon the payment of the permit
 22 fee and any applicable inspection fee at the time the
 23 application for permit to operate is filed with the
 24 Department ~~within-7-days-following-the-inspection~~ and may be
 25 suspended as provided in the Department's rules.

26 If, after inspection, additions or alterations are
 27 contemplated which change a structure, mechanism,
 28 classification or capacity, the operator shall notify the
 29 Director of his intentions in writing and provide any plans
 30 or diagrams requested by the Director.

31 (Source: P.A. 85-325.)

32 (430 ILCS 85/2-12) (from Ch. 111 1/2, par. 4062)

33 Sec. 2-12. Order for cessation of operation of amusement

1 ride or attraction.

2 (a) The Director or an inspector hired by the Department
3 of Labor may order, in writing, a temporary and immediate
4 cessation of operation of any amusement ride or amusement
5 attraction if it:

6 (1) has been determined after inspection to be
7 hazardous or unsafe;

8 (2) is in operation before the Director has issued
9 a permit to operate such equipment; or

10 (3) the owner or operator is not in compliance with
11 the insurance requirements contained in Section 2-14 of
12 this Act.

13 (b) Operation of the amusement ride or amusement
14 attraction shall not resume until:

15 (1) the unsafe or hazardous condition is corrected
16 to the satisfaction of the Director or such inspector;

17 (2) the Director has issued a permit to operate
18 such equipment; or

19 (3) the owner or operator is in compliance with the
20 insurance requirements contained in Section 2-14 of this
21 Act, respectively.

22 (Source: P.A. 83-1240.)

23 Section 99. This Act takes effect upon becoming law,
24 except that the changes to Section 2-10 of the Carnival and
25 Amusement Rides Safety Act take effect on January 1, 2002,
26 and the changes to Section 2-2 of the Carnival and Amusement
27 Rides Safety Act take effect on July 1, 2001.