

## **CARNIVAL RIDE OPERATORS: REQUIRE TRAINING AND ALLOW TO BE 16 OR OLDER**

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<http://www.house.mi.gov/hfa>

**House Bill 5134 (proposed substitute H-1)**  
**Sponsor: Rep. Greg VanWoerkom**  
**Committee: Regulatory Reform**  
**Complete to 1-27-20**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

House Bill 5134 would amend the Carnival-Amusement Safety Act to allow an individual who is at least 16 years of age to operate a carnival-amusement ride and to require certain training for carnival-amusement ride operators.

The bill would allow an individual to operate a carnival-amusement ride if he or she was at least 16 years of age. The bill would prohibit the Department of Licensing and Regulatory Affairs from promulgating a rule requiring an individual to be older than 16 to operate a ride.

The bill would also prohibit an individual from operating a carnival-amusement ride unless he or she had been trained in all of the following:

- Operating procedures specific to the ride.
- The specific duties that apply to each of the ride's assigned positions.
- The general procedures of the carnival or amusement park.
- The safety procedures—both general and ride-specific—that he or she must follow in the event of an unusual condition, interruption in operation, injury, emergency, or evacuation.

A violation of the above provisions would be a misdemeanor punishable by imprisonment for up to 90 days or a fine of up to \$500, or both, under section 17 of the act. Each day of violation would be a separate offense. [Note: Section 17 prescribes penalties for “a person who violates this act.” It is unclear whether penalties for violating the bill could apply to the owner or operator of an amusement park or carnival or only to the individuals described in the bill.]

MCL 408.660

### **BACKGROUND:**

R 408.848 of the Michigan Administrative Code currently provides: “The operator of a ride designed for the exclusive use of children and the operator of other rides for which the operator does not have mechanical or electrical controls shall be not less than 16 years of age. For all other rides, an operator shall be not less than 18 years of age.”

## **FISCAL IMPACT:**

House Bill 5134 would have an indeterminate fiscal impact on the state and on local units of government. The number of convictions that would result under provisions of the bill is not known. New misdemeanor convictions would increase costs related to county jails and/or local misdemeanor probation supervision. Costs of local incarceration in county jails and local misdemeanor probation supervision, and how those costs are financed, vary by jurisdiction. The fiscal impact on local court systems would depend on how provisions of the bill affected caseloads and related administrative costs. Any increase in penal fine revenue would increase funding for local libraries, which are the constitutionally designated recipients of those revenues.

The bill would not have an appreciable fiscal impact on the Department of Licensing and Regulatory Affairs.

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