

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.