

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

H

1

HOUSE BILL 609

Short Title: Enhance Elevator & Amusement Device Safety. (Public)

Sponsors: Representative Baker.

Referred to: Occupational Safety and Health.

March 24, 2003

A BILL TO BE ENTITLED
AN ACT TO ENHANCE SAFETY LAWS PERTAINING TO THE ELEVATOR AND
AMUSEMENT DEVICE ACTS OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 95-111.2(b) reads as rewritten:

"(b) This Article shall not apply to any device which does not normally require the supervision or services of an operator. ~~Unless they are located in an amusement park or carnival area, the following devices or attractions are exempt from this Article:~~

(1) ~~Hot or cold air inflatable devices;~~

(2) ~~Bumper boats; and~~

(3) ~~Simulator devices that simulate the movement shown on various video tapes."~~

SECTION 2. G.S. 95-111.5(b) reads as rewritten:

"(b) An owner of a device subject to the provisions of this Article, or his authorized agent, is hereby required to maintain for at least ~~30~~180 days a signed record of the required pre-opening inspection and test and such other pertinent information as the Commissioner may require by rule or regulation."

SECTION 3. G.S. 95-111.8 reads as rewritten:

"§ 95-111.8. Location notice.

No person shall operate for the public or permit the operation for the public any device subject to the provisions of this Article after initial assembly or after reassembly at any location within this State without first notifying the Commissioner of the intention to operate for the public. Written notice of a planned schedule of operation or use shall be received at least ~~five~~10 days prior to the first planned date of operation or use. ~~Notice of unscheduled use shall be given immediately to the Commissioner by telephone or telegraph."~~

SECTION 4. G.S. 95-111.11 reads as rewritten:

"§ 95-111.11. Operators.

1 Any operator of a device subject to the provisions of this Article shall be at least 18
2 years of age. An operator shall operate no more than one device at any given time. An
3 operator shall be in attendance at all times the device is in operation. An operator shall
4 not operate amusement device equipment while under the influence of alcohol or any
5 other impairing substance as defined by G.S. 20-4.01(14a)."

6 **SECTION 5.** This act is effective when it becomes law.