

Act No. 163  
Public Acts of 2014  
Approved by the Governor  
June 11, 2014  
Filed with the Secretary of State  
June 11, 2014  
EFFECTIVE DATE: June 11, 2014

**STATE OF MICHIGAN  
97TH LEGISLATURE  
REGULAR SESSION OF 2014**

Introduced by Reps. LaFontaine and Lund

# **ENROLLED HOUSE BILL No. 4691**

AN ACT to amend 1966 PA 225, entitled “An act to provide for the inspection, licensing, and regulation of carnival and amusement rides; to provide for the safety of the public using carnival and amusement rides; to create a carnival-amusement safety board in the department of licensing and regulation; to provide for the disposition of revenues; to make an appropriation; and to provide penalties for violations,” by amending the title and sections 6, 7, 10, 11, 13, 14, and 15 (MCL 408.656, 408.657, 408.660, 408.661, 408.663, 408.664, and 408.665), the title and sections 7 and 11 as amended by 1982 PA 35; and to repeal acts and parts of acts.

*The People of the State of Michigan enact:*

## TITLE

An act to provide for the inspection, licensing, and regulation of carnival and amusement rides; to provide for the safety of the public using carnival and amusement rides; to provide for the powers and duties of certain state governmental officers and entities; to provide for the disposition of revenues; and to prescribe penalties.

Sec. 6. The department shall promulgate and formulate definitions, codes, and rules for the safe installation, repair, maintenance, use, operation and inspection of all carnival-amusement rides as the department finds necessary for the protection of the general public who use carnival and amusement rides. The definitions, codes, and rules shall be reasonable and based on generally accepted engineering standards, formulas, and practices and shall be promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

Sec. 7. The director shall administer and enforce this act and all codes and rules promulgated by the department.

Sec. 10. A person shall not operate a carnival-amusement ride without a permit issued by the director. On or before March 1 of each year, an operator shall apply for a permit to the director on a form furnished by the director and containing the information required by the department. A carnival-amusement ride shall be inspected before it is originally put into operation for the public's use and at least once every year while in operation, unless operation of the ride is authorized on a temporary permit. The department may also inspect a carnival-amusement ride each time it is disassembled and reassembled.

Sec. 11. If, after inspection, a carnival-amusement ride is found to comply with the rules of the department, the inspector shall issue a permit to operate.

Sec. 13. The director may order, in writing, a temporary cessation of operation of a carnival-amusement ride if it is determined after inspection to be hazardous or unsafe. Operation of the ride shall not resume until the hazardous or unsafe condition is corrected to the satisfaction of the director.

Sec. 14. This act does not prevent the use of any existing carnival-amusement ride if an inspection finds that the ride is in a safe condition and conforms to the rules of the department.

Sec. 15. If there are practical difficulties or unnecessary hardships for an operator to comply with the rules under this act, the director may modify the application of those rules or if the spirit of the rules is observed and the public safety is secure. Any operator may make a written request to the department stating its grounds and applying for a modification described in this section. Any authorization by the director under this section must be in writing and shall describe the conditions under which the modification is permitted. The department shall keep a record of all modifications under this section that is open to the public.

Enacting section 1. Sections 3, 4, and 5 of the carnival-amusement safety act of 1966, 1966 PA 225, MCL 408.653, 408.654, and 408.655, are repealed.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor