

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS75122-LR-52 (03/13)

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

Sponsors: Senator Kerr.

Referred to:

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

4 The General Assembly of North Carolina enacts:

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

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

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

10 (2) ~~Bumper boats; and~~

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

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

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

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

19 **"§ 95-111.8. Location notice.**

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

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

1 **"§ 95-111.11. Operators.**

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

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