

5868--A

Cal. No. 259

2011-2012 Regular Sessions

I N S E N A T E

July 27, 2011

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the labor law, in relation to amusement device and attraction awareness

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 870-o of the labor law, as added by chapter 367 of
2 the laws of 2006, is amended to read as follows:
3 S 870-o. Amusement device and attraction awareness. The department
4 shall develop, establish and implement, in cooperation with the carnival,
5 fair and amusement park safety advisory board established in
6 section eight hundred seventy-n of this article, a program to educate
7 and provide awareness to the public on the risks of amusement devices
8 and attractions to both adults and children, and how adults can take
9 steps to assure their own safety and the safety of children in their
10 care. The program established pursuant to this section shall provide and
11 disseminate guidelines for safety while riding or using amusement
12 devices or attractions by adults, adolescents and children. Such program
13 shall utilize written information provided to the public [and] THROUGH
14 the posting of conspicuous signs at carnivals, fairs and amusement
15 parks, as required by law or regulation AS WELL AS THROUGH THE CREATION
16 OF A PUBLICLY ACCESSIBLE WEBSITE AS DEFINED IN SECTION EIGHT HUNDRED
17 SEVENTY-P OF THIS ARTICLE, THE ELECTRONIC ADDRESS OF WHICH SHALL ALSO BE
18 POSTED.
19 S 2. The labor law is amended by adding a new section 870-p to read
20 as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 S 870-P. AMUSEMENT DEVICE AND ATTRACTION SAFETY AND INSPECTION AWARE-
2 NESS. THE DEPARTMENT SHALL DEVELOP, ESTABLISH AND IMPLEMENT, IN COOPER-
3 ATION WITH THE CARNIVAL, FAIR AND AMUSEMENT PARK SAFETY ADVISORY BOARD
4 ESTABLISHED IN SECTION EIGHT HUNDRED SEVENTY-N OF THIS ARTICLE, A
5 PUBLICLY ACCESSIBLE WEBSITE TO PROVIDE AWARENESS TO THE PUBLIC OF THE
6 LICENSING AND SAFETY HISTORY OF ANY AMUSEMENT DEVICES AND ATTRACTIONS
7 LICENSED IN THE STATE. SAID WEBSITE SHALL CONTAIN THE DATE OF ANY SAFETY
8 INSPECTIONS, THE DATE OF SUBMISSION OF AN APPLICATION FOR AN AMUSEMENT
9 DEVICE, DETAILED CRITERIA USED TO DETERMINE THE APPROVAL OF SAID APPLI-
10 CATION, A SUMMARY OR THE FULL TEXT OF THE VISITING INSPECTOR'S REPORT,
11 ANY ISSUED FINES OR VIOLATIONS FOR AN AMUSEMENT DEVICE OR ATTRACTION
12 OPERATOR AFTER A PERMIT HAS BEEN ISSUED FOR ITS USE BY THE PUBLIC, DATE
13 AND PROOF OF PAYMENT OR REDRESS OF ANY FINES OR VIOLATIONS, A HISTORY OF
14 ANY REPORTED ACCIDENTS OR INJURIES AS REPORTED BY THE DEPARTMENT IN
15 CONNECTION TO THE AMUSEMENT DEVICE OR ATTRACTION, AND THE FULL TEXT OF
16 THE FINDINGS OF ANY INVESTIGATIONS CONDUCTED OR ORGANIZED BY THE DEPART-
17 MENT IN RELATION TO ANY REPORTED INFRACTION, ACCIDENT OR INJURY. ANY
18 SUCH INFORMATION SHALL BE POSTED TO THE WEBSITE WITHIN SIXTY DAYS OF ITS
19 APPROVAL WITHIN THE DEPARTMENT.

20 S 3. This act shall take effect on the two hundred fortieth day after
21 it shall have become a law, provided, however, that any rule or regu-
22 lation necessary for the timely implementation of this act on its effec-
23 tive date shall be promulgated on or before such date.