

# STATE OF NEW YORK

8187

2017-2018 Regular Sessions

## IN ASSEMBLY

June 1, 2017

Introduced by M. of A. TITUS -- (at request of the Department of Labor)  
-- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to the safety of amusement devices at places of public accommodation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 870-a of the labor law, as amended by chapter 643 of the laws of 1986, is amended to read as follows:

1. The purpose of this article is to guard against personal injuries in the assembly, disassembly and use of amusement devices, viewing stands and tents at carnivals, fairs and amusement parks and amusement devices at places of public accommodation to persons employed at or attending the same, and, in the event of a personal injury, to insure to the injured party the possibility of financial recovery as against the owner of the carnival, fair ~~[or]~~, amusement park or place of public accommodation where the injury occurred.

§ 2. Subdivision 1 of section 870-b of the labor law, as amended by chapter 643 of the laws of 1986, is amended to read as follows:

1. This article applies to amusement devices, viewing stands and tents at carnivals, fairs and amusement parks where an admission or fee is customarily or usually charged located within the state, to amusement devices at places of public accommodation and to the managers of such devices, to the persons employed in connection with the same and to their employees.

§ 3. Section 870-c of the labor law is amended by adding a new subdivision 18 to read as follows:

18. "Places of public accommodation" means any commercial establishments dealing with goods and services of any kind including those that sell or provide food or beverages, including, but not limited to, shopping centers, malls, wholesale and retail stores, restaurants, bars, and any other place designated by the commissioner.

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

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1 § 4. Section 870-i of the labor law, as amended by chapter 643 of the  
2 laws of 1986, is amended to read as follows:

3 § 870-i. Additional rule making. The commissioner may make additional  
4 rules consistent with this article guarding against personal injuries in  
5 the assembly, disassembly and use of amusement devices, viewing stands  
6 and tents at carnivals, fairs and amusement parks and amusement devices  
7 at places of public accommodation to persons employed at or to persons  
8 attending the carnivals, fairs [~~and~~], amusement parks, and places of  
9 public accommodation. Where the carnivals, fairs [~~and~~], amusement parks,  
10 and places of public accommodation are located within the city of New  
11 York, the department of buildings of the city of New York may also make  
12 and enforce such additional rules.

13 § 5. Subdivision (a) of section 870-m of the labor law, as amended by  
14 chapter 643 of the laws of 1986, is amended to read as follows:

15 (a) In the case of an amusement device, viewing stand or tent operated  
16 in a carnival, fair [~~or~~], amusement park or place of public accommo-  
17 dation located in a city having a population of over one million, a  
18 permit or license issued by such city shall satisfy the requirements of  
19 section eight hundred seventy-d of this article, provided that all the  
20 requirements for issuance of a permit by the commissioner have been  
21 satisfied.

22 § 6. This act shall take effect on the one hundred eightieth day after  
23 it shall have become a law.