

HCS HB 1929 -- LIABILITY OF AMUSEMENT RIDE OWNERS

SPONSOR: Austin

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Tourism and Natural Resources by a vote of 14 to 4.

This bill specifies that no action can be maintained against any amusement park, an owner or operator of an amusement park or amusement ride, or their employees or agents on account of any damages or injuries sustained due to a defect or unsafe condition of or on any real property where the amusement park is located or any defect or unsafe condition of or on an amusement ride unless and until written or verbal notification has been given to the owner or operator within two business days of the alleged damage or injury and written notification has been given to the owner or operator within 30 days of the damage or injury. The notice must include the location where and the time when the damage or injury occurred and the circumstances surrounding the occurrence. The notice required under these provisions is waived if emergency services responded to the scene of the amusement park or amusement ride to treat any alleged injuries sustained due to any alleged defect or unsafe condition of the park or ride.

An amusement park must prominently display at the main entrance to the park a sign containing letters of not less than one inch and not more than six inches in height, which must read: "IF YOU ARE INJURED IN THIS PARK AND WISH TO MAKE A CLAIM AGAINST THIS PARK, YOU MUST CALL THIS PHONE NUMBER WITHIN TWO (2) BUSINESS DAYS OF THE INJURY: []."

PROPONENTS: Supporters say that the bill will help keep patrons of amusement parks safer by requiring anyone injured at the park to notify the park of the injury and of any faulty equipment or grounds keeping.

Testifying for the bill was Representative Austin.

OPPONENTS: Those who oppose the bill say that the notice requirements do not give an injured patron time to see a doctor or for symptoms to manifest after the injury. Also, an amusement park should have to post signs regarding the notification requirements for an injury.

Testifying against the bill was Missouri Association of Trial Attorneys.