
SENATE BILL 5145

State of Washington

53rd Legislature

1993 Regular Session

By Senator Winsley

Read first time 01/15/93. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to amusement rides; amending RCW 67.42.010,
2 67.42.020, 67.42.040, and 67.42.060; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

5 Bungee jumping is growing in popularity as a new source of
6 entertainment for the citizens of this state;

7 Individuals have suffered serious injuries in states where the
8 regulation of this activity was minimal or nonexistent; and

9 The potential for harm to individuals participating in this
10 activity likely increases in the absence of state regulation of these
11 activities.

12 (2) It is the intent of the legislature to require bungee jumping
13 operations to be regulated by the state to the extent necessary to
14 protect the health and safety of individuals participating in this
15 activity.

16 **Sec. 2.** RCW 67.42.010 and 1985 c 262 s 1 are each amended to read
17 as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

3 (1) "Amusement structure" means (~~any~~) electrical or mechanical
4 devices or combinations (~~thereof~~) of devices operated for revenue and
5 to provide amusement or entertainment to viewers or audiences at
6 carnivals, fairs, or amusement parks. "Amusement structure" also means
7 a bungee jumping device regardless of where located. "Amusement
8 structure" does not include games in which a member of the public must
9 perform an act, nor concessions at which customers may make purchases.

10 (2) "Amusement ride" means any vehicle, boat, bungee jumping
11 device, or other mechanical device moving upon or within a structure,
12 along cables or rails, through the air by centrifugal force or
13 otherwise, or across water, that is used to convey one or more
14 individuals for amusement, entertainment, diversion, or recreation.
15 "Amusement ride" includes, but is not limited to, devices commonly
16 known as skyrides, ferris wheels, carousels, parachute towers, tunnels
17 of love, bungee jumping devices, and roller coasters. "Amusement ride"
18 (~~shall~~) does not include: (a) Conveyances for persons in
19 recreational winter sports activities such as ski lifts, ski tows, j-
20 bars, t-bars, and similar devices subject to regulation under chapter
21 70.88 RCW; (b) any single-passenger coin-operated ride that is
22 manually, mechanically, or electrically operated and customarily placed
23 in a public location and that does not normally require the supervision
24 or services of an operator; (c) nonmechanized playground equipment,
25 including but not limited to, swings, seesaws, stationary spring-
26 mounted animal features, rider-propelled merry-go-rounds, climbers,
27 slides, trampolines, and physical fitness devices; or (d) water slides.

28 (3) "Department" means the department of labor and industries.

29 (4) "Insurance policy" means an insurance policy written by an
30 insurer authorized to do business in this state under Title 48 RCW.

31 **Sec. 3.** RCW 67.42.020 and 1986 c 86 s 1 are each amended to read
32 as follows:

33 Before operating any amusement ride or structure, the owner or
34 operator shall:

35 (1) Obtain a permit pursuant to RCW 67.42.030;

36 (2) Have the amusement ride or structure inspected for safety at
37 least once annually by an insurer, a person with whom the insurer has
38 contracted, or a person who meets the qualifications set by the

1 department and obtain from the insurer or person a written certificate
2 that the inspection has been made and that the amusement ride or
3 structure meets the standards for coverage and is covered by the
4 insurer as required by subsection (3) of this section. A bungee
5 jumping device, including the crane, man lift, bungee cord, and landing
6 device shall be inspected for safety prior to beginning operation and
7 annually by an insurer, a person with whom the insurer has contracted,
8 the department, or a person authorized by the department to inspect
9 bungee jumping devices. The operator of the bungee jumping device
10 shall obtain a written certificate which states that the required
11 inspection has been made and the bungee jumping device meets the
12 standards for coverage and is covered by the insurer as required by
13 subsection (3) of this section;

14 (3) Have and keep in effect an insurance policy in an amount not
15 less than one million dollars per occurrence insuring: (a) The owner
16 or operator; and (b) any municipality or county on whose property the
17 amusement ride or structure stands, or any municipality or county which
18 has contracted with the owner or operator against liability for injury
19 to persons arising out of the use of the amusement ride or structure;

20 (4) File with the department the inspection certificate and
21 insurance policy required by this section; and

22 (5) File with each sponsor, lessor, landowner, or other person
23 responsible for an amusement structure or ride being offered for use by
24 the public a certificate stating that the insurance required by
25 subsection (3) of this section is in effect.

26 **Sec. 4.** RCW 67.42.040 and 1985 c 262 s 4 are each amended to read
27 as follows:

28 (1) Except as provided in subsection (2) of this section or unless
29 a shorter period is specified by the department, permits issued under
30 RCW 67.42.030 are valid for a one-year period.

31 (2) If an amusement ride or structure is materially rebuilt or
32 materially modified so as to change the original action of the
33 amusement ride or structure, the amusement ride or structure shall be
34 subject to a new inspection under RCW 67.42.020 and the owner or
35 operator shall apply for a new permit under RCW 67.42.030.

36 (3) If an amusement ride or structure for which a permit has been
37 issued pursuant to RCW 67.42.030 is moved and installed in another
38 place but is not materially rebuilt or materially modified so as to

1 change the original action of the amusement ride or structure, no new
2 permit is required prior to the expiration of the permit.

3 (4) A bungee jumping device or a part of a device, including the
4 crane, man lift, bungee cord, or landing device, that is replaced shall
5 be reinspected by the department or a person authorized by the
6 department to inspect bungee jumping devices, and the owner or operator
7 of the device shall apply for a new permit under RCW 67.42.030.

8 **Sec. 5.** RCW 67.42.060 and 1985 c 262 s 6 are each amended to read
9 as follows:

10 (1) The department may charge a reasonable fee not to exceed ten
11 dollars for each permit issued under RCW 67.42.030. All fees collected
12 by the department under this chapter shall be deposited in the state
13 general fund. This subsection does not apply to permits issued under
14 RCW 67.42.030 to operate a bungee jumping device.

15 (2) The department may charge a reasonable fee not to exceed one
16 hundred dollars for each permit issued under RCW 67.42.030 to operate
17 a bungee jumping device. Fees collected under this subsection shall be
18 deposited in the state general fund for appropriation for the
19 permitting and inspection of bungee jumping devices under this chapter.

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