

40-4801. Amusement ride insurance act; definitions. As used in K.S.A. 40-4801 through 40-4803 and amendments thereto:

(a) (1) "Amusement ride" means any mechanical or electrical device that carries or conveys passengers along, around or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills or excitement and shall include but not be limited to:

(A) Rides commonly known as ferris wheels, carousels, parachute towers, bungee jumping, reverse bungee jumping, tunnels of love and roller coasters;

(B) equipment generally associated with winter activities, such as ski lifts, ski tows, j-bars, t-bars, chair lifts and aerial tramways;

(C) equipment not originally designed to be used as an amusement ride, such as cranes or other lifting devices, when used as part of an amusement ride;

(D) any inflatable equipment or other device that does not have a rigid structure or frame and which is inflated or otherwise supported by air pressure; and

(E) any amusement ride not excluded under paragraph (2) of this subsection.

(2) "Amusement ride" shall not include:

(A) Games, concessions and associated structures;

(B) any single passenger coin-operated ride that: (i) Is manually, mechanically or electrically operated; (ii) is customarily placed in a public location; and (iii) does not normally require the supervision or services of an operator; and

(C) nonmechanized playground equipment, including, but not limited to, swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides, trampolines and physical fitness devices.

(b) "Operator" means a person actually engaged in or directly controlling the operations of an amusement ride.

(c) "Owner" means a person who owns, leases, controls or manages the operations of an amusement ride and may include the state or any political subdivision of the state.

History: L. 2000, ch. 147, § 54; July 1.

40-4802. Same; financial responsibility requirements; exceptions. No amusement ride shall be operated in this state unless at the time of operation the owner has in effect an insurance policy insuring the owner and operator against liability for bodily injury to persons arising out of the operation of the amusement ride. The insurance policy shall be written by an insurance company doing business in Kansas. Such insurance policy shall:

(a) Provide for coverage in an amount not less than \$1,000,000 except that this requirement shall not apply if the owner of such amusement ride is the state, any subdivision of the state or a not-for-profit organization organized under the laws of Kansas; and

(b) name as an additional insured any person contracting with the owner for the amusement ride's operation.

History: L. 2000, ch. 147, § 55; L. 2005, ch. 77, § 1; July 1.

40-4803. Same; local government, insurance and safety standards. The governing body of any city or county may establish and enforce safety standards for amusement rides and may require insurance in an amount which exceeds the amount required by K.S.A. 40-4802, and amendments thereto. The governing body of any city or county may allow, in lieu of an insurance policy, an owner or operator to be self-insured.

History: L. 2000, ch. 147, § 56; July 1.