

**247.236 Operation and construction of amusement rides and attractions -- Prohibitions on operation -- Entrance to amusement ride or attraction may be denied.**

- (1) Amusement rides and attractions shall not be operated at unsafe speeds or loaded beyond a safe capacity in accordance with the factory specifications or, in the absence of factory specifications, in accordance with administrative regulations promulgated by the Commissioner.
- (2) Amusement rides and attractions shall not be operated during periods of high wind, lightning, or heavy rain.
- (3) Perimeter safety barriers such as a fence or other suitable structure shall be constructed around any amusement ride or attraction that is potentially hazardous to bystanders, in accordance with administrative regulations promulgated by the Commissioner.
- (4) Amusement rides and attractions shall not be operated if the owner or operator knows or should know that the operation will expose the public to an unsafe condition which is likely to result in personal injury or property damage.
- (5)
  - (a) No person under the age of sixteen (16) shall operate an amusement ride or attraction or operate more than one (1) ride or attraction at a time. Except as provided by paragraph (c) of this subsection, an operator shall be in attendance at all times while a ride or attraction is in operation.
  - (b) No person shall operate an amusement ride or attraction or knowingly permit an operator to operate an amusement ride or attraction while under the influence of alcohol or any other impairing substance.
  - (c) The Commissioner may, by administrative regulation, designate certain amusement rides or attractions where the presence of an operator is not required.
- (6) The owner or operator may deny any person entrance to an amusement ride or attraction if the owner or operator has reason to believe the entry may jeopardize the safety of the person desiring entry, other riders, or any other person.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 94, sec. 3, effective June 27, 2019. -- Amended 2008 Ky. Acts ch. 116, sec. 3, effective July 15, 2008. -- Created 1984 Ky. Acts ch. 386, sec. 3, effective July 13, 1984.