**South Carolina General Assembly**

122nd Session, 2017-2018

**A188, R205, S567**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Sheheen

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Introduced in the Senate on March 21, 2017

Introduced in the House on April 5, 2018

Last Amended on March 29, 2018

Passed by the General Assembly on May 4, 2018

Governor's Action: May 15, 2018, Signed

Summary: SC Amusement Rides Safety Code

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/21/2017 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20170321.docx))

 3/21/2017 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20170321.docx))

 3/22/2018 Senate Committee report: Favorable with amendment **Labor, Commerce and Industry** ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20180322.docx))

 3/26/2018 Scrivener's error corrected

 3/28/2018 Senate Read second time ([Senate Journal‑page 22](file:///h%3A%5Csj%5C20180328.docx))

 3/28/2018 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 22](file:///h%3A%5Csj%5C20180328.docx))

 3/29/2018 Senate Committee Amendment Adopted ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20180329.docx))

 3/29/2018 Senate Read third time and sent to House ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20180329.docx))

 3/29/2018 Senate Roll call Ayes‑42 Nays‑1 ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20180329.docx))

 4/3/2018 Scrivener's error corrected

 4/5/2018 House Introduced and read first time ([House Journal‑page 8](file:///h%3A%5Chj%5C20180405.docx))

 4/5/2018 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 8](file:///h%3A%5Chj%5C20180405.docx))

 5/2/2018 House Recalled from Committee on **Labor, Commerce and Industry** ([House Journal‑page 111](file:///h%3A%5Chj%5C20180502.docx))

 5/3/2018 House Read second time ([House Journal‑page 18](file:///h%3A%5Chj%5C20180503.docx))

 5/3/2018 House Roll call Yeas‑91 Nays‑0 ([House Journal‑page 18](file:///h%3A%5Chj%5C20180503.docx))

 5/3/2018 House Unanimous consent for third reading on next legislative day ([House Journal‑page 19](file:///h%3A%5Chj%5C20180503.docx))

 5/4/2018 House Read third time and enrolled ([House Journal‑page 2](file:///h%3A%5Chj%5C20180504.docx))

 5/14/2018 Ratified R 205

 5/15/2018 Signed By Governor

 5/23/2018 Effective date 05/15/18

 5/31/2018 Act No. 188

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=567&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/21/2017](file:///p%3A%5Cpprever%5C2017-18%5C567_20170321.docx)

[3/22/2018](file:///p%3A%5Cpprever%5C2017-18%5C567_20180322.docx)

[3/26/2018](file:///p%3A%5Cpprever%5C2017-18%5C567_20180326.docx)

[3/29/2018](file:///p%3A%5Cpprever%5C2017-18%5C567_20180329.docx)

[4/3/2018](file:///p%3A%5Cpprever%5C2017-18%5C567_20180403.docx)

[5/2/2018](file:///p%3A%5Cpprever%5C2017-18%5C567_20180502.docx)

(A188, R205, S567)

**AN ACT** **TO AMEND SECTION 41‑18‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE “SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE”, SO AS TO PROVIDE THE SAFETY CODE APPLIES TO CONCESSION GO‑KARTS BUT DOES NOT APPLY TO SUPER‑KARTS EXCEPT FOR CERTAIN LIMITED PURPOSES CONCERNING THE AGE OF OPERATORS, REQUIREMENTS OF ESTABLISHMENTS WHERE SUPER‑KARTS MAY BE OPERATED, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS OF SUPER‑KART OWNERS; AND TO AMEND SECTION 41‑18‑40, RELATING TO DEFINITIONS IN THE “SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE”, SO AS TO PROVIDE NECESSARY DEFINITIONS.**

Be it enacted by the General Assembly of the State of South Carolina:

**Applicability, go‑karts included, super‑karts excluded**

SECTION 1. Section 41‑18‑30 of the 1976 Code is amended to read:

 “Section 41‑18‑30. (A) This chapter applies to amusement devices at carnivals, fairs, and amusement parks where an admission or fee is customarily or usually charged located within the State or at other places open to the public and to the managers of these devices, to the persons employed in connection with these devices, and to their employees.

 (B) This chapter does not apply to single passenger, coin‑operated, manually, mechanically, or electrically operated rides, except where admission is charged for the use of the equipment, and this chapter may not be construed so as to limit the right of a person to conduct any hotel, restaurant, or eating place at an amusement park.

 (C) This chapter does not apply to air‑supported structures.

 (D) This chapter applies to concession go‑karts. This chapter does not apply to super‑karts, provided that:

 (1) Only persons age eighteen or above who hold a valid driver’s license are allowed to operate super‑karts.

 (2) No person shall operate a super‑kart in any establishment where other amusement devices are located or operated. Establishments offering super‑karts must not share an entrance or exit with any other establishment offering an amusement device and must charge a separate fee for operating super‑karts.

 (3) A sign shall be on display on the premises where super‑karts are operated stating: ‘Super‑karts are not amusement devices regulated by the South Carolina Department of Labor, Licensing and Regulation. Super‑karts may reach speeds in excess of fifty miles per hour. Drive at your own risk.’

 (4) The owner of a super‑kart must carry an insurance policy in an amount not less than one million dollars per occurrence against liability for injury to persons or property arising out of the operation or use of such device.”

**Definitions**

SECTION 2. Section 41‑18‑40 of the 1976 Code is amended by adding appropriately numbered items to read:

 “( )(a) ‘Concession go‑kart’ means an amusement ride or device that:

 (i) is a single vehicle, unattached to other vehicles or a common frame system;

 (ii) is powered without connection to a common energy source;

 (iii) is driver‑controlled with respect to acceleration, speed, braking, and steering;

 (iv) operates within the containment system of a defined track;

 (v) simulates competitive motor sports; and

 (vi) is used by members of the general public for a fee.

 (b) A concession go‑kart has a maximum capacity of two persons and no cargo capacity.

 ( ) ‘Super‑kart’ means an open‑wheel motorsport vehicle, with or without gearbox or shifter capability, used for racing in excess of fifty miles per hour. Super‑kart does not mean ‘concession go‑kart’ as defined by this section.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 14th day of May, 2018.

Approved the 15th day of May, 2018.

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