



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 475 (as introduced 9-10-13)
Sponsor: Senator Dave Hildenbrand
Committee: Economic Development

Date Completed: 9-24-13

CONTENT

The bill would create the "Trampoline Court Safety Act" to do the following:

- **Specify requirements that a trampoline court operator would have to meet.**
- **Specify the requirements of a trampoliner (a person in a trampoline court for the purpose of trampolining).**
- **Provide that a person who participated in trampolining would accept inherent dangers; and identify some of those dangers.**
- **Specify that a trampoliner, spectator, or operator who violated the proposed Act would be liable in a civil action for damages for the portion of the loss or damage that resulted from the violation.**

Operator Requirements

An operator would be required to do all of the following:

- Post, in conspicuous places, the duties of trampoliners and spectators, and the duties, obligations, and liabilities of operators, as prescribed in the proposed Act.
- Comply with the safety standards specified in the "Standard Practice for Design, Manufacture, Installation, Operation, Maintenance, Inspection and Major Modification of Trampoline Courts" published by the American Society for Testing and Materials (ASTM F2970-13).
- Maintain the trampoline court according to the safety standards in ASTM F2970-13.
- Maintain the stability and legibility of all required signs, symbols, and posted notices.
- Convey to trampoliners the substance of their responsibility requirements under the proposed Act.

An operator also would have to deliver instructions concerning trampoline court rules to trampoliners before they participated on the trampoline court. The instructions could be delivered using video, audio, or computer-based programs, prerecorded spiel, a written document, signage, verbal instruction, or other delivery method approved by the operator.

"Operator" would mean a person who owns or controls or who has operational responsibility for a trampoline court.

"Trampoline court" would mean a defined area that contains one or more institutional trampolines or a series of institutional trampolines, a trampoline court foam pit, or a series of trampoline court foam pits. A "trampoline court foam pit" would be a combination style

dismount pit designed with a rebound device, covered with loose impact-absorbing blocks used in a trampoline court intended for use in a commercial or institutional facility.

Trampoliner Requirements

While in a trampoline court, a trampoliner would have to do all of the following:

- Maintain reasonable control of his or her speed and course at all times.
- Read and follow all posted signs and warnings.
- Avoid bodily contact with other trampoliners or spectators.
- Refrain from acting in a manner that could cause injury to others.
- Properly use all trampoline court safety equipment provided.
- Remove inappropriate attire, including hard, sharp, or dangerous objects, such as buckles, pens, purses, or badges.
- Conform with or meet height, weight, or age restrictions imposed by the operator to use or participate in the trampoline court activity.
- Avoid crowding or overloading individual sections of the trampoline court.
- Use the trampoline court within his or her own limitations, training, and acquired skills.
- Avoid landing on the head or neck.

In addition, a trampoliner could not run on trampolines, over pads, or on platforms, and could not participate in or on a trampoline court when under the influence of drugs or alcohol. A trampoliner also could not participate in or on any trampoline court if he or she had a pre-existing medical condition, a bone condition, a circulatory condition, a heart or lung condition, a back or neck condition, high blood pressure, or a history of spine, musculoskeletal, or head injury, if he or she had recent surgery, or if she might be pregnant.

Inherent Dangers

A person who participated in trampolining would accept the dangers inherent in that activity, insofar as the dangers were obvious and necessary. Those dangers would include, but would not be limited to, injuries resulting from collisions with other trampoliners or other spectators, from falls, or from landing on the trampoline, pad, or platform.

The inherent dangers also would include injuries involving objects or artificial structures properly within the intended travel of the trampoliner that were not otherwise attributable to the operator's breach of his or her common law duties.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Dan O'Connor

S1314\475sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.