

88A.15 Rider safety.

1. A rider or the rider's parent or guardian shall report in writing to the operator or the operator's designee, on forms provided by the operator or the operator's designee, any injury sustained on an amusement ride before leaving the operator's premises. The report shall include all of the following information:

a. The name, address, and phone number of the injured person.

b. A brief description of the incident, the injury claimed, and the location, date, and time of the injury.

c. The cause of the injury, if known.

d. The name, address, and phone number of any witness to the incident.

2. If the rider or the rider's parent or guardian is unable to file a report because of the severity of the rider's injuries, the rider or the rider's parent or guardian shall file the report as soon as reasonably possible. The failure of a rider or the rider's parent or guardian to report an injury under this section does not affect the rider's right to commence a civil action related to the incident.

3. A rider shall, at a minimum, do all of the following:

a. Obey the reasonable safety rules posted in accordance with this chapter and oral instructions for an amusement ride issued by the operator or the operator's employee or agent, unless the safety rules or oral instructions are contrary to the safety rules of this chapter.

b. Refrain from acting in any manner that may cause or contribute to injuring the rider or others, including all of the following:

(1) Exceeding the limits of the rider's ability.

(2) Interfering with safety devices that are provided.

(3) Failing to engage safety devices that are provided.

(4) Disconnecting or disabling a safety device except at the express instruction of the operator.

(5) Altering or enhancing the intended speed, course, or direction of an amusement ride.

(6) Using the controls of an amusement ride designed solely to be operated by the operator.

(7) Extending arms and legs beyond the carrier or seating area except at the express direction of the operator.

(8) Throwing, dropping, or expelling an object from or toward an amusement ride except as permitted by the operator.

(9) Getting on or off an amusement ride except at the designated time and area, if any, at the direction of the operator or in an emergency.

(10) Not reasonably controlling the speed or direction of the rider's person or an amusement ride that requires the rider to control or direct the rider's person or a device.

4. A rider shall not get on or attempt to get on an amusement ride unless the rider or the rider's parent or guardian reasonably determines that, at a minimum, the rider meets all of the following criteria:

a. Has sufficient knowledge to use, get on, and get off the amusement ride safely without instruction or has requested and received sufficient information to get on, use, and get off the amusement ride safely prior to getting on the amusement ride.

b. Has located, read, and understood any signs in the vicinity of the amusement ride and meets any posted height, medical, or other requirements.

c. Knows the range and limits of the rider's ability and knows the requirements of the amusement ride will not exceed those limits.

d. Is not under the influence of alcohol or any drug that affects the rider's ability to safely use the amusement ride or obey the posted rules or oral instructions.

e. Is authorized by the operator or the operator's employee, agent, or servant to get on the amusement ride.

98 Acts, ch 1135, §4, 7