



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



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

Senate Bill 475 (as enacted)  
Sponsor: Senator Dave Hildenbrand  
Senate Committee: Economic Development  
House Committee: Commerce

**PUBLIC ACT 11 of 2014**

Date Completed: 4-10-14

### **CONTENT**

**The bill created the "Trampoline Court Safety Act" to do the following:**

- **Specify requirements that a trampoline court operator must meet.**
- **Specify the requirements of a trampoliner (a person in a trampoline court for the purpose of trampolining).**
- **Provide that a person who participates in trampolining accepts inherent dangers; and identify some of those dangers.**
- **Specify that a trampoliner, spectator, or operator who violates the Act is liable in a civil action for damages for the portion of the loss or damage that results from the violation.**
- **Specify that the Act does not apply to a gymnastics club or facility.**

The Act took effect on February 18, 2014.

#### Operator Requirements

The Act requires an operator 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 Act.
- Comply with the safety standards specified in "Standard Practice for Design, Manufacture, Installation, Operation, Maintenance, Inspection and Major Modification of Trampoline Courts" published in 2013 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 Act.

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

The Act defines "operator" as a person that owns or controls or that has operational responsibility for a trampoline court.

"Trampoline court" means 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" is 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 must 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 may 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 may not run on trampolines, over pads, or on platforms, and may not participate in a trampoline court when under the influence of drugs or alcohol. A trampoliner also may not participate in a trampoline court if he or she has 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 has had recent surgery, or if she might be pregnant.

## Inherent Dangers

An individual who participates in trampolining accepts the dangers inherent in that activity, insofar as the dangers are obvious and necessary. Those dangers include, but are not 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 include injuries involving objects or artificial structures properly within the intended travel of the trampoliner that are not otherwise attributable to the operator's breach of his or her common law duties.

## Gymnastics Club or Facility

The Act does not apply to a person that operates a gymnastics club or facility to which all of the following apply:

- The majority of the activities at the club or facility are gymnastics-based.
- The majority of the club's or facility's revenue is derived through supervised educational instruction classes or programs in which the student-to-coach or -instructor ratio is based on age, skill level, and number of students.
- Gymnastics skills and basics are taught at the gymnastics club or facility through programs that use progression-oriented training and by supervised training and classes.

MCL 691.1731-691.1738

Legislative Analyst: Patrick Affholter

## **FISCAL IMPACT**

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

Fiscal Analyst: John Maxwell

S1314\475es

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.