

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 475

A bill to enact the trampoline court safety act; to prescribe the duties and liabilities of trampoline court operators and persons who use trampoline courts; and to provide for the acceptance of certain risks by persons who use trampoline courts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "trampoline court safety act".

3 Sec. 2. As used in this act:

4 (a) "Institutional trampoline" means a trampoline court
5 trampoline intended for use in a commercial or institutional
6 facility.

7 (b) "Operator" means a person that owns or controls or that
8 has operational responsibility for a trampoline court.

9 (c) "Spectator" means an individual who is present in a

1 trampoline court only for the purpose of observing trampoline court
2 activity, whether recreational or competitive.

3 (d) "Trampoline court" means a defined area that contains 1 or
4 more institutional trampolines or a series of institutional
5 trampolines, a trampoline court foam pit, or a series of trampoline
6 court foam pits.

7 (e) "Trampoline court foam pit" means a combination style
8 dismount pit designed with a rebound device, covered with loose
9 impact-absorbing blocks used in a trampoline court intended for use
10 in a commercial or institutional facility.

11 (f) "Trampoline court trampoline" means a rebound device
12 activated by vertical or lateral jumping used in a trampoline
13 court.

14 (g) "Trampoliner" means an individual in a trampoline court
15 for the purpose of trampolining.

16 (h) "Trampolining" means tumbling or jumping in a trampoline
17 court.

18 Sec. 3. An operator shall do all of the following:

19 (a) Post the duties of trampoliners and spectators as
20 prescribed in this act and the duties, obligations, and liabilities
21 of operators as prescribed in this act in conspicuous places.

22 (b) Comply with the safety standards specified in ASTM F2970 -
23 13, "Standard Practice for Design, Manufacture, Installation,
24 Operation, Maintenance, Inspection and Major Modification of
25 Trampoline Courts" published in 2013 by the American society for
26 testing and materials.

27 (c) Maintain the trampoline court according to the safety

1 standards cited in subdivision (b).

2 (d) Maintain the stability and legibility of all required
3 signs, symbols, and posted notices.

4 Sec. 4. An operator shall do both of the following:

5 (a) Deliver instructions concerning trampoline court rules to
6 trampoliners before they participate in the trampoline court. The
7 instructions may be delivered to trampoliners using video, audio,
8 or computer-based programs, a prerecorded spiel, a written
9 document, signage, verbal instruction, or other delivery method
10 approved by the operator.

11 (b) Convey to trampoliners the substance of the trampoliner
12 responsibility requirements under section 5.

13 Sec. 5. While in a trampoline court, a trampoliner shall do
14 all of the following:

15 (a) Maintain reasonable control of his or her speed and course
16 at all times.

17 (b) Read and follow all posted signs and warnings.

18 (c) Avoid bodily contact with other trampoliners or
19 spectators.

20 (d) Not run on trampolines, over pads, or on platforms.

21 (e) Refrain from acting in a manner that may cause injury to
22 others.

23 (f) Not participate in a trampoline court when under the
24 influence of drugs or alcohol.

25 (g) Properly use all trampoline court safety equipment
26 provided.

27 (h) Not participate in a trampoline court if he or she has a

1 preexisting medical condition, a bone condition, a circulatory
2 condition, a heart or lung condition, a back or neck condition,
3 high blood pressure, or a history of spine, musculoskeletal, or
4 head injury, if he or she has had recent surgery, or if she may be
5 pregnant.

6 (i) Remove inappropriate attire, including hard, sharp, or
7 dangerous objects, such as buckles, pens, purses, or badges.

8 (j) Conform with or meet height, weight, or age restrictions
9 imposed by the operator to use or participate in the trampoline
10 court activity.

11 (k) Avoid crowding or overloading individual sections of the
12 trampoline court.

13 (l) Use the trampoline court within his or her own limitations,
14 training, and acquired skills.

15 (m) Avoid landing on the head or neck. Serious injury,
16 paralysis, or death can occur from that activity.

17 Sec. 6. An individual who participates in trampolining accepts
18 the danger that inheres in that activity insofar as the dangers are
19 obvious and necessary. Those dangers include, but are not limited
20 to, injuries that result from collisions with other trampoliners or
21 other spectators, injuries that result from falls, injuries that
22 result from landing on the trampoline, pad, or platform, and
23 injuries that involve objects or artificial structures properly
24 within the intended travel of the trampoliner that are not
25 otherwise attributable to the operator's breach of his or her
26 common law duties.

27 Sec. 7. A trampoliner, spectator, or operator who violates

1 this act is liable in a civil action for damages for the portion of
2 the loss or damage that results from the violation.

3 Sec. 8. This act does not apply to a person that operates a
4 gymnastics club or facility to which all of the following apply:

5 (a) The majority of the activities at the gymnastics club or
6 facility are gymnastics-based.

7 (b) The majority of the revenue from the gymnastics club or
8 facility is derived through supervised educational instruction
9 classes or programs in which the student-to-coach or instructor
10 ratio is based on age, skill level, and number of students.

11 (c) Gymnastics skills and basics are taught at the gymnastics
12 club or facility through programs that use progression-oriented
13 training and by supervised training and classes.