

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 259
HOUSE BILL 2179

AN ACT

AMENDING TITLE 41, CHAPTER 16, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 3.2; RELATING TO AMUSEMENT RIDE AND TRAMPOLINE COURT SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 16, Arizona Revised Statutes, is amended
3 by adding article 3.2, to read:

4 ARTICLE 3.2. TRAMPOLINE COURTS

5 41-2170.21. Definition of trampoline court

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES, "TRAMPOLINE
7 COURT":

8 1. MEANS A COMMERCIAL FACILITY WITH A DEFINED AREA COMPOSED OF ONE OR
9 MORE TRAMPOLINES, A SERIES OF TRAMPOLINES, A TRAMPOLINE COURT FOAM PIT OR A
10 SERIES OF TRAMPOLINE COURT FOAM PITS.

11 2. DOES NOT INCLUDE:

12 (a) ANY PLAYGROUND OPERATED BY A SCHOOL OR LOCAL GOVERNMENT.

13 (b) INFLATABLE RIDES, INFLATABLE BOUNCE HOUSES, BALL CRAWLS AND
14 EQUIPMENT USED EXCLUSIVELY FOR EXERCISE.

15 (c) A PHYSICAL REHABILITATION FACILITY.

16 (d) A GYMNASTIC TRAINING FACILITY THAT DERIVES A MAJORITY OF ITS
17 REVENUE FROM SUPERVISED INSTRUCTION IN THE TEACHING OF GYMNASTIC SKILLS AND
18 BASICS.

19 41-2170.22. Duties; fund

20 A. THE DEPARTMENT SHALL:

21 1. ADMINISTER AND ENFORCE THIS ARTICLE, INCLUDING ADOPTING RULES
22 NECESSARY TO ADMINISTER AND ENFORCE THIS ARTICLE.

23 2. ESTABLISH FEES FOR THE INITIAL REGISTRATION AND RENEWAL OF
24 REGISTRATION OF TRAMPOLINE COURTS IN AMOUNTS TO BE DETERMINED BY THE
25 DIRECTOR. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
26 35-147, ALL FEES RECEIVED PURSUANT TO THIS SECTION IN THE TRAMPOLINE COURT
27 SAFETY FUND ESTABLISHED BY THIS SECTION.

28 3. REQUEST FROM EACH TRAMPOLINE COURT OWNER OR OPERATOR INFORMATION TO
29 DETERMINE THAT THE INSURANCE REQUIRED BY THIS ARTICLE IS IN EFFECT AND THAT
30 THE TRAMPOLINE COURT HAS BEEN INSPECTED AT LEAST ANNUALLY.

31 4. MAINTAIN A REGISTRY OF ALL TRAMPOLINE COURTS.

32 5. MAINTAIN AS PUBLIC RECORD PROOF OF INSURANCE, SERVICE CALLS TO
33 EMERGENCY RESPONDERS AND INSPECTION CERTIFICATES THAT ARE ISSUED BY AN
34 INSURER OR AN INSPECTOR WITH WHOM THE INSURER HAS CONTRACTED AND RECORDS FOR
35 EACH TRAMPOLINE COURT THAT IS REGISTERED PURSUANT TO THIS ARTICLE.

36 B. THE TRAMPOLINE COURT SAFETY FUND IS ESTABLISHED CONSISTING OF
37 MONIES RECEIVED PURSUANT TO THIS SECTION. THE DEPARTMENT SHALL ADMINISTER
38 THE FUND AND USE THE MONIES IN THE FUND TO IMPLEMENT THIS ARTICLE.

39 41-2170.23. Registration; renewal

40 A. AT LEAST THIRTY DAYS BEFORE OPERATION AN OWNER OR OPERATOR OF A
41 TRAMPOLINE COURT MUST REGISTER WITH AND SUBMIT TO THE DEPARTMENT ALL OF THE
42 FOLLOWING:

43 1. AN APPLICATION FOR REGISTRATION ON A FORM PRESCRIBED BY THE
44 DEPARTMENT AND THE FEE PRESCRIBED BY SECTION 41-2170.22.

45 2. PROOF OF INSURANCE AS REQUIRED BY THIS ARTICLE.

- 1 3. A COPY OF AN INSPECTION CERTIFICATE THAT IS ISSUED BY AN INSURER OR
2 AN INSPECTOR WITH WHOM THE INSURER HAS CONTRACTED.
- 3 4. A COPY OF THE OWNER'S OR OPERATOR'S BUSINESS LICENSE.
- 4 B. A REGISTRANT MUST RENEW ITS REGISTRATION ANNUALLY BY SUBMITTING AN
5 APPLICATION FOR RENEWAL AS PRESCRIBED BY THE DEPARTMENT AND THE RENEWAL FEE
6 PRESCRIBED BY SECTION 41-2170.22.
- 7 41-2170.24. Trampoline court owners and operators:
8 requirements; denial of entry; rules
- 9 A. A TRAMPOLINE COURT OWNER OR OPERATOR SHALL:
- 10 1. HAVE THE TRAMPOLINE COURT INSPECTED AT LEAST ONCE EACH YEAR BY AN
11 INSURER OR AN INSPECTOR WITH WHOM THE INSURER HAS CONTRACTED. IF AN
12 INSPECTION REVEALS THAT ANY COMPONENT OF THE TRAMPOLINE COURT DOES NOT
13 SUBSTANTIALLY MEET THE AMERICAN SOCIETY FOR TESTING AND MATERIALS STANDARDS,
14 THE INSPECTOR SHALL NOTIFY THE DEPARTMENT AND THE OWNER OR OPERATOR AND SHALL
15 NOT ISSUE THE WRITTEN CERTIFICATE OF INSPECTION FOR THAT COMPONENT OF THE
16 TRAMPOLINE COURT UNTIL THE OWNER OR OPERATOR MEETS THE STANDARDS AND MAKES
17 THE REPAIRS OR INSTALLS THE REPLACEMENT EQUIPMENT.
- 18 2. MAINTAIN AT ALL TIMES A WRITTEN CERTIFICATE OF THE ANNUAL
19 INSPECTION.
- 20 3. PROCURE INSURANCE FOR THE TRAMPOLINE COURT FROM AN INSURER
21 AUTHORIZED TO DO BUSINESS IN THIS STATE PURSUANT TO SECTION 20-217 OR BY AN
22 INSURER ON THE LIST OF QUALIFIED UNAUTHORIZED INSURERS PURSUANT TO SECTION
23 20-413, INSURING THE OWNER OR OPERATOR AGAINST LIABILITY FOR INJURY TO
24 PERSONS ARISING FROM THE USE OF THE TRAMPOLINE COURT, IN AN AMOUNT OF NOT
25 LESS THAN ONE MILLION DOLLARS FOR BODILY INJURY.
- 26 4. MAINTAIN AND DISPLAY AT ALL TIMES THE CERTIFICATE OF REGISTRATION.
- 27 5. MAINTAIN FOR A PERIOD OF AT LEAST TWO YEARS ACCURATE RECORDS OF ANY
28 GOVERNMENTAL ACTION TAKEN RELATING TO THE TRAMPOLINE COURT, INCLUDING ANY
29 OPERATION PERMITS, INSURANCE CERTIFICATES, INSPECTION REPORTS, SERVICE CALLS
30 TO EMERGENCY RESPONDERS, MAINTENANCE AND OPERATIONAL RECORDS AND RECORDS
31 DOCUMENTING THE REPAIR OR REPLACEMENT OF EQUIPMENT USED IN THE OPERATION OF
32 THE TRAMPOLINE COURT. THE OWNER OR OPERATOR OF THE TRAMPOLINE COURT SHALL
33 PROVIDE A COPY OF THESE RECORDS TO THE DEPARTMENT ON REQUEST WHEN THE OWNER
34 OR OPERATOR APPLIES FOR INITIAL REGISTRATION AND WHEN THE OWNER OR OPERATOR
35 APPLIES FOR REGISTRATION RENEWAL.
- 36 6. MAINTAIN FOR A PERIOD OF AT LEAST TWO YEARS ACCURATE RECORDS OF
37 SERVICE CALLS TO EMERGENCY RESPONDERS FROM THE TRAMPOLINE COURT. WITHIN TEN
38 DAYS AFTER A TRAMPOLINE COURT MAKES A SERVICE CALL TO AN EMERGENCY RESPONDER,
39 AN OWNER OR OPERATOR OF THE TRAMPOLINE COURT SHALL PROVIDE A COPY OF THE
40 SERVICE CALL RECORDS TO THE DEPARTMENT. THE SERVICE CALL RECORDS ARE PUBLIC
41 RECORDS.

1 B. A REGISTRANT MUST NOTIFY THE DEPARTMENT WITHIN THIRTY DAYS OF ANY
2 CHANGES TO THE INFORMATION THAT THE REGISTRANT SUBMITTED TO THE DEPARTMENT
3 WITH THE REGISTRANT'S INITIAL REGISTRATION APPLICATION OR REGISTRATION
4 RENEWAL APPLICATION.

5 C. A TRAMPOLINE COURT OWNER OR OPERATOR MAY DENY A PERSON ENTRY TO THE
6 TRAMPOLINE COURT IF THE OWNER OR OPERATOR BELIEVES THAT THE ENTRY MAY
7 JEOPARDIZE THE SAFETY OF THE PERSON OR ANY OTHER TRAMPOLINE COURT PATRON.

8 D. A TRAMPOLINE COURT PATRON SHALL FOLLOW ALL RULES THAT ARE POSTED OR
9 PROVIDED IN WRITING TO THE PATRON BY THE TRAMPOLINE COURT OWNER OR OPERATOR.
10 THE RULES MUST INCLUDE A STATEMENT THAT THERE ARE INHERENT RISKS IN THE
11 PARTICIPATION IN A TRAMPOLINE COURT ACTIVITY OR ON ANY TRAMPOLINE COURT AND
12 THAT A TRAMPOLINE COURT PATRON, BY PARTICIPATION, UNDERSTANDS THE RISKS
13 INHERENT IN THE PARTICIPATION OF WHICH THE ORDINARY PRUDENT PERSON IS OR
14 SHOULD BE AWARE. THE RULES MUST SPECIFY THAT A TRAMPOLINE COURT PATRON:

15 1. SHALL:

16 (a) EXERCISE GOOD JUDGMENT AND ACT IN A RESPONSIBLE MANNER WHILE USING
17 A TRAMPOLINE COURT AND OBEY ALL ORAL OR WRITTEN WARNINGS BEFORE AND DURING
18 PARTICIPATION.

19 (b) MEET HEIGHT, WEIGHT AND AGE RESTRICTIONS IMPOSED BY THE OWNER TO
20 USE THE TRAMPOLINE COURT OR PARTICIPATE IN THE TRAMPOLINE COURT ACTIVITY.

21 2. SHALL NOT:

22 (a) PARTICIPATE IN A TRAMPOLINE COURT ACTIVITY OR ON ANY TRAMPOLINE
23 COURT WHEN UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.

24 (b) PARTICIPATE IN A TRAMPOLINE COURT ACTIVITY OR ON ANY TRAMPOLINE
25 COURT IF THE PATRON MAY BE PREGNANT, HAS HAD RECENT SURGERY, HAS A
26 PREEXISTING MEDICAL CONDITION, CIRCULATORY CONDITION, HEART OR LUNG
27 CONDITION, BACK OR NECK CONDITION OR HISTORY OF SPINE, MUSCULOSKELETAL OR
28 HEAD INJURIES OR HAS HIGH BLOOD PRESSURE.

29 41-2170.25. Enforcement

30 A. THE DEPARTMENT MAY DETERMINE COMPLIANCE WITH THIS ARTICLE, PROHIBIT
31 THE OPERATION OF ANY TRAMPOLINE COURT THAT IS NOT IN COMPLIANCE WITH THIS
32 ARTICLE AND INSTITUTE AN ACTION IN A COURT OF COMPETENT JURISDICTION TO
33 ENFORCE THIS ARTICLE.

34 B. ON REQUEST, THE OWNER OR OPERATOR OF A TRAMPOLINE COURT SHALL
35 PROVIDE THE REGISTRATION CERTIFICATE, INSPECTION CERTIFICATE THAT IS ISSUED
36 BY AN INSURER OR AN INSPECTOR WITH WHOM THE INSURER HAS CONTRACTED AND
37 INSURANCE CERTIFICATE TO THE DEPARTMENT. A COPY OF THE DOCUMENTS MAY BE
38 PROVIDED INSTEAD OF ORIGINALS.

39 41-2170.26. Trampoline court regulation; state preemption

40 THE REGULATION OF TRAMPOLINE COURTS IS OF STATEWIDE CONCERN. THE
41 REGULATION OF TRAMPOLINE COURTS PURSUANT TO THIS ARTICLE IS NOT SUBJECT TO
42 FURTHER REGULATION BY A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF
43 THIS STATE.

1 Sec. 2. Existing trampoline courts: compliance

2 Within ninety days after the effective date of this act, trampoline
3 courts, as defined in section 41-2170.21, Arizona Revised Statutes, as added
4 by this act, that are in existence on the effective date of this act must
5 comply with title 41, chapter 16, article 3.2, Arizona Revised Statutes, as
6 added by this act. A trampoline court may not operate any portion of the
7 facility that does not substantially meet the American society for testing
8 and materials standards until the trampoline court complies with the
9 standards.

APPROVED BY THE GOVERNOR APRIL 30, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2014.