

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1208

Session of
1989

INTRODUCED BY CHADWICK, PHILLIPS, CAWLEY, GODSHALL, DISTLER,
GLADECK, BUNT, TRELLO, SERAFINI, SAURMAN, B. SMITH,
D. F. CLARK, COLAIZZO, SCHEETZ, JADLOWIEC, FAIRCHILD, CLYMER,
DIETTERICK, TIGUE, HERMAN, DEMPSEY, OLASZ, CARLSON, MORRIS,
E. Z. TAYLOR, RITTER, FARGO, ROBINSON AND DALEY,
APRIL 18, 1989

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 18, 1989

AN ACT

1 Providing for safety standards for roller skating centers.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Roller
6 Skating Safety Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Emergency personnel." Police, fire or other appropriate
12 emergency medical personnel.

13 "Operator." An individual or entity who owns or controls, or
14 who has operational responsibility for, a roller skating center.

15 "Roller skater." An individual wearing roller skates while

1 in a roller skating center for the purpose of roller skating.

2 "Roller skating center." A building, facility or premises
3 which provides an area specifically designed to be used for
4 roller skating by the public.

5 "Spectator." An individual who is present in a roller
6 skating center only for the purpose of observing skating
7 activity, whether recreational or competitive.

8 Section 3. Requirements.

9 (a) Operators.--An operator shall do all of the following:

10 (1) Post in conspicuous places the duties of roller
11 skaters and spectators as prescribed in this act.

12 (2) Comply with the safety standards specified in the
13 roller skating rink safety standards published by the Roller
14 Skating Rink Operators Association (1980).

15 (3) Maintain roller skating equipment and roller skating
16 surfaces according to the safety standards cited in paragraph
17 (2).

18 (4) Maintain the stability and legibility of all
19 required signs, symbols and posted notices.

20 (b) Roller skaters.--A roller skater shall do all of the
21 following:

22 (1) Maintain reasonable control of speed and course at
23 all times.

24 (2) Read all posted signs and warnings.

25 (3) Maintain a proper lookout to avoid other roller
26 skaters and objects.

27 (4) Accept the responsibility for knowing the range of
28 the roller skater's ability to negotiate the intended
29 direction of travel while on roller skates and to skate
30 within the limits of that ability.

1 (5) Refrain from acting in a manner which may cause
2 injury to others.

3 Section 4. Assumption of risk.

4 Each person who participates in roller skating accepts the
5 danger that inheres in that activity insofar as the dangers are
6 obvious and necessary. Those dangers include, but are not
7 limited to, injuries that result from collisions with roller
8 skaters or spectators, injuries that result from falls, and
9 injuries which involve objects or artificial structures properly
10 within the intended travel of the roller skater.

11 Section 5. Negligence per se.

12 In an action to recover damages for negligence based on an
13 occurrence involving roller skating at a roller skating center,
14 proof of a violation of this act shall be conclusive proof of
15 negligence.

16 Section 6. Applicability.

17 This act shall apply to actions for which the cause of action
18 arose on or after the effective date of this act.

19 Section 7. Effective date.

20 This act shall take effect in 60 days.