

## 2016 Kansas Statutes

**44-1607. Patrons of amusement rides, acceptance of risk, duties; reports of injuries.** (a) Each patron of an amusement ride, by participation, accepts the risks inherent in such participation of which an ordinary prudent person is or should be aware.

(b) Each patron of an amusement ride has a duty to:

- (1) Exercise the judgment and act in the manner of an ordinary prudent person while participating in an amusement ride;
- (2) obey all instructions and warnings, written or oral, prior to and during participation in an amusement ride;
- (3) refrain from participation in an amusement ride while under the influence of alcohol or drugs;
- (4) engage all safety devices that are provided;
- (5) refrain from disconnecting or disabling any safety device except at the express direction of the owner's agent or employee; and
- (6) refrain from extending arms and legs beyond the carrier or seating area except at the express direction of the owner's agent or employee.

(c) (1) A patron, or a patron's parent or guardian on a patron's behalf, shall report in writing to the owner any injury sustained on an amusement ride before leaving the premises, including:

- (A) The name, address and phone number of the injured person;
- (B) a full description of the incident, the injuries claimed, any treatment received and the location, date and time of the injury;
- (C) the cause of the injury, if known; and
- (D) the names, addresses and phone numbers of any witnesses to the incident.

(2) If a patron, or a patron's parent or guardian on a patron's behalf, is unable to file a report because of the severity of the patron's injuries, the patron or the patron's parent or guardian on the patron's behalf shall file the report as soon as reasonably possible.

(3) The failure of a patron, or the patron's parent or guardian on a patron's behalf, to report an injury under this subsection shall have no effect on the patron's right to commence a civil action.

(d) Any parent or guardian of a patron shall have a duty to reasonably ensure that the patron complies with all provisions of this act.

**History:** L. 2008, ch. 142, § 7; Jan. 1, 2009.