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My name is Chris Glenn and I am the General Manager at Sky Zone Topeka. I have had the pleasure to help bring Sky Zone to our community over the last few months. Shortly after opening, we had a visit from the Department of Labor over the new Kansas Amusement Ride Act (Senate Bill No 86 *current*) (Senate Bill No 307 *proposed*). We were able to get into compliance within the week, but after reading through the bill, we have some concerns. I have addressed those concerns with a couple of the State Representatives (Rep. Gartner & Rep. Finch), and have been advised to put them down for the group to see.

I know this bill passed almost unanimously, and with good reason. I am not against the oversight, but wish we could make it a little more user friendly to help businesses such as ours to be able to keep providing a fun energetic place for the members of the community.

Since we opened a couple months ago we have employed over 100 of Topeka's youth. Giving them not only a place to learn valuable life lessons, but also giving them someplace to hang out while not at work. Our Team Members can jump for free with guest, keeping them in a place where we ensure that they are making healthy decisions. We have also had the pleasure of providing numerous opportunities for schools, youth organizations and many other not for profit groups. One example of this was a Christmas party that we provided, in partnership with The Military Veterans Project at zero cost to them or the Gold Star, Silver Star and White Star kids from the area. Sky Zone Topeka has the ambition to be a huge staple in the community. Our owner LDee Murdock was drawn towards the Sky Zone brand, in hopes of getting the youth off the street and off their phones. Something for them to do that is both fun and entertaining. I myself was drawn to Sky Zone by the passion I seen in the owner for todays youth and for my passion to give back. I just retired out of the military last March and was brought to the area on a job offer with Goodyear, but after speaking with LDee, knew there was no way I could walk away from this opportunity. It has been both rewarding and a challenge all at the same time. Before Sky Zone, I heard a lot of people talk about how there was nothing in Topeka and how our city had no entertainment to bring people into this area.

We would love to be one of the reasons to change that, but feel this bill makes that a very challenging effort. Below are a couple of the concerns that I have, and I hope you will please take these into consideration.

**(Proposed)**

***Sec. 10. K.S.A. 2017 Supp. 44-1609 is hereby amended to read as follows: 44-1609. Whenever a serious injury results from the operation of an amusement ride, home owned amusement ride or registered agritourism activity:***

- (a) Operation of the ride shall immediately be discontinued;***
- (b) Operation of the ride shall not be resumed until it has been inspected and the qualified inspector has approved resumption of operation; AND***

*(c) the owner, within 30 days after the injury, shall notify the manufacture of the ride, if the manufacture is known and in existence at the time of the injury.*

(Current)

**Sec. 3. (b) The owner of an amusement ride shall notify the department of any serious injury reported by a patron, or any injury caused by a malfunction or failure of an amusement ride or caused by an operator or patron error. Such notification shall be submitted to the department within 72 hours of the time that the operator becomes aware of the injury.**

**(c) If a serious injury occurs, the equipment or conditions that caused the injury shall be preserved for the purpose of an investigation by the department and such amusement ride shall be immediately removed from service until an investigation is completed or deemed unnecessary by the secretary. Except as provided in subsection (d), if investigation of a serious injury is not commenced within 24 hours after the department receives notification of such injury, then an investigation shall be deemed unnecessary.**

My concern with this is that, as with any physical activity, there is an inherent risk of injury. Although we strive to have each, and every guest leave here in great health, it would be like asking all our kids that play a sport to finish each game, match, tournament or so on to accomplish the same. I know that if I was to dislocate a shoulder on a rollercoaster or waterslide that something had to have gone wrong, and so should start the investigation. If I was to dislocate a shoulder in a go-kart or on a carousel, then something would have had to go wrong. If I do the same on a trampoline, most of the time it was not a malfunction of the trampoline itself, but just a misfortune of landing wrong or coming off the trampoline in a fashion that was not intentional, but not a malfunction of the trampoline or the way it was monitored. We do not blame the referee or football field if a receiver lands wrong and hurts themselves. Again, we strive for a safe and fun location, but to close our trampolines every time something happens will just deter our guest from coming in. We only have five rides throughout the park and if we must close one each time someone twist an ankle, we will eventually be closing our doors. We hope that you take that into consideration when voting on the new Bill. The way the new bill is worded helps us in insuring to make sure we don't eventually close our doors every time there is a twisted ankle. I believe we must have something that covers the trampolines in the inherent risk area. We are a physical activity and not just a ride, and the new bill covers that in Sec. 4. K.S.A. 2017 Supp. 44-1601 (p) where it covers serious injury.

(Proposed)

**Sec. 4. K.S.A. 2017 Supp. 44-1601 is hereby amended to read as follows: 44-1601. As used in this act:**

**(a) (1) "Amusement ride" means any mechanical or electrical device that carries or conveys passengers along, around or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills or excitement and shall include all rides and devices included under ASTM international F24 committee standards, including, but not limited to:**

**(A) Rides commonly known as ferris wheels, carousels, parachute towers, bungee jumping, reverse bungee jumping, tunnels of love, roller coasters, boat rides, water slides, inflatable devices, commercial zip lines, trampoline courts and go-karts;**

Although I know trampolines are listed in the ASTM international F24 committee standards, I do not feel that trampolines meet the definition outlined in the above. Listing trampolines in this bill, in my opinion, was a copy and paste out of the ASTM and not a lot of thought went into making sure that trampolines fit into what this bill tries to accomplish. Again, I am all for the oversight, but think we need

to review what we list under a certain definition, and not a copy and paste from the ASTM standards. If you look at the list above, every item up there on that list, minus trampolines and inflatables, has an item that the guest is strapped into or sits in, and that item takes the guest for a ride. Whereas the trampolines and inflatables both provide a surface for the guest to move around freely on. When we lump stuff together that do not fall under the same definition, we make it hard for them to make it achievable to meet the standards that were designed for what the bill outlines as a "ride" and may not be achievable for things that were lumped in without a thorough consideration of what they truly are.

So, in closing, as mentioned above, the biggest concerns I have are not the oversight, I am all for making sure we provide the safest and most fun atmosphere we can provide to our guest. I just hope you will all be able to take an extra look at the above-mentioned areas of concern. We are an environment of physical activity and there will always be the inherent risk that comes with that, and if we must close a ride every time we have someone get a sprain or strain, we will have guest who leave since they will not be able to participate in very many activities in the park. We want to keep this park here for as long as we can in hopes to help this community grow for the better. We currently employ over 80 high school and college youth, and provide many of our services at little or no cost to many not for profit organizations, helping them to grow stronger with us. Thank you.