

## CHAPTER 546

## AMUSEMENT FACILITIES

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**546.001 Short title.**—Sections 546.001–546.008 may be cited as the “Amusement Ride and Attraction Insurance Act.”

**History.**—s. 1, ch. 83–110.

**546.002 Definitions.**—As used in ss. 546.001–546.008, the term:

(1) “Amusement attraction” means any building or structure around, over, or through which persons may move or walk, without the aid of any moving device integral to the building or structure, which building or structure provides amusement, pleasure, thrills, or excitement. This term does not include enterprises principally devoted to the exhibition of products of agriculture, industry, education, science, religion, or the arts.

(2) “Amusement ride” means any mechanical device which carries or conveys passengers around, over, or along a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills, or excitement.

**History.**—s. 2, ch. 83–110.

**546.003 Requirement for insurance coverage or bond.**—No person may operate an amusement ride or amusement attraction unless at the time of such operation there is in existence:

(1) An insurance policy in an amount of not less than \$1 million per occurrence insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride or amusement attraction; or

(2) A bond in a like amount; however, the aggregate liability of the surety under such bond shall not exceed the face amount thereof.

The policy or bond shall be procured from one or more insurers or sureties licensed to transact business in this state or approved as surplus lines insurers.

**History.**—s. 4, ch. 83–110.

**546.004 Local licenses, permits, and certificates.**

An amusement ride or amusement attraction may not be granted any license, permit, or registration to engage in business by any local government until the proper governmental authority has been satisfied that the amusement ride or amusement attraction has met the requirements of s. 546.003.

**History.**—s. 3, ch. 83–110.

**546.006 Exemptions.**—The following amusement rides and amusement attractions are exempt from the provisions of ss. 546.001–546.008:

(1) Nonmechanized playground equipment, including, but not limited to, swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides, trampolines, swinging gates, and physical fitness devices, except when an admission fee is charged for use of such equipment or an admission fee is charged to areas where such equipment is located.

(2) An amusement ride or amusement attraction which is owned and operated by a nonprofit religious, educational, or charitable institution or association or by a fair; however, if such ride or attraction is located within a building, the ride or attraction is exempt only if the building is subject to inspection by the State Fire Marshal or by a political subdivision of the state under its building, fire, electrical, and related public safety ordinances.

**History.**—s. 5, ch. 83–110; s. 71, ch. 87–225; s. 1, ch. 87–264; s. 2, ch. 89–111.

**546.008 Penalties for violation of s. 546.003.**—Any person who operates an amusement ride or amusement attraction in violation of the provisions of s. 546.003 is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

**History.**—s. 6, ch. 83–110; s. 134, ch. 91–224.