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SENATE BILL NO. 436

Offered January 9, 2002

Prefiled January 9, 2002

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 45, consisting of sections numbered 59.1-519 through 59.1-522, relating to the Roller Skating Safety Act.

Patron—Williams

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 45, consisting of sections numbered 59.1-519 through 59.1-522, as follows:

CHAPTER 45.

ROLLER SKATING SAFETY ACT.

§ 59.1-519. Definitions.

As used in this chapter:

"Floor guard" means a person employed by the operator to oversee the skating session and maintain order in the roller skating rink.

"Operator" means a person who owns, manages, controls or directs or who has operational responsibility for a roller skating rink.

"Roller skater" means a person wearing roller skates while in a roller skating rink for the purpose of recreational or competitive roller skating. Roller skater also includes any person in such roller skating rink who is an invitee, whether or not said person pays consideration.

"Spectator" means a person who is present in a roller skating rink only for the purpose of observing recreational or competitive skating.

§ 59.1- 520. Operator duties and responsibilities.

An operator shall:

1. Post the duties and responsibilities of the operator as prescribed in this chapter in conspicuous places in at least three locations in the roller skating rink.

2. Maintain the stability and legibility of all signs, symbols, and posted notices required by this chapter.

3. Have a number of safety helmets available for use by roller skaters in an amount equal to ten percent of the rink's maximum capacity and in sizes appropriate to the incremental skate sizes made available for use.

4. Have at least one floor guard on duty for every approximately 100 skaters when the rink is open for sessions. Floor guards shall be provided training in emergency first aid and the procedure for exiting the rink in times of emergency.

5. Maintain the skating surface in a reasonably safe condition and clean and inspect the skating surface before each session.

6. Maintain the railings, kickboards and walls surrounding the skating surface in good condition.

7. In rinks with step-up or step-down skating surfaces, ensure that the covering on the riser is securely fastened.

8. Install fire extinguishers and inspect fire extinguishers at recommended intervals.

9. Inspect emergency lighting units periodically to ensure the lights are in proper order.

10. Keep exit lights in service areas on when skating surface lights are turned off during special numbers.

11. Check rental skates on a regular basis to ensure the skates are in good mechanical condition.

12. Prohibit the sale or use of alcoholic beverages on the premises.

13. Comply with all applicable state and local safety codes.

§59.1-521. Skater responsibilities.

Each skater shall:

1. Maintain reasonable control of his speed and course at all times to the extent he is able.

2. Comply with all properly posted signs and warnings and follow the reasonable instructions of the operator.

3. Wear skates only in areas designated by the operator.

4. Maintain a proper lookout to avoid other skaters and objects.

5. Accept responsibility for knowing the range of his own ability to negotiate the intended direction of travel while on skates and to skate within the limits of that ability.

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59 6. *Refrain from acting in a manner that may cause or contribute to the injury of himself or any*
60 *other person.*

61 §59.1-522. *Civil liability.*

62 *Any operator or skater who violates this chapter shall be liable in a civil action in an amount equal*
63 *to three times the amount of actual damages sustained or \$1,500, whichever is greater. In the case of a*
64 *successful action to enforce the foregoing liability, the costs of the action, together with reasonable*
65 *attorney fees as determined by the court, shall be assessed against the person committing the violation.*
66 *An action under this subsection shall be brought within two years from the date on which liability*
67 *arises.*