

SENATE No. 155

The Commonwealth of Massachusetts

PRESENTED BY:

Donald F. Humason, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relevant to the regulation of farm rides.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|-------------------------------|--|------------------|
| <i>Donald F. Humason, Jr.</i> | <i>Second Hampden and Hampshire</i> | |
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i> | <i>1/28/2019</i> |
| <i>Anne M. Gobi</i> | <i>Worcester, Hampden, Hampshire and Middlesex</i> | <i>1/30/2019</i> |
| <i>Norman J. Orrall</i> | <i>12th Bristol</i> | <i>1/30/2019</i> |
| <i>Steven S. Howitt</i> | <i>4th Bristol</i> | <i>1/30/2019</i> |
| <i>Viriato M. deMacedo</i> | <i>Plymouth and Barnstable</i> | <i>2/1/2019</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Bristol</i> | <i>2/1/2019</i> |

SENATE No. 155

By Mr. Humason, a petition (accompanied by bill, Senate, No. 155) of Donald F. Humason, Jr., Susan Williams Gifford, Anne M. Gobi, Norman J. Orrall and other members of the General Court for legislation to regulate farm rides . Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relevant to the regulation of farm rides.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 140 of the General Laws, as appearing 2016 Official Edition, is
2 amended by adding, after Section 205A, the following new section:-

3 Section 205B: Farm Amusement Rides

4 Section 205B. Section 205A shall not apply to any farm amusement ride given on a farm
5 and not on a public way. Any vehicle which is used to provide a farm amusement ride must have
6 functioning breaks. For the purposed of this section a “farm amusement ride” shall be any ride
7 that does has a maximum travel of not more than 10 miles per hour and elevates a passenger no
8 more than 5 feet from the surface of the ground.

9 No owner, operator, or employee of a farm who provides a farm amusement ride shall be
10 liable for injuries or death to persons, or damage to property, resulting from the conduct of such
11 operation in the absence of willful, wanton, or reckless conduct on the part of said owner,
12 operator, or employee.

13 Said owner or operator of said farm shall post and maintain signs which contain the
14 warning notice specified herein. Such signs shall be placed in a location visible to persons
15 allowed to enter said farm for the purpose of agricultural harvesting. The warning notice shall
16 appear on a sign in black letters, with each letter to be a minimum of one inch in height and shall
17 contain the following notice:

18 WARNING

19 Under section 205B of chapter 140 of the General Laws the owner, operator, or any
20 employees of this farm, shall not be liable for injury or death of persons, or damage to property,
21 resulting out of the ride in the absence of willful, wanton, or reckless conduct.