

## **IC 34-31-6**

### **Chapter 6. Limited Liability for Operators of Roller Skating Rinks**

#### **IC 34-31-6-0.2**

##### **Application of prior law**

Sec. 0.2. The addition of IC 34-4-43 (before its repeal, now codified in this chapter) by P.L.241-1993 applies only to a cause of action that accrues after April 30, 1993.

*As added by P.L.220-2011, SEC.571.*

#### **IC 34-31-6-1**

##### **Duties of operators**

Sec. 1. An operator shall do all of the following with respect to a roller skating rink:

- (1) Post the:
  - (A) duties of roller skaters; and
  - (B) duties, obligations, and liabilities of the operator;as prescribed in this chapter in at least three (3) conspicuous locations in the roller skating rink.
- (2) Maintain the stability and legibility of all signs, symbols, and posted notices required by this chapter.
- (3) When the roller skating rink is open for a session, have at least one (1) floor supervisor on duty for every one hundred seventy-five (175) roller skaters who:
  - (A) has received appropriate training to carry out the floor supervisor's duties; and
  - (B) uses reasonable care in carrying out the floor supervisor's duties.
- (4) Maintain the skating surface in proper and reasonably safe condition.
- (5) Clean and inspect the skating surface before each skating session.
- (6) Maintain in good and safe condition the railings, kickboards, risers, floors, areas open to roller skaters, and walls surrounding the skating surface.
- (7) Maintain rental skates in good mechanical condition.
- (8) Comply with all applicable state and local fire safety codes, building codes, and other safety codes applicable to a roller skating rink.
- (9) Use reasonable care in supervising roller skaters to comply with the requirements of section 2 of this chapter.

*As added by P.L.1-1998, SEC.27.*

#### **IC 34-31-6-2**

##### **Duties of roller skaters**

Sec. 2. A roller skater must do all of the following:

- (1) Maintain reasonable control of the roller skater's speed and course at all times.
- (2) Heed all posted signs and warnings.
- (3) Maintain a proper view to avoid other roller skaters and

objects.

(4) Accept the responsibility for the following:

(A) Knowing the range of the roller skater's ability to negotiate the intended direction of travel while on roller skates.

(B) Skating within the limits of the roller skater's ability.

(5) Refrain from acting in a manner that may cause or contribute to the injury of the roller skater or any other person.

*As added by P.L.1-1998, SEC.27.*

### **IC 34-31-6-3**

#### **Knowledge and assumption of risks presumed; risks included**

Sec. 3. (a) Roller skaters are considered to:

(1) have knowledge of; and

(2) assume;

the risks of roller skating.

(b) For purposes of this chapter, risks of roller skating include the following:

(1) Injuries that result from collisions or incidental contact with other roller skaters or other individuals who are properly on the skating surface.

(2) Injuries that result from falls caused by loss of balance.

(3) Injuries that involve objects or artificial structures that:

(A) are properly within the intended path of travel of the roller skater; and

(B) are not otherwise attributable to an operator's breach of the operator's duties under section 1 of this chapter.

*As added by P.L.1-1998, SEC.27.*

### **IC 34-31-6-4**

#### **Assumption of risk as complete defense; exception**

Sec. 4. (a) Except as provided in subsection (b) and notwithstanding IC 34-51-2-6 concerning comparative fault, the assumption of risk under section 3 of this chapter is a complete defense to an action against an operator by a roller skater for injuries and property damage resulting from the assumed risks.

(b) The following applies if an operator has violated any one (1) of the operator's duties or responsibilities under section 1 of this chapter:

(1) The complete defense against an action against an operator under subsection (a) does not apply.

(2) The provisions of IC 34-51-2-6 apply.

*As added by P.L.1-1998, SEC.27.*