

## Child Injury Laws *Blog*

# Carelessness To Blame For Many Carnival Ride & Water Park Accidents

By **Jonathan Rosenfeld** on August 19, 2011

Several years ago, my office represented a boy who **fractured his legs** after he was thrown from a water slide at a large water park to the concrete pavement below.

Our investigation into the matter revealed that the boy should never have been permitted on the slide because he was grossly under the weight requirements set forth by the designer of the slide. Further, we soon discovered that the water park operators elected to use their own tubes—that were inappropriately sized for the slide.

For me, the water park incident was a real eye-opener into the compromised safety standards used at many water parks, carnivals, fairs, amusement rides and theme parks.

I quickly learned that many ride and amusement operators are far more concerned about the profitability of their operation than the safety of the people who use them.

For smaller scale carnivals and fairs, the seasonal nature of the business leads to situations where rides may be pushed beyond the scope for which they were designed. Improperly assembled rides, untrained workers, delayed repairs and rides used during poor weather have become far too common practices used by the industry to maximize profits.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. ([www.rosenfeldinjurylawyers.com](http://www.rosenfeldinjurylawyers.com)).

Even larger, established amusement parks, can share many of the similar problems of their smaller peers mounted with the complexity of larger-scale rides and the never-ending desire to have bragging rights to the biggest, fastest and scariest ride available.

### Innocent fun, needless tragedy

There's no doubt that everyone going to an amusement park is there for one reason: to have fun! The exciting atmosphere, crowds of people and frequently—the darkness of night, make it very difficult for patrons to spot problems with machinery or other potential safety concerns. Knowing these difficulties, it is incumbent on carnival ride operators to take all reasonable steps to ensure the safety of their patrons.

In some circumstances involving carnival ride injuries; the operator of the ride may be responsible due to their failure to:

- Ensure height / weight requirements
- Replace broken parts
- Use safety belts and harnesses
- Load and unload the ride as intended by the manufacturer
- Inspect the ride for wear and tear
- Assemble the ride properly
- Not adequately training rider operators
- Under-staffing rides allowing inadequate supervision

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. ([www.rosenfeldinjurylawyers.com](http://www.rosenfeldinjurylawyers.com)).

Yet, other situations involving carnival ride injuries may lead to an issue involving the negligent design of the ride-- giving rise to a claim against the manufacturer and/or designer of the ride. In some circumstances, amusement park designers fail to account for the weather conditions that the rides are operated under and parts and welds simply fail due to extreme temperatures and rain.

### Innocent Fun, Complex Cases

Given the severity of some amusement park injuries, it is essential that the culpability of all parties be carefully evaluated in order to achieve fair compensation for the individual. When an amusement park injury involves a young person, it is crucial that the future medical and care requirements be evaluated by doctors and other specialists prior to discussing settlement with the insurance company.

Knowing the unfair bargaining position between an injured person and an insurance adjuster, some insurance carriers representing amusement operators have elected to try to resolve injury claims as quickly as possible. While an offer to settle may be tempting, the overwhelming majority of the time the offer is completely inadequate and unfair.

Before entering into any agreements or accepting any settlement offers, folks injured on a carnival ride may choose to consult with lawyers who have experience litigating and settling these type of cases to help ensure they are not getting the short-end of the deal.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. ([www.rosenfeldinjurylawyers.com](http://www.rosenfeldinjurylawyers.com).)