

Inspection and Technical Services

Race Karts and other similar devices in Private Facilities or Clubs

ITS 21-003

The Inspection and Technical Services conducts inspections of amusement rides under the authority of *The Amusements Act, R.S.M. 2987, c. A70* and its regulations.

The Amusements Act has application only to amusement rides used “by the public”.

The public are therefore advised that the Inspection and Technical Services does not inspect devices which are used in private facilities or clubs, such as privately owned high performance race karts or other similar devices used for racing, for example.

To provide assistance to private facilities and clubs and to the public, regarding what guidelines the Inspection and Technical Services use to determine what constitutes a private facility or club, the Inspection and Technical Services has prepared this Bulletin.

Please note that the following guidelines do not preclude the Inspection and Technical Services from taking other criteria or factors into consideration for the purpose of its determination.

1. The facility or club is selective in its membership and the degree to which the public is excluded, which may include:

- Limited membership;
- Membership qualifications; or
- Restrictions and/or qualification requirements for membership.

2. A formal membership is required, including:

- Substantial dues or other charges;
- Prospective members are recommended by an existing member; or
- A person’s application is approved by a board of directors or other members.

3. The membership retains control over internal governance of the facility or club.

4. The facility and club devices are available for use by facility/club members only.

5. How the facility or club advertises, including:

- The facility or club advertises for membership but it does not advertise that its facilities are available for use by non-members, or that it is easy to join the club/organization.
- Further there is no inference in the advertising that a member of the public may easily become a member.

6. Knowledge and nature of the risks assumed by the members.

- Members are informed of the risks and the assumption of risk and sign consents and waivers of liability.

Private facility or club owners/operators must consider the above guidelines for purposes of running their establishment as well as maintain highly visible signage that outlines that:

THIS ESTABLISHMENT IS A PRIVATE FACILITY/CLUB NOT LICENSED OR INSPECTED BY THE PROVINCE OF MANITOBA.

USERS OF THESE DEVICES ARE CAUTIONED THAT THEY ARE OPERATING THE RACE KARTS OR OTHER SIMILAR DEVICES AT THEIR OWN RISK.

Owners and operators of private facilities or clubs are cautioned that facilities or devices failing to meet the above guidelines may be subject to inspections and enforcement under *The Amusements Act* by The Inspection and Technical Services.

For further information, please contact The Inspection and Technical Services at:

508 - 401 York Avenue
Winnipeg MB, R3C 0P8
T: 204 945-3373
Email: TechnicalServices@gov.mb.ca