

ASSEMBLY BILL NO. 198—ASSEMBLYMEMBER BROWN-MAY

PREFILED FEBRUARY 3, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Establishes provisions relating to certain inflatable devices. (BDR 52-49)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to trade regulations; setting forth certain requirements and restrictions concerning certain inflatable devices; requiring certain businesses that operate such devices to meet certain requirements; setting forth requirements for certain inspections of and warnings relating to such devices; imposing certain restrictions on the use of such devices under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Sections 2-13 of this bill set forth certain requirements and restrictions
2 concerning inflatable devices and certain businesses that operate such devices.
3 Section 3 defines the term “inflatable device” to mean an air-filled device that: (1)
4 incorporates certain structural and mechanical elements to achieve its strength,
5 shape and stability by tensioning from internal air pressure; and (2) can be used by
6 a person to bounce, play, slide, climb or otherwise interact for recreation, including
7 a constant air inflatable bounce house, inflatable waterslide or similar device.
8 Section 5 defines the term “operator business” to mean a business entity which is
9 engaged in the business of making inflatable devices available for use in this State
10 and which employs, controls, directs or hires as an independent contractor an
11 operator to act on behalf of the business entity. Section 4 defines the term
12 “operator” to mean a person on-site at the location where an inflatable device is
13 used who sets up, operates, maintains or supervises the use of the inflatable device
14 on behalf of an operator business.
15 Section 6 prohibits a person from engaging in the business of an operator
16 business unless the person: (1) holds all applicable state and local business licenses;
17 and (2) has obtained certain insurance or a surety bond in an amount of not less
18 than \$1,000,000.



19 **Section 7** requires an operator business to keep a logbook for any inflatable
20 device that is made available for use by the operator business, which must be kept
21 with the inflatable device and made available for inspection at the request of any
22 person. **Sections 8-11** require an operator, before and during each use of an
23 inflatable device, to conduct certain inspections of the device and the area in which
24 it will be used and to record the results of those inspections and certain other
25 information in the logbook. **Section 8** prohibits an operator from allowing any
26 person to use the inflatable device if an inspection reveals a hazard or potential
27 hazard that would make use of the inflatable device unsafe, according to the
28 requirements of this bill or the requirements or recommendations contained in any
29 user manual provided by the manufacturer of the inflatable device. **Section 9**
30 prohibits an operator from allowing a person to use an inflatable device if any label
31 attached by the manufacturer of the device is missing. **Section 9** also prohibits an
32 operator business from selling or transferring an inflatable device if any such label
33 is missing or if any user manual provided by the manufacturer is not provided to the
34 seller or transferee. **Section 10** requires an operator to: (1) monitor wind speed at
35 any location where an inflatable device will be used at all times while the device is
36 in use; and (2) cease operation of the inflatable device if the wind speed exceeds the
37 recommendation of the manufacturer or 10 miles per hour, whichever is less.
38 **Section 11** prescribes certain requirements for anchoring the inflatable device to the
39 ground.

40 **Section 13** of this bill provides that a violation of the provisions of this bill
41 creates a conclusive presumption in certain civil actions that the operator or
42 operator business acted recklessly.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 597 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 13, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 13, inclusive, of this act,*
5 *unless the context otherwise requires, the words and terms defined*
6 *in sections 3, 4 and 5 of this act have the meanings ascribed to*
7 *them in those sections.*

8 **Sec. 3.** *“Inflatable device” means an air-filled device that:*

9 *1. Incorporates a structural and mechanical system and*
10 *employs a high-strength fabric or film that achieves its strength,*
11 *shape and stability by tensioning from internal air pressure;*

12 *2. Can be used by a person to bounce, play, slide, climb or*
13 *otherwise interact for recreation; and*

14 *3. Includes, without limitation, a constant air inflatable*
15 *bounce house, inflatable slide or water slide, obstacle course, pool*
16 *or enclosed inflatable trampoline.*

17 **Sec. 4.** *“Operator” means a person on-site at the location*
18 *where an inflatable device is used who sets up, operates, maintains*
19 *or supervises the use of the inflatable device on behalf of an*
20 *operator business.*



1 **Sec. 5.** *“Operator business” means a business entity,*
2 *including, without limitation, a sole proprietorship that:*

3 1. *Is engaged in the business of making inflatable devices*
4 *available for use in this State; and*

5 2. *Employs, controls, directs or hires as an independent*
6 *contractor an operator to act on behalf of the business entity.*

7 **Sec. 6.** *A person shall not engage in the business of an*
8 *operator business unless the person:*

9 1. *Holds all applicable state and local business licenses; and*

10 2. *Has obtained a liability insurance policy, or a certificate of*
11 *insurance thereof, or a bond of a surety company or other surety*
12 *in an amount not less than \$1,000,000.*

13 **Sec. 7.** 1. *An operator business shall keep a logbook for*
14 *any inflatable device which is made available for use by the*
15 *operator business. The logbook may be written or electronic, but*
16 *must be available in a form that is kept with the inflatable device*
17 *at all times and must be available for inspection at the request of*
18 *any person.*

19 2. *An operator shall record the results of each inspection*
20 *conducted pursuant to sections 8 to 11, inclusive, of this act in the*
21 *logbook.*

22 3. *If an operator or operator business temporarily or*
23 *permanently discontinues the operation or use of an inflatable*
24 *device for any of the reasons described in sections 8 to 11,*
25 *inclusive, of this act, or described in any user manual provided by*
26 *the manufacturer of the inflatable device, the operator shall*
27 *record that information in the logbook.*

28 **Sec. 8.** 1. *Before allowing any person to use an inflatable*
29 *device, the operator shall conduct an inspection of the inflatable*
30 *device and the location where the inflatable device will be used, in*
31 *accordance with:*

32 (a) *The requirements of sections 9, 10 and 11 of this act; and*

33 (b) *The requirements or recommendations contained in any*
34 *user manual provided by the manufacturer of the inflatable*
35 *device.*

36 2. *The operator shall not allow any person to use the*
37 *inflatable device if the inspection reveals a hazard or potential*
38 *hazard that would make use of the inflatable device unsafe,*
39 *according to the requirements of section 9, 10 or 11 of this act or*
40 *the requirements or recommendations contained in any user*
41 *manual provided by the manufacturer of the inflatable device.*

42 **Sec. 9.** 1. *An operator shall inspect an inflatable device,*
43 *before allowing any person to use the inflatable device, to ensure*
44 *all original labels attached to the inflatable device by the*
45 *manufacturer remain attached and are legible. If any label*



1 *attached by the manufacturer is missing, use of the inflatable*
2 *device must be permanently discontinued and the inflatable device*
3 *must be destroyed.*

4 2. *An operator business shall not sell or transfer an inflatable*
5 *device unless all labels attached by the manufacturer are attached*
6 *to the inflatable device and any user manual provided by the*
7 *manufacturer of the inflatable device is provided to the purchaser*
8 *or transferee.*

9 **Sec. 10.** 1. *An operator shall not allow any person to use*
10 *an inflatable device at a location if the wind speed at the location*
11 *exceeds the lesser of:*

12 (a) *The recommendation of the manufacturer for the specific*
13 *inflatable device in use; or*

14 (b) *Not more than 10 miles per hour.*

15 2. *The operator shall use an anemometer to measure the*
16 *wind speed, and record the wind speed in the logbook pursuant to*
17 *section 7 of this act before allowing any person to use the*
18 *inflatable device.*

19 3. *At all times while the inflatable device is in use, the*
20 *operator shall continue to monitor the wind speed at the location*
21 *by using an anemometer. If at any time during the use of the*
22 *device the wind speed exceeds the limits described in subsection 1,*
23 *the operator shall discontinue the use of and deflate the inflatable*
24 *device. The operator shall not allow any person to use the*
25 *inflatable device unless the wind speed falls back within the limits*
26 *described in subsection 1.*

27 **Sec. 11.** 1. *The operator shall ensure an inflatable device is*
28 *anchored to the ground before and at all times during the use of*
29 *the device.*

30 2. *To secure each point where the inflatable device is*
31 *anchored to the ground, the operator shall use:*

32 (a) *Stakes which are not less than 18 inches long and which*
33 *are driven into the ground at not less than a 22 degree angle*
34 *towards the center of the inflatable device, unless the*
35 *recommendations of the manufacturer for the specific device*
36 *require stakes which are longer; and*

37 (b) *Weights which are not less than 100 pounds per anchor*
38 *point, unless the recommendations of the manufacturer for the*
39 *specific device require a heavier weight.*

40 **Sec. 12.** *An operator shall display in a conspicuous place in*
41 *front of an inflatable device at all times during the use of the*
42 *device, a legible and typewritten sign which is labeled*
43 *“OPERATOR’S WARNING” in red and in not less than 72-point*
44 *boldface type. The sign must be not less than 2 feet in length and*



1 *in width and must contain the following information, in a type and*
2 *font that is easy to read and in substantially the following form:*

3 1. *A logbook of safety inspections for this inflatable device is*
4 *available for review upon the request of any person.*

5 2. *The maximum allowable wind speed for the safe operation*
6 *of an inflatable device is 10 miles per hour. The operator is*
7 *required to use and keep available for use an anemometer to*
8 *monitor wind speed before and at all times during use of this*
9 *device. If the wind speed exceeds 10 miles per hour, the operator is*
10 *required to discontinue use of the device.*

11 3. *This inflatable device must be anchored to the ground*
12 *during use. To secure each point where the device is anchored to*
13 *the ground, the operator shall use:*

14 (a) *Stakes which are not less than 18 inches long and which*
15 *are driven into the ground at not less than a 22 degree angle*
16 *towards the center of the inflatable device, unless the*
17 *recommendations of the manufacturer for this device require*
18 *stakes which are longer; and*

19 (b) *Weights which are not less than 100 pounds per anchor*
20 *point, unless the recommendations of the manufacturer for this*
21 *device require a heavier weight.*

22 4. *The maximum number of users of this inflatable device is*
23 *determined by the recommendations of the manufacturer*
24 *according to the warning labels attached to the device.*

25 **Sec. 13.** *For the purposes of any civil action involving an*
26 *injury to a user of an inflatable device made available for use by*
27 *an operator business, any violation of the provisions of sections 2*
28 *to 13, inclusive, of this act creates a conclusive presumption that*
29 *the operator or operator business, as applicable, acted recklessly.*

30 **Sec. 14.** *This act becomes effective on July 1, 2025.*



