

NAFLIC

National Association For Leisure Industry Certification

Standards & Related Documents Committee

TECHNICAL BULLETIN - APRIL 1999

181. Go-Kart Fatality - Canada

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We report on a press release from Ontario's Technical Standards and Safety Authority¹, Elevating & Amusement Devices Safety Division. It contained the following text :-

“Track owner and patron guilty in Hamilton go-kart fatality

A Mount Hope go-kart track operation and a track patron have been found guilty under the Ontario Amusement Devices Act in connection with a fatal accident at the go-kart facility in the summer of 1996, the Technical Standards and Safety Authority (TSSA) announced today.

On July 14, 1996, Dion Desterke of Hamilton, Ontario died following an accident at the Kartworld go-kart track in Mount Hope after the go-kart he was riding in was hit from behind by a kart driven by David Robert Morley, also of Hamilton.

Mr Morley was convicted of operating a go-kart in a dangerous manner. The TSSA investigation determined that Mr. Morley intentionally bumped the victim's go-kart causing it to collide with the wall of a concrete bridge. Mr Morley was sentenced to one-year probation and 100 hours of community service.

Kartworld Hamilton (Glanbrook Recreational Centre Inc.), the registered owner of the go-kart operation, was found guilty of failing to report a similar incident on May 26, 1996 involving the same bridge wall which resulted in minor injuries to a patron. Kartworld Hamilton will pay \$15,000 into a safety fund to be administered by a Board of Trustees with representation from consumers, the amusement devices industry and TSSA.

¹ TSSA is an independent, non-government, not-for-profit organisation which is responsible for regulating the safety of amusement devices in Ontario under the Amusement Devices Act. The Act enforces province-wide safety standards and requires the licensing of amusement rides such as roller coasters, water slides and go-karts

"This safety fund will be used to improve go-kart safety and educate the public on the dangers associated with improper use of these amusement devices," said Elie Stephan, Vice President of TSSA's Elevating and Amusement Devices Safety Division. Mr. Stephan also emphasised the need for go-kart track operators to report any accident that may indicate a potential problem with their respective go-kart facilities."

Many of the issues raised by this press release have been addressed in previous NAFLIC Technical Bulletins. In particular TB 141 discussed some of the main track / kart design hazards. An additional factor not mentioned by TB 141 but which seems to have been significant here was passenger misuse. Under British safety law, control measures are required for significant risks arising from that element of passenger misuse which is foreseeable.