

The Wisconsin Department of Commerce adopts an order to create ch. Comm 9, relating to the anchoring and securing of movable soccer goals.

Analysis of Rule

1. Statutes Interpreted

Statutes Interpreted: s. 167.21 (2), 2009 Wisconsin Act 390.

2. Statutory Authority

Statutes Interpreted: ss. 101.02 (1), and 167.21 (2), Stats., 2009 Wisconsin Act 390.

3. Related Statute or Rule

None known.

4. Explanation of Agency Authority

Under 2009 Wisconsin Act 390, s. 167.21, Stats., the Department is directed to develop rules to address the securing of movable soccer goals.

5. Summary of Proposed Rules

The proposed rules establish minimum standards for the securing of movable soccer goals to lessen the likelihood of the goals tipping over or overturning. The proposed rules apply to both existing and new movable soccer goals. The proposed rules reflect guidelines of the Consumer Product Safety Commission.

6. Summary of, and Comparison with, Existing or Proposed Federal Regulations

The federal Consumer Product Safety Commission's has published *Guidelines for Movable Soccer Goal Safety*. The guidelines include a section on anchoring, securing and counterweighting soccer goals. The guidelines were published in 1995.

7. Comparison with Rules in Adjacent States

An Internet-based search of the anchoring or securing of movable soccer goals in the states of Illinois, Iowa, Michigan and Minnesota found that none of the states have specific rules or programs regarding the subject.

8. Summary of Factual Data and Analytical Methodologies

The proposed rules were developed by reviewing the provisions under 2009 Wisconsin Act 390 in conjunction with the following documents:

- ASTM F 1938, *Standard Guide for Safer Use of Movable Soccer Goals*, 2009.
- ASTM F 2056, *Standard Safety and Performance Specification for Soccer Goals*, 2009.
- ASTM F 2673, *Standard Safety Specification for Special Tip-Resistant Movable Soccer Goals*, 2008.
- Consumer Product Safety Commission’s, *Guidelines for Movable Soccer Goal Safety*.

9. Effect on Small Business including an Analysis and Supporting Documents used to Determine Effect on Small Business or in Preparation of Economic Impact Report

The proposed rules implement the mandates of 2009 Wisconsin Act 390 regarding the securing of movable soccer goals. The rules would apply to all existing and future movable soccer goals. The department does not believe that the proposed rules will increase the effect on small businesses over the mandates of the Act.

An economic impact report has not been required pursuant to s. 227.137, Stats.

10. Agency Contact.

James Quast, Program Manager, jim.quast@wisconsin.gov, (608) 266-9292.

11. Public Hearing Comments.

The hearing record on this proposed rulemaking will remain open until February 23, 2011. Written comments on the proposed may be submitted to James Quast, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at jim.quast@wisconsin.gov.

SECTION 1. Chapter Comm 9 is created to read:

Chapter Comm 9
Anchoring and Securing of Movable Soccer Goals

Comm 9.01 Purpose. This chapter establishes minimum standards for the anchoring or securing of movable soccer goals to limit injuries resulting from overturning.

Comm 9.02 Scope and application. (1) SCOPE. (a) This chapter applies to movable soccer goals whose inside measurements are 6.5 to 8 feet high and 18 to 24 feet wide, except as provided in par. (b).

(b) This chapter does not apply to tip-resistant goals that are labeled indicating conformance to ASTM F2973, Standard Safety Specification for Special Tip-Resistant Movable Soccer Goals.

(2) APPLICATION. This chapter applies to all of the following:

(a) Movable soccer goals existing before, on and after the July 1, 2011.

(b) Movable soccer goals located or to be located on public land.

Comm 9.03 Definitions. In this chapter:

(1) “Movable soccer goal” has the meaning as given in s. 167.21 (1) (c), Stats.

Note: Section 167.21 (1) (c) reads: “Movable soccer goals” means a freestanding structure that consists of at least 2 upright posts, a crossbar, and support bars and that is designed to be used as a soccer goal and to be movable to different locations.

(2) “Public land” means any public and private land where a movable soccer goal is made available for public use.

Comm 9.10 General requirements. (1) (a) Except as provided in par. (b), as of July 1, 2011, a movable soccer goal shall be anchored or secured by a method that will reduce the possibility of it overturning at every location and relocation where the goal is made accessible for public use.

(b) Anchorage or securement of a movable goal need not occur for site maintenance activities such as the temporary movement of a goal for mowing.

(2) (a) Methods for anchoring or securing movable soccer goals shall take into account at least the following variables:

1. The amount of force applied to a crossbar of the soccer goal to pull the goal over or down.
2. The about wind force to cause the soccer goal to tip over.
3. The slope of terrain where the soccer goal is to be located.

(b) Acceptable methods that reduce the possibility of overturning movable soccer goals recognized by the department shall include those delineated under the following guidelines:

1. Guidelines published by the federal consumer product safety commission under the designation CPSC 326, Soccer Goal Guidelines.

2. Guidelines published by the ASTM under designation F1938, Standard Guide for Safer Use of Movable Soccer Goals.

(3) The method of anchoring or securing a movable soccer goal may not in itself create a hazard.

(4) (a) A permanent label warning the risk of overturning shall be fixed to each movable soccer goal.

(b) The label shall depict graphically the potential injury hazard and warning of climbing on or hanging from an unanchored or unsecured soccer goal.

Note: See the federal CPSC Guidelines or ASTM standards F1938 and F2056 for examples of warning labels.

(c) The label shall be affixed to a movable soccer goal in a position to be visible from the ground.

(5) (a) Movable soccer goals shall be moved and anchored or secured by authorized and trained personnel.

(b) The authorization and training for moving and anchoring or securing soccer goals shall be provided by the owners of the goals.

END

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (b), Stats., these rules shall take effect on July 1, 2011.
