

110TH CONGRESS  
1ST SESSION

# H. R. 1173

To authorize the Consumer Product Safety Commission to issue a consumer product safety rule to prevent injuries to users of vending machines and entrapment by small children.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2007

Ms. MILLENDER-MCDONALD introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To authorize the Consumer Product Safety Commission to issue a consumer product safety rule to prevent injuries to users of vending machines and entrapment by small children.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Vending Machine Safe-  
5        ty Act of 2007”.

6        **SEC. 2. FINDINGS.**

7        The Congress finds the following:

1           (1) In October 2006, after failing to scoop out  
2 a stuffed replica of Sponge Bob Square Pants in a  
3 crane vending machine, three-year-old Robert Moore  
4 took off his coat and squeezed through an opening  
5 in the machine.

6           (2) In May 2005, a 3 year old boy in Elkhart,  
7 Indiana, had to be rescued by firefighters after he  
8 was trapped in a crane vending machine. The boy  
9 was rescued after firefighters removed the back of  
10 the machine.

11          (3) In June 2000, a 4 year old boy in O'Fallon,  
12 Missouri, had to be rescued after getting trapped in-  
13 side a crane vending machine. The child crawled into  
14 the machine through the trap door through which  
15 toys are dispensed. The child was freed from the  
16 machine only after rescue workers pried the top of  
17 the machine off.

18          (4) In June 2000, another case of a child being  
19 trapped inside the same trap door of a crane vend-  
20 ing machine occurred in Texas.

21          (5) Since 1990, the Consumer Product Safety  
22 Commission has received at least 43 reported inci-  
23 dents of individuals' use of vending machines which  
24 has resulted in personal injury primarily to the indi-  
25 viduals' arms and hands.

1           (6) At least 25 of the reported injuries were  
2           suffered by minors, 15 of which were by children  
3           under the age of 10.

4           (7) It is clear that there are defects in the de-  
5           sign of the vending machines which have led to the  
6           reported injuries.

7 **SEC. 3. VENDING MACHINE RULE.**

8           Not later than 180 days after the date of enactment  
9           of this Act, the Consumer Product Safety Commission  
10          shall issue a consumer product safety standard under sec-  
11          tion 7 of the Consumer Product Safety Act (15 U.S.C.  
12          2056), for the manufacture and installation of vending  
13          machines, particularly those using a lever or crane appa-  
14          ratus to dispense a product. Such standard may include  
15          a requirement for warning labels or signs relating to the  
16          use of such machines to prevent injuries to individuals,  
17          including children, and may, in the case of a vending ma-  
18          chine with an opening of sufficient size to permit entrap-  
19          ment by a small child, include requirements for an emer-  
20          gency release latch or mechanism for opening the vending  
21          machine.

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