GEORGIA DEPARTMENT OF LABOR
148 ANDREW YOUNG INTERNATIONAL BLVD., N.E. ◆ ATLANTA, GEORGIA 30303-1751

MARK BUTLER
COMMISSIONER

NOTICE OF AMENDMENTS TO SAFETY ENGINEERING RULES (Notice 2014—008)

TO ALL INTERESTED PERSONS AND PARTIES:

In compliance with O.C.G.A. § 50-13-4 and pursuant to the authority contained in O.C.G.A. § 34-8-70, the Georgia Department of Labor gives notice that it proposes to: Repeal all Rules in Chapter 300-8. Attached with this notice is a synopsis and exact copies of the proposed amendments to the Rules.

To provide the public an opportunity to comment upon and provide input into the formulations of the amendments, a public hearing will be held at 10:00a.m. on Thursday, November 20, 2014, in Rooms 101 A and 101 B of the Department headquarters at the address below. An exact copy of the synopsis and Rules are available on the Department's website at dol.state.ga.us.

The Department must receive all comments regarding the amendments of the above referenced Rules from interested persons and parties no later than the closing of the hearing on Thursday, November 20, 2014. Oral statements presented at the hearing must be concise to permit all interested persons an opportunity to be heard. Written comments must be sent to the Georgia Department of Labor, Suite 600, 148 Andrew Young International Blvd., NE, Atlanta, Georgia 30303. Electronic comments must be sent to reg-comment@gdol.ga.gov. Facsimile comments must be sent to (404) 232-7398. Please reference AMENDMENTS TO SAFETY ENGINEERING RULES on all comments.

Date: October 8, 2014

TIM EVANS
DEPUTY COMMISSIONER
GEORGIA DEPARTMENT OF LABOR

SYNOPSIS

RULES
OF
GEORGIA DEPARTMENT OF LABOR

CHAPTER 300-8
SAFETY ENGINEERING

Repealed all Rules in this Chapter, because the Department no longer retains this statutory responsibility such as providing provisions addressing safety regarding amusement rides, carnival rides and bungee jumping, and rules mandating certain types of equipment and inspection procedures. Those duties and responsibilities transferred to the Office of Insurance and Fire Safety, pursuant to SB 446 (2012). Effective as of 2012.

RULES
OF
GEORGIA DEPARTMENT OF LABOR

CHAPTER 300-8

SAFETY ENGINEERING

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~~SAFETY ENGINEERING - 8 : AMUSEMENT RIDE SAFETY~~

300-8-1-.01 Repealed. ~~Definition of Terms. Amended.~~

~~(1) "Annual Inspection" is the official inspection of a ride or de vice made by the Chief Inspector or his designee.~~

~~(2) "A.N.S.I." means American National Standards Institute.~~

~~(3) "Approved" means acceptable to the Commissioner. Any product certified or classified, or labeled, or listed by a nationally recognized testing agency may be deemed to be acceptable, unless specifically banned by order of the Commissioner.~~

~~(4) "A.S.T.M." means the American Society of Testing Materials.~~

~~(5) Backwash — The process of thoroughly cleansing the filter media and elements by reverse flow.~~

~~(6) Backwash Cycle — The time required to thoroughly backwash the filter media and elements and the contents of the filter vessel on vacuum systems also the time to drain the filter element and washing of the medium.~~

~~(7) Backwash Rate — The rate of application of water through a filter during the cleaning cycle, normally expressed in U.S. gallons per minute per square foot of effective filter area.~~

~~(8) Cartridge — A replaceable porous element:~~

~~(a) Depth-Type Cartridge: A filter cartridge, with media not less than 3/4 inch (.18 cm) thick, which relies on penetration of particulates into the media to achieve their removal and to provide adequate holding capacity for the cartridge.~~

~~(b) Surface-Type Cartridge: A filter cartridge, with media less than 3/4 inch (.18 cm) thick, which relies on retention of particulates on the surface of the cartridge to achieve their removal.~~

~~(9) "Child" means a person 12 years of age and under.~~

~~(10) "Containing Device" means a strap, belt, bar, gate or other safety device designed to prevent accidental or inadvertent dislodgement of a passenger from a ride which does not actually provide physical support.~~

~~(11) "Commissioner" means the Commissioner of Labor of the State of Georgia or his authorized representative.~~

~~(12) Deck, Above Ground — Any structure that is on top of or adjacent to the outer edges of the landing pool wall that can support one or more persons in a sitting or upright position.~~

~~(13) Splash Pool Decks — Those areas surrounding a pool or flume which are specifically constructed or installed for use by sliders.~~

~~(14) "Department" means Georgia Department of Labor.~~

~~(15) Factor of Safety — The ultimate load divided by the safe load or the ultimate strength divided by the allowable stress.~~

~~(16) Filter — A device that separates solid particles from water by recirculating it through a porous substance.~~

~~(17) Filter Agitation — The mechanical or manual movement to dislodge the filter aid and dirt from the filter element.~~

~~(18) Filter Cycle — The operating time between cleaning or backwash cycles.~~

~~(19) Filter Element — A device within a filter tank designed to entrap solids and conduct water to a manifold collection header, pipe or similar conduit. Filter elements usually consist of a septum and septum support.~~

(a) Permanent Filter Media: A finely graded material (such as sand or anthracite) which removes filterable particles from the water.
(b) Filter Aid: A type of finely divided medium used to coat a septum type filter — usually distomaceous earth, processed perlite, or similar material.
(20) Filtration Flow — The rate of flow, in volume per time (gpm, gph), through the filter system installed according to manufacturer's instructions with new clean media.
(21) Filtration Rate — The rate of filtration of water through a filter during the filter cycle expressed in U.S. gallons per minute per square foot of effective filter area.
(22) Floor — The interior bottom surface of the splash pool, consisting of that surface from a horizontal plane up to a maximum of a 46 degree slope.
(23) "Guardian" means a person 16 years of age and over.
(24) "Guardian Restriction" means a condition placed on a major ride where a passenger must be accompanied on the ride by a guardian.
(25) JTU — Jackson Turbidity Unit, a means of measuring water clarity.
(26) Loads — Loads are classified as static and dynamic static loads are forces that are applied slowly and then remain nearly constant. One example is weight or dead load. Dynamic loads are forces that vary with time.
(27) "Major Alteration" means a change in the type or capacity of an amusement ride or amusement device or a change in the structure or mechanism that materially affects its functions or operation. This includes, but is not limited to changing its mode of transportation from non-wheeled to a truck or flat-bed mount, and changing its mode of assembly or other operational functions from manual to mechanical or hydraulic.
(28) "Ma or Breakdown" means a stoppage of operation resulting from damage, failure, or breakage of a stress bearing part of a ride or device.
(29) Pinching Hazard — Any configuration of components that would pinch or entrap the fingers or toes of a child or adult.
(30) Primary Structural Members — Any part of the flume or pool structure that carries or retains any static load or stress caused by water pressure or structure weight.
(31) Puncture Hazard — Any surface or protrusion that would puncture a child's or an adult's skin under casual contact.
(32) Recessed Steps — A riser/tread or series of risers/treads extending down from the deck with the bottom riser/tread terminating at the landing pool wall, thus creating a "stairwell".
(33) Recessed Treads — A series of vertically spaced cavities in the landing pool wall creating step holes.
(34) Removable — Capable of being taken away from the main unit with the use of only simple tools, such as a screwdriver, pliers, or wrench.
(35) "Ride Action" — A term which shall be used to describe the movements and/or motions of an amusement ride which are generated for amusement purposes; and/or the bodily actions/reactions experienced by the passengers which are a result of the said movements/motions. Bodily actions/reactions which are a result of the commission of an act(s) of malicious negligence and/or horseplay shall not be construed as resultant of ride action.
(36) "Ride Operator" means any person or persons actually engaged in or directly controlling an amusement ride.
(37) "Rope", "Wire Rope" and "Cable" are interchangeable , but not interchangeable with the terms for fiber rope and manila rope.

(38) "Safety Factor" or "Factor of Safety" means ratio of the ultimate load for a member or part to the allowable or working load for a member or part.
(39) "Safety Retainer" means a secondary safety wire rope, bar attachment or other device designed to prevent parts of an amusement ride or amusement attraction from becoming disengaged from the mechanism or from tipping or tilting in a manner to cause hazard to persons riding on, or in the vicinity of, an amusement ride or amusement attraction.
(40) Safety Walls — That part of the flume designed to keep a slider within the geometric confines of the flume.
(41) Secondary Structural Members — Any part of the flume or pool structure that is not subjected to a load caused by water pressure or structure weight (that is, ridgidizing members).
(42)(a) "Serious Personal Injury" means death, dismemberment, visible significant disfigurement, visible significant or permanent loss of use of a body organ, member, function or system, compound fractures, visible uncontrolled bleeding, heart attack, stroke, or unconsciousness likely attributable to trauma to the head, as a result of the operation or malfunction of an amusement ride.
(b) "Personal Injury" means sustained bodily harm resulting in medical treatment such as trauma, cuts, bruises, burns and sprains, but does not include Minor Injury/Illness or any mental disease or disorder not accompanied by physical injury at the time of the incident, and further does not include false arrest, detention, imprisonment, confinement, slander, libel, violation of privacy or mental distress.
(c) "Minor Injury/Illness" means physical or mental incidents such as fainting, bruising, or minor lacerations for which treatment is limited to rest, cleansing, dispensation of over-the-counter medication, plastic adhesive bandage strips, fluids by mouth, or similar assistance.
(d) "Property Damage" means physical injury to, or destruction of tangible property to the structure or operational parts (including safety equipment and devices) of an amusement ride, sustained by reason of accident or malfunction, other than routine wear and tear, but does not include damage to personal property.
(43) Septum — That part of the filter element consisting of cloth, wire screen, or other porous material on which the filter medium or aid is deposited.
(44) "Shall" means a mandatory requirement.
(45) Shallow Areas — Portions of a pool ranging in water depth from 3 feet (91 cm) to 5 feet (1.52 m).
(46) Splash Pool — A landing pool at the end of the slide from which bathers exit to the deck.
(47) Stress — Force per unit of area.
(48) Top Pool (or Starting Pool) — A shallow trough or pool at the top of the slide wherein the slider begins his or her descent.
(49) Toxic — Having an adverse physiological effect on humans.
(50) Tread Contact Surface — Foot contact surfaces of ladder, step, stair, or ramp.
(51) Turnover — The period of time (usually in hours) required to circulate a volume of water equal to the volume of water in the landing pool
(52) Wall — That structure that supports the landing pool liner or the surface of a flume that is within 45 degrees of vertical.
(53) Wall Closure — The fastening device that connects the flume wall ends.

~~(54) "Water Amusement Ride" is an amusement ride or attraction which utilizes water as the primary entertainment medium, and moreover, the customer is either fully or partially immersed in water.~~
~~(55) Water Line — The water line is defined in one of the following ways:~~
~~(a) Skimmer System — The water line shall fall in the midpoint of the operating range of the skimmers.~~
~~(b) Overflow System — The water line shall be established by the height of the overflow rim.~~
~~(56) "Water Flume" — A sloped trough-like or tubular structure of varying slope and direction usually made of fiberglass or coated concrete which utilizes water as a lubricant and/or the method of regulating rider speed.~~

300-8-1-.02 Repealed. ~~Administration.~~
~~(1) The Safety Engineering Section, which administers the provisions of Title 34 of the Official Code of Georgia Annotated relating to Amusement Ride Safety, is located at the IBEW Building, 501 Pulliam Street, S.W., Room 210 Atlanta, Georgia 30312.~~
~~(2) Address Correspondence to:~~
~~Safety Engineering Section~~
~~Georgia Department of Labor~~
~~501 Pulliam Street, S.W.~~
~~Room 210~~
~~Atlanta, Georgia 30312~~

300-8-1-.03 Repealed. ~~Rules; Regulations; Rider Responsibility; Warnings and Signage.~~
~~(1) Every owner, ride operator and the public using an amusement ride shall comply with these rules and regulations as they apply.~~
~~(2) An amusement ride which is not in compliance with this Chapter shall not be used or occupied.~~
~~(3) Where only individual units of a ride, such as cars, seats, or other carriers are defective and not in compliance with this Chapter, such units shall be taken out of service and clearly marked with a red tag reading "Out of Service"; provided, however, such defects do not jeopardize the safety of the entire ride.~~
~~(4) The Chief Safety Engineer or his designee, upon presenting credentials to the owner/operator, is authorized without prior notice to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and manner, any establishment, assembly area, or other area where amusement rides or amusement attractions are assembled or are in use.~~
~~(a) Inspection includes, but is not limited to, a review of necessary documents, observance and/or inspection of ride assembly or setup.~~
~~(b) Inspection of the ride is to include; foundation, blocking, fuel containers, mechanical condition and safe operation of the ride.~~
~~(5) Recommended passenger restrictions and limitations, where applicable, such as but not limited to, height, weight, age, passenger placement, or other appropriate restrictions shall be provided to the end user by the manufacturer or seller of the amusement ride or device. In the event the manufacturer is unwilling or unable to provide said restrictions, thereby rendering himself in non-compliance with this Law and A.S.T.M. Standards, the said restrictions and/or~~

~~limitation must be established by the owner and/or manager and shall be acceptable to the department.~~
~~(6) The Commissioner or his designee in accordance with (5) above shall maintain a list containing approved height restrictions for major rides.~~
~~(7) All ride patrons shall:~~
~~(a) Obey all posted signs, including but not limited to, warning signs, instruction signs, and directions signs, which are not inconsistent with these rules;~~
~~(b) Obey the instructions of ride attendants;~~
~~(c) Properly use all safety equipment provided;~~
~~(d) Act in a responsible manner while using an amusement ride, device or attraction;~~
~~(e) Refrain from acting in any manner that may cause or contribute to injury to self or others;~~
~~(f) Not participate or use an amusement ride, device or attraction while under the influence of alcohol or any intoxicating substance; and~~
~~(g) Be subject to any or all of the following penalties for violation of this Section A:~~
~~1. Removal from the ride, device or attraction and barred from returning that day;~~
~~2. Removal from the amusement owner's property and barred from returning that day;~~
~~3. Subject to a civil penalty up to a maximum of $100 per infraction to be assessed in accordance with the civil penalty provisions of these rules.~~
~~(8) All ride patrons, if the patron is a minor, the patron's parent or guardian, shall report in writing to the amusement owner or his designee any injury sustained on an amusement ride prior to leaving the amusement owner's premises , unless the ride patron (or parent or guardian) is unable to file the report because of the severity of the injuries, in which case the report shall be filed as soon as reasonably possible.~~
~~(9) Sign Requirements:~~
~~(a) Warnings and directions shall be based upon the standards of the American Society of Testing Materials (ASTM) or the American National Standards Institute (ANSI), or, if expressly approved by the Commissioner, other nationally recognized technical or scientific authority in the amusement ride or carnival ride industry.~~
~~(b) Signs shall be displayed in a public and conspicuous place on or near the ride, device or attraction in letters clearly visible from at least a distance of 15 feet.~~
~~(c) Rider responsibilities and potential penalties shall be posted in at least one public and conspicuous location on the premises of the amusement owner.~~

300-8-1-.04 Repealed. ~~Prohibited Use. Amended.~~
~~(1) The Department shall order in writing, a temporary cessation of operation of an amusement ride, if it has been determined after inspection to be hazardous or unsafe. Operation shall not be resumed until such conditions are corrected to the satisfaction of the Department.~~
~~(2) No person shall knowingly use or permit to be used, an amusement ride which is not properly assembled or which is defective or unsafe in any of its parts, components, controls, or safety equipment.~~
~~(3) No amusement ride, exclusive of water amusement rides, manufactured after January 1, 1986, shall be placed in service unless:~~
~~(a) It complies with ASTM Standard F698-83.~~
~~(b) The manufacturer supplies the owner with a manual containing the operation procedures established by ASTM Standard F770-82.~~

(c) The manufacturer certifies that the ride has been tested to the standards established by ASTM Standard F846-83.
(d) The manufacturer supplies the owner with a maintenance procedures manual as established by ASTM Standard F853-85.
(e) At which time provisions are made for, and adopted by ASTM Standards pertaining to amusement rides, said standards shall be applicable to water amusement rides immediately upon adoption and approval of said standards.
(4) During a lightning storm, a period of tornado alert or warning, or fire, or when violence, riot, or other civil disturbance occurs or threatens in an amusement park, or in an area adjacent thereto, passengers shall be unloaded or evacuated from the ride and the ride shall be shut down and secured immediately. Operation shall not resume until the situation has returned to a normal, safe operation condition.
(5) Exemptions: The following rides or attractions are exempted from the provisions of this Act:
(a) Unpowered, nonmechanized playground equipment including, but not limited to: swings, seesaws, slides, stationary spring mounted animal features, jungle gyms, rider - propelled merry-gorounds, climbers, trampolines, moon walks and live rides.
(b) Any single passenger manually, mechanically, or electrically operated, coin-actuated ride, which is customarily placed singly, or in groups, in a public location and which does not normally require the supervisions or services of an operator.
(6) An amusement ride which is exposed to wind or storm with lightning or wind gusts above that recommended by the manufacturer, shall not be operated except to release or discharge occupants.
(7) If the inspector finds that an amusement ride presents an imminent danger he will attach to such ride a red tag reading "Out of Service" and secure said ride. Such notice shall not be removed until the ride is made safe and then only by the inspector issuing the red tag.
(8) The amusement ride shall not be used while the inspector's out of service red warning tag is posted.

300-8-1-.05 Repealed. Medical and First Aid, Fatalities, Personal Injury, and Accidents. Amended.
(1) **Medical and First Aid.** The owner and operator shall ensure the availability of medical aid.
(a) While the venue is open or has patrons on the site, in the absence of an infirmary, clinic, or hospital available adjacent to the site or within one-half mile of the rides and attractions, one or more adequately trained and certified individuals shall be available on premises at all times with appropriate skills to render first aid and cardiopulmonary resuscitation. In addition, first aid supplies recommended and approved by the American Red Cross or by a consulting physician shall be readily available.
(b) At the site office or other appropriate place, the telephone numbers for physician, hospital, ambulance and local fire and police services shall be conspicuously posted for use by the staff and public in the event of emergency.
(2) **Accidents involving fatalities or serious personal injury.** In the event of an accident involving fatalities, serious personal injury, or personal injury requiring inpatient overnight hospitalization, and of which the owner or operator has knowledge (Authority: O.C.G.A. 34-12-13):
(a) The ride or activity shall be shut down and immediately taken out of service;

~~(b) The ride or activity shall be secured to prevent operation until the Department has conducted a full investigation; and~~
~~(c) The accident shall be immediately reported to the Department by telephone, and shall be augmented by a detailed written report submitted by certified mail or similar means not later than the close of the next business day following the accident.~~
~~(d) If at the time of the telephonic report, the owner or operator and a qualified repair technician present sufficient information to the Department, the Department may, in its discretion, permit the ride or activity to be promptly repaired and put back into service without an investigation and inspection. The Department shall make a record of such decision and record it upon the written report submitted concerning the accident.~~
~~(3) **Accidents in which further safe operations may be compromised.** In the event of an accident involving either personal injury or property damage and of which the owner or operator has knowledge in which there is a discernable risk that further safe operation of the ride or activity may be compromised (Authority: O.C.G.A. 34-12-5):~~
~~(a) The ride or activity shall be shut down and immediately taken out of service;~~
~~(b) The ride or activity shall be secured to prevent operation until the Department has conducted a full investigation; and~~
~~(c) The accident shall be immediately reported to the Department by telephone, and shall be augmented by a detailed written report submitted by certified mail or similar means not later than the close of the next business day following the accident.~~
~~(d) If, at the time of the telephonic report, the owner or operator and a qualified repair technician present sufficient information to the Department, the Department may, in its discretion, permit the ride or activity to be promptly repaired and put back into service without an investigation and inspection. The Department shall make a record of such decision and record it upon the written report submitted concerning the accident.~~
~~(4) **All other accidents or incidents.** In order to evaluate the overall safety of regulated rides and activities, and to permit the identification of trends which may permit the effective prevention of accidents, all other accidents and incidents involving personal injury or property damage, but not including minor personal injury/illness, sustained by reason of the operation or malfunction of a ride or activity shall be reported as follows (Authority, O.C.G.A. 34-12-5):~~
~~(a) The accident or incident shall be reported in writing to the Department within 30 days of the accident or incident, or within 30 days after the owner or operator knows a belated report of personal injury. In the alternative, such reports may be accumulated and submitted on a monthly basis.~~
~~(b) The report shall summarize the accident or incident; shall note any equipment repair or adjustment accomplished; and shall include any witness statements taken.~~

300-8-1-.06 Repealed. ~~Inspection Fee and Permit. Amended.~~
~~(1) Before commencing operations in 1986 and in each year thereafter, an owner shall make application to the Department containing information as required by the Department. The application, when filed, shall be accompanied by a certificate of insurance, bond, or other security indicating that the owner has complied with the Amusement Rules and Regulations for the State of Georgia.~~

~~(2) No amusement ride or amusement park ride or slide shall be operated without a permit, except that a ride covered by a valid permit to operate for the preceding year may~~

~~continue to operate for the current year, until reinspected. This carry-over permit shall be known as a temporary permit.~~
~~(3) All stationary amusement rides and amusement park slides shall be inspected by the Department before they are originally put into operation for the public's use and thereafter at least once every year, unless authorized to operate on a temporary permit.~~
~~(4) Upon receiving an application there will be a one time charge of $50.00 for processing of the permit.~~
~~(5) The Department shall charge an annual inspection fee of $65.00 for each slide, aerial lift or amusement ride.~~
~~(6) After inspection, if the amusement ride is found to comply with this Chapter, the Department shall authorize the ride for use by the public provided the inspection fee has been paid.~~
~~(7) No amusement ride shall be used at any time or location unless prior notice of intent to use the same has been given to the Commissioner.~~
~~(8) Notice of planned schedules shall:~~
~~(a) Be in writing;~~
~~(b) Identify the ride;~~
~~(c) State the intended dates and location of use; and~~
~~(d) Be mailed to the Georgia Department of Labor, Safety Engineering Section on or before January 1 of each year, on a form furnished by the Department.~~
~~(e) In the event a special inspection is made, an additional fee of $75.00 per hour and all traveling expensed incurred in connection with the inspection will be charged.~~
~~1. The expenses shall be governed by the regulations for traveling expenses established for state officials. In cases where a trip is made to inspect two or more parties, the traveling expenses shall be prorated between the parties on the basis of time and expenses incurred for each inspection.~~
~~2. A special inspection is any non-routine inspection which includes but is not limited to:~~
~~(i) Failure to report a schedule change after scheduling an inspection.~~
~~(ii) All violation follow-up inspections which require a special trip to verify compliance.~~
~~(iii) Scheduling an inspection with less than 72 hours notice.~~
~~(9) A copy of the permit issued by the Department shall be continuously displayed at the entrance to the park when the ride is in use. The permit shall be encased in such a manner as to be protected from weather conditions. Duplicate of such permits shall be issued by the Department.~~
~~(10) The owner of an amusement ride shall notify the Commissioner when ownership is transferred to another owner. In such a case, the new owner shall obtain a new permit.~~

300-8-1-.07 Repealed. ~~Insurance, Bond or Other Security. Amended.~~
~~(1) No person shall operate a ride unless at the time, there is in existence:~~
~~(a) A policy of insurance in an amount not less than five hundred thousand dollars insuring the owner or operator against liability for injury to persons arising out of the operation of the amusement ride; or~~
~~(b) A bond in a like amount provided, however, that the appropriate liability of the surety under such bond shall not exceed the face amount thereof; or~~
~~(c) Cash or other security acceptable to the Department.~~
~~(2) The policy shall be procured from one or more insurers acceptable to the Department.~~

300-8-1-.08 Repealed. ~~Operation, Amusement Rides.~~

~~(1) The ride operator shall be at least 16 years of age.~~

~~(2) The ride operator shall operate no more than one mechanical ride at any given time as provided by the A.S.T.M. Standards or manufacturers specifications.~~

~~(3) The ride operator shall be properly trained before he is assigned the duties of operating a ride.~~

~~(4) The ride operator shall have knowledge of the use and function of all normal and emergency operating controls and the proper use of the ride.~~

~~(5) The ride operator shall be in the immediate vicinity of the amusement ride operating controls at all times during normal operations of the ride. This Rule shall not be construed to prohibit passengers from using amusement ride operating controls designed for use by a passenger.~~

~~(6) The ride operator shall exercise reasonable control over the amusement ride to prevent dangerous actions by passengers.~~

~~(7) The ride operator shall watch for apparent impending mechanical failures of the amusement ride.~~

~~(8) The ride owner of an amusement ride shall insure that his or her ride is operated in a manner which precludes foreseeable mischievous use of the ride.~~

~~(9) The ride operator shall not operate any ride when under the influence of drugs or alcohol.~~

~~(10) The ride operator or maintenance personnel shall lock out the electrical disconnect switch when restoration of electrical power to an amusement ride could create a hazard to persons during the performance of maintenance, repair, inspection, or an emergency evacuation of passengers and insure that it remains locked out until such time that restoration of power will not create a hazard.~~

~~(11) An amusement ride shall not be overcrowded or loaded in excess of its safe carrying capacity.~~

~~(12) Amusement rides shall not be operated at an unsafe speed or at any speed beyond that recommended by the manufacturer.~~

~~(13) Signal systems for the starting and stopping of amusement rides shall be provided where the operator of the ride does not have a clear view of the point at which passengers are loaded or unloaded.~~

~~(14) Any code of signals adopted for the operation of any amusement ride shall be printed and kept posted at both the operator's and the signalman's stations. All persons who use these signals shall be carefully instructed in their use.~~

~~(15) Signals for the movement or operation of an amusement ride shall not be given until all passengers and other persons who may be endangered are in a position of safety.~~

~~(16) Voice communication shall be provided between the ride operators at the entrance, intermediate points and the termination of an amusement ride where voice communication could provide improved control of the ride by reducing a hazardous condition created by distance or lack of visibility between these points.~~

~~(17) Where a ride exposes a passenger to high speed, substantial centrifugal force or a high degree of excitement, the owner shall post a conspicuous warning sign at the entrance to the ride advising the public of risk to passengers.~~

~~(18) The sign required by (17) above shall be at least two feet by two feet in sharply contrasting colors.~~

~~(19) The sign required by (17) above shall read as follows or express an equivalent warning:~~
~~(a) The following people should not ride this ride:~~
~~1. Those with heart conditions;~~
~~2. Pregnant women;~~
~~3. Those with back ailments.~~
~~(20) The owner or ride operator shall have the right to refuse any member of the public admission to a ride if his bearing or conduct will endanger himself or other members of the public.~~
~~(21) The owner or ride operator shall have the right to refuse admittance to any ride if the intended passenger's health or physical condition makes it unsafe for him to use the ride.~~
~~(22) The owner or ride operator shall refuse a passenger seeking admission to a major ride if the passenger cannot meet a guardian or height restriction if the ride is subject to such a restriction. Legible signs to this effect shall be posted in full view of the public seeking admission to rides.~~
~~(23) The owner or ride operator of an amusement ride shall not permit a person obviously under the influence of alcohol or narcotics to be admitted to any amusement ride.~~
~~(24) A suitable number of containers shall be provided in and around amusement rides. Excessive accumulations of trash or refuse shall be promptly removed.~~
~~(25) All parts of amusement devices and temporary structures used by passengers or customers shall be maintained in a clean condition.~~

300-8-1-.09 Repealed. ~~Maintenance and Inspection Records.~~
~~(1) The owner shall retain at all times up-to-date maintenance records for each amusement ride.~~
~~(2) These records shall contain the following information:~~
~~(a) Date and nature of all inspections;~~
~~(b) Any violation of the rules and type of action taken to rectify the violation;~~
~~(c) All breakdowns or repairs of any major mechanical part.~~
~~(3) Maintenance of equipment shall be in accordance with this Chapter; and any replacements thereof shall be in conformity with this Chapter. Only those bolts of grade 5 or better will be used except where stronger grade bolts are required by manufacturer.~~
~~(4) Repairs: In accordance with manufacturers recommendations only those procedures acceptable will be allowed.~~
~~(5) An amusement ride shall be inspected and tested on each day when it is intended to be used. The inspection and test shall be made by a qualified person experienced and instructed in the proper assembly and operation of the device and shall be performed before the ride is put into normal operation.~~
~~(6) The inspection and test shall include the operation of control devices, speed-limiting devices, brakes and other equipment provided for safety.~~
~~(7) All amusement rides shall have an operating manual. The owner of an amusement ride shall operate the ride in accordance with the manufacturer's operating manual. In the absence of a manufacturer's operating manual, the owner shall write an approved operating manual. Where any conflict occurs between the operating manual and this Chapter, this Chapter shall prevail. The operating manual shall be kept with the amusement ride and shall be available for use by the office of Safety Engineering at all times.~~

300-8-1-.10 Repealed. ~~Rebuilt and Modified Rides.~~

~~If an amusement ride is materially rebuilt or so modified as to change its original action:~~
~~(a) The ride shall be reidentified by a different name or identification number or both;~~
~~(b) The ride shall be subject to all other provisions of this Chapter as if it were a new ride not previously used.~~

300-8-1-.11 Repealed. ~~Assembly and Disassembly.~~

~~(1) The assembly and disassembly of an amusement ride shall be done by or under the supervision of a qualified person.~~
(2) Assembly work shall be performed in a proper and workmanlike manner. Parts shall ~~be properly aligned and shall not be bent, distorted, cut or otherwise injured to force a fit. Parts requiring lubrication shall be lubricated in course of assembly. Fastening and locking devices, such as bolts, cap screws, cotter pins and lock washers shall be installed where required for safe operation. Nuts shall be drawn tight, cotter pins shall be spread and lock nuts firmly set.~~
~~(3) Parts which are excessively worn or which have been materially damaged shall not be used. Close visual inspection of parts shall be made during assembly to discover such wear or damage and immediate inspection of fastening devices shall be made after assembly to assure that they have been properly installed.~~
~~(4) Persons engaged in the assembly or disassembly of amusement rides shall be provided with and shall use tools of proper size and design to enable the work to be done in a proper manner. Broken, damaged and unsuitable tools shall not be used.~~
~~(5) Assembly and disassembly of amusement rides shall be done under light conditions sufficient to permit the work to be properly performed and inspected.~~
~~(6) A sufficient number of persons to do the work properly shall be engaged for the assembly or disassembly of amusement rides. Persons not so engaged shall be prevented from entering the area in which the work may create a hazard.~~
~~(7) The owner of an amusement ride shall comply with the manufacturer's construction manual for the assembly and disassembly of the ride. The manufacturer's construction manual shall be kept with the amusement ride and shall be available for use by the Safety Engineering Section.~~

300-8-1-.12 Repealed. ~~Manufacturer's Information.~~

~~(1) No new amusement ride shall be placed in service unless the following information as applicable is provided to the ride owner by the manufacturer of the ride.~~
~~(2) The required information shall be legibly impressed on a metal plate or equivalent and readily visible at the appropriate ride.~~
~~(a) A manufacturer's unique serial number or code affixed to the ride in a permanent fashion;~~
~~(b) A manufacturer's unique serial number or code assigned to each manufactured ride type of the same structural design or components;~~
~~(c) The date (month, year) that the given ride met the manufacturer's required construction specifications;~~
~~(d) The maximum revolutions per minute, the maximum feet per second, or miles per hour;~~
~~(e) The capacity of the ride in terms of total passenger weight or the number of~~

~~passengers;~~
~~(3) Water ride data plates shall contain a location number of the ride or flume and the maximum dispatch time interval.~~
~~(4) The ride owner shall maintain all of the information described in (2) above and make it available to the Commissioner upon his request.~~
~~(5) Where any conflict occurs between the manufacturer's information or recommendations of (2) above and other provisions of these rules, the other provisions of this Chapter shall prevail.~~

300-8-1-.13 Repealed. ~~Brakes and Stops.~~
~~(1) On an amusement ride or amusement attraction where coasting renders the operation dangerous, either during the period while the ride or attraction is being loaded or unloaded or in the case of power failure or other unforeseeable situation a method of braking shall be provided.~~
~~(2) If cars or other components of an amusement ride or amusement attraction may collide in such a way as to cause personal injuries upon failure of normal controls, emergency brakes sufficient to prevent these collisions shall be provided in accordance with the manufacturer's design.~~
~~(3) On amusement rides or amusement attractions which make use of inclined tracks, automatic anti-rollback devices shall be installed to prevent backward movement of the passenger carrying units in case of failure of the propelling mechanism.~~

300-8-1-.14 Repealed. ~~Internal Combustion Engines.~~
~~(1) Internal combustion engines for amusement rides shall be of adequate type, design and capacity to handle the design load.~~
~~(2) Where fuel tanks of internal combustion engines for amusement rides are not of adequate capacity to permit uninterrupted operation during normal operating hours, the amusement ride shall be closed down and unloaded or evacuated during the refueling procedure. The fuel supply shall not be replenished while the engine is running.~~
~~(3) Where an internal combustion engine for an amusement ride is operated in an enclosed area, the exhaust fumes shall be discharged to the outside.~~
~~(4) Internal Combustion engines for amusement rides shall be located to permit proper maintenance and shall be protected by guards, fencing or enclosure~~.

300-8-1-.15 Repealed. ~~Wire Rope.~~
~~(1) Wire rope on amusement rides shall be thoroughly examined periodically. Wire rope found to be damaged shall be replaced with new rope of proper design and capacity as per the manufacturer's data tag. Any of the following conditions shall be cause for rope replacement:~~
~~(a) In running ropes, six randomly distributed broken wires in one rope lay or three broken wires in one strand in one rope lay.~~
~~(b) In pendants or standing ropes, evidence of more than one broken wire in one rope lay.~~
~~(c) Abrasion, scrubbing or peening causing loss of more than 1/3 of the original diameter of the outside diameter of the outside individual wires.~~
~~(d) Severe corrosion.~~
~~(e) Kinking, crushing, birdcaging, or other damage resulting in distortion of the rope~~

~~structure.~~
~~(f) Heat damage.~~
~~(g) Reduction from normal diameter of more than 3/64 inch for diameters up to and including 3/4 inch, 1/16 inch for diameters 7/8 inch to 1 1/8 inches, 3/32 inch for diameters ¼ inches to 1 ½ inches.~~
~~(h) Birdcaging or other distortion resulting in some members of the rope structure carrying more load than others.~~
~~(i) Noticeable rusting or development of broken wires in the vicinity of attachments. When this condition is localized in an operational rope, it may be eliminated by making a new attachment.~~
~~(2) Wire ropes used to support, suspend, bear or control forces and weights involved in the movement and utilization of tubs, cars, chairs, seats, gondolas, other carriers, the sweeps, or other supporting members of an amusement ride shall not be lengthened or repaired by splicing except by a licensed cable splicer for aerial tramways.~~

300-8-1-.16 Repealed. ~~Hydraulic Systems.~~
~~(1) Hydraulic systems and other related equipment used in connection with amusement rides shall be free of leaks and maintained to ensure safe operation at all times.~~
~~(2) An amusement ride which depends upon hydraulic pressure to maintain safe operation shall be provided with a positive means of preventing loss in hydraulic pressure that could result in injury to a passenger.~~
~~(3) Hydraulic lines shall be guarded so that sudden leaks or breakage will not endanger the passenger or the public.~~

300-8-1-.17 Repealed. ~~Pressure Vessels, i.e., Vacuum Tanks.~~
~~(1) Air compressor tanks, storage tanks and appurtenances used in connection with amusement devices shall be designed and constructed in accordance with Section VIII of the ASME Code; and shall also be equipped and maintained to ensure safe operation.~~
~~(2) Air compressor tanks and other receivers used in connection with air compressors shall comply with the Rules of the National Board Inspection Code of the Boilers and Pressure Vessel Code.~~
~~(3) Air compressor tanks and other air receivers used in connection with air compressors shall be inspected operationally at least once a year and internally when considered necessary by a qualified inspector and a record of each inspection shall be kept.~~
~~(4) Air compressor tanks and other air receivers used in connection with air compressors shall have the maximum allowable working pressure conspicuously marked thereon~~.

300-8-1-.18 Repealed. ~~Protection Against Moving Parts.~~
~~(1) The interior and exterior parts of all passenger carrying amusement rides with which a passenger may come in contact shall be smooth and rounded, free from sharp, rough or splintered edges and corners, with no protruding studs, bolts, screws, or other projections which might cause injury.~~
~~(2) Interior parts of passenger carrying apparatus upon which a passenger may be forcibly thrown by the action of the ride shall be adequately padded.~~
~~(3) Amusement rides which are self-powered and which are operated by a passenger shall~~

~~have the driving mechanism so guarded and the guard so secured in place as to prevent passengers from gaining access to the mechanism.~~
~~(4) Handholds, bars, footrests and other equipment as may be necessary for safe entrance and exit to and from amusement rides shall be provided and maintained in a safe condition. Such equipment shall be of sufficient strength to support the passengers.~~
~~(5) Restraining, containing or cushioning devices or a combination of these shall comply with this subsection and be provided and used on all amusement rides where:~~
~~(a) Centrifugal and other forces or mechanical malfunction could unseat or dislodge a passenger, or~~
~~(b) Inadvertent movement of a passenger could cause injury to the passenger or any other passenger, or~~
~~(c) The speed of the ride presents a hazard to a passenger.~~
~~(6) Restraining, containing or cushioning devices shall be designed, constructed, installed and maintained so as to provide safe support for passengers.~~
~~(7) Anchorage for restraining, containing or cushioning devices shall have strength at least equal to the strength of such devices.~~
~~(8) All passenger restraints or containing devices shall be provided and maintained in accordance with the manufacturers designs and recommendations and shall not be modified without the approval of the manufacturer and the Department.~~
~~(9) All exposed mechanical parts shall have guards installed to prevent possible personal contact while in operation.~~
~~(10) Any safeguarding means in itself shall not be a hazard.~~

300-8-1-.19 Repealed. ~~Passenger Tramways.~~
~~(1) Aerial Passenger Tramways, ANSI B77.1 — 1976 and addendum to Aerial Passenger Tramways, ANSI B-77.1a — 1978 are hereby adopted as a rule with the modifications as indicated below.~~
~~(a) Each owner engaged in passenger tramway operations shall protect the public by complying with ANSI B-77.1 and B-77.1a.~~
~~(b) Where any conflict occurs between the rule referenced in (1) above and any other rule in this Chapter, the latter shall prevail.~~

300-8-1-.20 Repealed. ~~Electrical Equipment.~~
~~(1) The National Electrical Code, NFPA No. 70 1984, is hereby adopted as a rule and all future amendments shall be accepted as adopted.~~
~~(2) This document may be purchased from the National Fire Protection Association, Battermarch Park, Quincy, MA 02269.~~
~~(3) All electrical wiring and equipment used for amusement rides or for lighting shall be installed and maintained in accordance with the Rule adopted in (1) above.~~
~~(4) The outlets of electrical power lines carrying more than 120 volts shall be clearly marked to show their voltage.~~
~~(5) All electrical transformer substations shall be properly enclosed and proper warning signs shall be posted.~~
~~(6) Electrical wiring and equipment located outdoors shall be of such quality and so constructed or protected that exposure to weather will not interfere with its normal operation.~~

~~(7) Elevated power lines crossing access or other roads within the grounds of a carnival or amusement park shall be so suspended as to provide a vertical clearance of at least twelve feet from the road surface or three feet above any vehicle used within the grounds of a carnival or amusement park. A horizontal clearance of at least three feet shall be provided on each side of the normal passage space of vehic~~les.

300-8-1-.21 Repealed. ~~Temporary Wiring.~~

~~(1) The provisions of (1) an (2) shall apply to installations of 600 volts, nominal or less, for temporary electrical power and lighting wiring methods which may be of a class less than would be required for a permanent installation. Except as specifically modified in this subsection, all other requirements of (3) through (7) for permanent wiring shall apply to temporary wiring installations.~~

~~(2) Temporary electrical power and lighting installations shall be permitted during the period of construction and remodeling of buildings, structures, equipment or similar activities.~~

~~(3) Temporary electrical power and lighting installations shall be permitted for a period not to exceed 90 days for Christmas decorative lighting, carnivals, and similar purposes, and for experimental or development work.~~

~~(4) Services shall be installed in accordance with Article 230 of the Rule referenced in 300-8-1-.21.~~

~~(5) Feeders shall be protected in accordance with Article 240 of the Rule referenced in 300-8-1-.21. They shall originate in an approved distribution center. The conductors shall be permitted within multi-conductor cord or cable assemblies or where not subject to mechanical injury, they shall be permitted to be run as open conductors on insulators not more than 10 feet apart.~~

~~(6) All branch circuits shall originate in an approved power outlet or panelboard. Conductors shall be permitted within multi-conductor cord or cable assemblies or as open conductors. All conductors shall be protected by overcurrent devices at their rated ampacity. When run as open conductors they shall be fastened at ceiling height every 10 feet. No conductor shall be laid on the floor. Each branch circuit that supplies receptacles or fixed equipment shall contain a separate equipment grounding conductor when run as open conductors.~~

~~(7) All receptacles shall be of the grounding type. Unless installed in a complete metallic raceway all branch circuits shall contain a separate equipment grounding conductor and all receptacles shall be electrically connected to the grounding conductor.~~

~~(8) No bare conductors nor earth returns shall be used for wiring of any temporary circuit.~~

~~(9) Suitable disconnecting switched or plug connectors shall be installed to permit the disconnection of all ungrounded conductors of each temporary circuit.~~

~~(10) All lamps for general illumination shall be protected from accidental contact or breakage. Protection shall be provided by elevation of at least 7 feet from normal working surface or by a suitable fixture or lampholder with a guard.~~

~~(11) All grounding shall conform with Article 250 of the Rule referenced in 300-8-1-.21.~~

~~(12) Temporary wiring over 600 volts shall be permitted during the period of construction, tests, experiments, or emergency. A less permanent class of wiring and equipment shall be permitted than would be required for a permanent installation.~~

~~(13) Suitable fencing, barriers, or other effective means shall be provided to prevent~~

~~access of other than authorized and qualified personnel to temporary wiring over 600 volts.~~
~~(14) Temporary wiring over 600 volts shall be removed immediately upon completion of construction or purpose for which the wiring was installed.~~
~~(15) Equipment utilizing temporary wiring over 600 volts shall be grounded in accordance with Section 250-42 of the Rule referenced in 300-8-1-.21.~~
~~(16) Temporary electric wiring, if suspended shall be so supported that its protective insulation will not be damaged.~~

300-8-1-.22 Repealed. ~~Grounding.~~
~~(1) No overcurrent protection device shall be installed in neutral or grounding conductors.~~
~~(2) Where electrical power is supplied for an amusement ride by a generating system, the generator and all equipment shall be properly grounded.~~
~~(3) All receptacles and attachment plugs shall be of the grounding type.~~
~~(4) Each electrically powered amusement ride shall be effectively grounded. The grounding shall be made effective as to all non-current carrying metal parts which may become energized and which are exposed to contact by any persons.~~
~~(5) Grounding which does not have a resistance to ground of 25 ohms or less shall be augmented by one additional electrode of any of the types specified in Section 250-83 of the Rule referenced in 300-8-1-.21.~~

300-8-1-.23 Repealed. ~~Construction.~~
~~(1) An owner/operator shall furnish a certified stress analysis and other pertinent data deemed necessary by the Department for new, redesigned and all existing rides for which this information may be requested. Such stress analysis and other data pertinent to the design, structure, factors of safety or performance characteristics shall be acceptable to the Department. Failure of owner/operator to submit the requested information shall be cause for the Chief Safety Engineer to deny issuance of a permit to operate.~~
~~(2) Structural materials and construction of rides shall conform to established engineering practices, procedures, standards and specifications. If a designer or manufacturer of equipment wishes to use materials not covered by these regulations or by reference to existing standards, such information concerning these materials or methods shall be submitted to the Department. The design details, materials and construction features shall provide safety factors acceptable to the Department.~~
~~(3) All amusement rides shall be designed, constructed and installed so as to withstand any normal stresses to which they may be subjected.~~
~~(4) Before being used by the public, amusement rides shall be placed or secured with blocking, cribbing, outriggers, guys or other means necessary to be stable under all operating conditions.~~
~~(5) All amusement rides, such as, but not limited to, passenger tramways, where restoration of electrical power could create a hazard, shall be provided with a main disconnect switch capable of being locked only in the "Off" position.~~
~~(6) The path of travel of an amusement ride shall have a clearance adequate to ensure that a passenger on the ride cannot be injured by contacting any structural member or other~~

~~fixed object when the passenger is in the riding position.~~
~~(7) All amusement rides, buildings, tents or trailers excluding water flumes with enclosed sides used for amusement assembly shall be provided with emergency lighting fixtures clearly marking exit routes with suitable lighting to allow safe exit from same in the event of a power failure or fire.~~
~~(8) Location. General layouts shall be established so that continuous traffic patterns will exist. Box canyons formed by rides and attractions or concession booths may not be located immediately in front of hazardous equipment. The layouts shall be such to prevent traffic patterns through the concession booth back yards. The intermingling of water lines and electrical lines shall be avoided. Long guy wires or narrow braces utilized for ride, attraction or booth support shall be clearly marked with streamers or other devices to attract attention when located in traffic patterns.~~
~~(9) All structures used in connection with amusement rides shall be so designed and constructed as to carry safely all loads to which such structures may normally be subjected.~~

300-8-1-.24 Repealed. ~~Means of Access and Egress.~~
~~(1) Safe and adequate means of access and egress from amusement rides shall be provided.~~
~~(2) At least two means of egress remote from each other shall be provided from each floor, tier, room or balcony in structures which house amusement rides.~~
~~(3) Access to the means of egress shall be marked by readily visible signs in all cases where the egress is not immediately visible to the passengers.~~
~~(4) No egress shall be less than 22 inches in width.~~
~~(5) The width of a stairway shall be taken as the length of the treads between the stringers. The width of a doorway shall be taken as the width of the door.~~
~~(6) The maximum travel distance from the most remote point in any room or enclosed space to an open safe outside space shall be not greater than that listed below:~~
~~(a) 100 feet in unsprinklered construction;~~
~~(b) 150 feet in sprinklered construction; and~~
~~(c) 25 feet in dead ends.~~
~~(7) Means of access and egress shall have protection from adjacent hazards and protection from falling by use of rails, enclosures, barriers or similar means.~~
~~(8) Means of access and egress shall be free from debris, obstructions, projections, slipping, tripping and other hazards.~~
~~(9) The head clearance in passageways shall not be less than seven feet.~~
~~(10) Means of access or egress shall have either stairways or ramps and connecting landings or platforms where the public enter or leave an amusement ride that is above or below grade.~~
~~(11) Stairways, passageways, ramps, landings, or platforms shall be not less than 22 inches in width for single lane passages or 44 inches width for double lane passages. Landings or platforms shall not be less than three feet long measured in the direction of travel.~~
~~(12) Stair treads shall be at least eight inches deep exclusive of nosing and the height of rise shall not exceed eight inches. Between any two connecting levels the treads shall be of uniform depth and the risers shall be of uniform height.~~

~~(13) Handrails shall be provided on both sides of all stairways of four or more risers connecting adjoining levels whose difference in elevation is 30 inches or more.~~
~~(14) Handrails shall be provided on both sides of landings, platforms or ramps 30 inches or more above grade.~~
~~(15) Handrails shall be at least 30 inches above the ramp surface or nose of step and 42 inches above the landings.~~
~~(16) The distances between handrails shall not be less than 18 inches for a single lane passage and 36 inches for a double lane passage.~~
~~(17) Two intermediate rails spaced equally apart or equivalent construction to prevent a passenger from falling through shall be provided with all handrails.~~
~~(18) Stairways and ramps requiring handrails in accordance with (13) and (14), which are more than eight feet wide, shall be provided with railings dividing the widths into not more than eight feet and not less than the widths of (11) above.~~
~~(19) When ride entrances are provided, ride entrances shall have a passenger waiting line retaining chain, bar, gate or device.~~
~~(20) All stairways, ramps, accesses and egresses shall be lighted sufficiently to allow for safe entry and exit.~~
~~(21) Fencing of all rides is mandatory and will be kept at a normal distance of 36 inches from the ride and must meet the manufacturers recommendations or Department approval.~~

300-8-1-.25 Repealed. ~~Walkways and Ramps.~~
~~(1) Walkways and ramps shall be erected with a slope not greater than one in ten except that when approved nonslip surfaces are provided, the grade may be increased to a maximum of one in eight.~~
~~(2) Elevators, Dumbwaiters, Escalators and Moving Walks, ANSI/ASME Code 17.1 1984 is hereby adopted as a rule and all future amendments shall be accepted as adopted. This document may be purchased from the American National Standards Institute, 1430 Broadway, New York, New York 10018.~~
~~(3) Each owner of an amusement ride which uses an elevator, escalator or moving walk as part of ride shall comply with (2) above.~~

300-8-1-.26 Repealed. ~~Buildings and Structures as Part of an Amusement Ride.~~
~~(1) The subchapter shall apply to the construction of buildings and structures that are a functional part of an amusement ride. To be a functional part of an amusement ride, the building or structure shall be a contributing factor to the amusement, pleasure, thrill or excitement of the ride.~~
~~(2) The maximum height of any amusement device in which passengers are transported shall not exceed forty feet in frame construction, one hundred feet in unprotected noncombustible and heavy timber mill construction, and shall not be limited in fireproof construction.~~

300-8-1-.27 Repealed. ~~Fire Prevention.~~
~~(1) All enclosed amusement park buildings over one story in height shall be constructed or protected to furnish not less than one hour fire resistance rating; except where roof framing and decking are specifically permitted to be of non-combustible or mill type~~

~~construction. No styrofoam will be used inside buildings such as spook houses, etc.~~
~~(2) All structures located within 20 feet of lot lines or within 20 feet of other structures on the same lot, shall be of protected noncombustible or protected masonry enclosed construction or better.~~
~~(3) In addition to the fire extinguisher and fire fighting equipment required by the use and occupancy of each building and structure under the provisions of the Rule every amusement ride building or structure, when required by the Commissioner, shall be provided with a system of fire hydrants and fire lines.~~
~~(4) Fabrics constituting part of an amusement ride shall be flame resistant to meet the following field test: the application of a flame from a 3/4 inch paraffin candle for a period of one minute which does not cause the fabric to flash, nor support combustion, nor continue to flame for more than two seconds or glow for more than 30 seconds after the removal of the test flame.~~
~~(5) Approved fire extinguishers in accordance with NFPA 1985 shall be provided at the following locations to secure reasonable and adequate protection from fire hazards:~~
~~(a) At or near all operating gasoline or diesel engines;~~
~~(b) At or near all Operators' Stands excluding water flumes;~~
~~(c) At each food handling booth where cooking is done.~~
~~(6) Flammable waste such as oily rags and other flammable materials shall be placed in covered metal containers which shall be kept in easily accessible locations. Such containers shall not be kept at or near exit.~~
~~(7) Gasoline and other flammable liquids and flammable gases when stored shall be kept in reasonably cool and ventilated places. Such liquids shall be in approved containers. Smoking and the carrying of lighted cigars, cigarettes, or pipes is prohibited within 50 feet or in any area where such liquids or gases are stored, or are transferred from one container to another.~~
~~(8) The fire limits shall comprise the areas containing congested business, commercial manufacturing and industrial uses or in which such uses are developed.~~
~~(9) All other areas not included in the fire limits shall be designated as outside fire limits.~~
~~(10) Fire wall separation: The building or structure or addition thereto shall be so located and constructed that every exterior wall with an adjacent fire separation of less than three feet shall be a noncombustible fire wall or shall be protected by a noncombustible fire wall having a fire resistant rating of at least four hours. The roof covering shall have at least a Class "B" rating.~~
~~(11) Open space with fire rated walls separation: The building or structure or addition thereto shall be so located and constructed that every exterior wall with an adjacent fire separation of more than three feet but less than 30 feet, shall be a noncombustible fire resistance rated wall. The fire resistance rating of the wall and the fire resistance rating of opening protectives for all openings in the wall shall be as shown in the table below.~~
~~(12) The fire resistance rated wall shall be so constructed that it will remain structurally in place, against an exterior exposing fire, for the duration of time indicated by the required fire resistance rating. When the fire rated wall is adjacent to a flat roof, it shall be constructed with a parapet, and the roof covering shall be at least Class "B" roofing.~~
~~Fire Resistance Rating of Exterior Walls~~

~~Width of fire Separation~~	~~Fire resistance rating of~~	~~Fire resistance rating of exterior~~

adjacent to exterior wall	exterior wall	opening protectives
More than 3 ft. but less than 6 ft.	3 hour	3 hour
6 ft. or more but less than 11 feet	2 hour	1 ½ hour
11 ft. or more but less than 30 ft.	1 hour	3/4 hour

(13) Storm enclosures: Storm enclosures may be erected of frame construction not more than 10 feet in height and not more than 3 feet wider than the entrance doors which they serve, provided they do not project more than 6 feet beyond the building line.
(14) Roof coverings: All roof coverings shall be constructed of Class "A", Class "B" or Class "C" roofings.

300-8-1-.28 Repealed. Water Flumes, Structural Design.
(1) Structural Design. The slides structural design and materials shall be in accord with generally accepted good structural engineering practices and shall provide a durable structure which will safely sustain all weights and pressures (dead load, live load, liquid, hydrostatic and earth pressures) for the expected operating life of the structure. The flumes and pools shall be watertight and their surfaces shall be inert, nontoxic, smooth and easy to clean. The flumes shall be designed or ventilated, or both, to prevent a possible hazardous concentration of toxic disinfectant fumes.
(2) Dimensional Design: All curves, turns and tunnels within the path of a slide flume shall be designed so that body impact with the walls of the flume or ceiling of a tunnel does not present a hazard. The slide flume shall be banked to keep the slider's body safely inside the flume or curve under all foreseeable circumstances.
(3) All slopes within the path of the slide flume shall be designed so that the slider's speed does not exceed a level where a safe equilibrium of dynamic forces cannot be maintained on any curve or turn within that path, as specified by (2) above.
(4) In sections of the elevated flumes where, contrary to intended use, a slider may stop, there shall be safety walls or other provisions to keep the slider from falling out of the flume.
(5) The construction, the dimensions and the mechanical attachment of slide flume bed components shall be such that the surface of the slide flume is continuous and smooth for the entire length.
(6) Wall thickness of flumes should be designed so that the continuous and combined action of hydrostatic, dynamic and static loads and normal environmental deterioration do not cause structural failures which could result in injury.
(7) Flume exit sections shall be designed to assure safe entry speeds, angles and stopping distances.
(8) The distance between the centerline of a flume exit and a splash pool side wall shall be at least 5 feet. The distance between sides of adjacent flume terminuses shall be at least 6 feet center line to center line. The distance between a flume exit and the opposite

~~side of the splash pool, excluding steps, shall be at least 20 feet.~~
~~(a) High-Speed Slides: Special provisions shall be made in flume exit design, pool depth and pool width, measured from flume exit, to safely accommodate slide specifically designed with greater slopes or other special features which allow an unusually rapid descent.~~
~~(b) Multiple-exit slides: Multiple-exit slides shall have parallel exits or be constructed so that their centerlines do not intersect for a distance of at least 20 feet from the exists of each flume. If slides with nonparallel exits discharge bathers at a high speed, the centerlines should not intersect for at least 30 feet.~~
~~(9) A flume exit system shall provide safe entry into the splash pool. Present practices for safe entry include a water backup, a deceleration distance and an altitude control. Other methods are acceptable as long as safe exit velocities and proper user attitudes are assured under normal use.~~
~~(10) Splash pool depth at the end of a flume shall be at least 3 feet. This depth shall be maintained in front of the flume for a distance of at least 20 feet, from which point the splash pool floor may have a constant slope upward to the minimum water depth. These slopes shall be no more than 1 foot in 7 feet. If special exit systems that assure safe exit from the flume and safe entry to the splash pool are used, the 3-foot depth and minimum maintenance distance for this depth can be waived.~~
~~(11) Decks along the exit side of the splash pool which have the function of providing an exit route only for sliders, shall be a minimum of 5 feet in width. If the deck is utilized by both sliders exiting the plunge pool and observers, the said deck shall be a minimum of 10 feet in width. All deck surfaces shall have a slip-resistant surface and shall be sloped away from the plunge pool so as to prohibit surface water from entering the plunge pool. The said slope shall not exceed 1 foot in 7 feet.~~
~~(a) Provisions shall be made to eliminate standing water at all deck areas adjacent to the entrance at the top of the flume.~~
~~(b) Decks along the side opposite the pump reservoir shall be at least 4 feet wide and shall have the same slip resistance and drainage requirements as top and splash pool decks.~~
~~(c) The pump reservoir area shall be accessible, for cleaning and maintenance, by a 3-foot minimum width walkway deck.~~
~~(12) A 4-foot minimum width walkway, walkway steps, or stairway shall be provided between the plunge pool and the top of the flume. Walkways and steps shall be well drained, non-slippery and separated from the flume by a physical barrier, set back far enough from the operating flume so that users cannot contact it on the way down.~~
~~(13) All stairways used as part of a slide shall not retain standing water and should conform to the requirements of local building codes.~~
~~(14) Visitor and Spectator Areas: The spaces used by visitors and spectators shall be distinctly and absolutely separated from those spaces used by sliders. Visitors and spectators in street clothes may be allowed within the perimeter enclosure if they are confined to an area separated from the space the sliders use.~~
~~(15) Typical Posted User Safety Warnings for Slide Operational Use:~~
~~(a) No running, standing, kneeling, rotating, tumbling, or stopping in flumes or tunnels.~~
~~(b) No diving from flume at any time.~~
~~(c) Never use this slide when under the influence of alcohol or drugs.~~

~~(d) Only one person at a time. Obey instructions of top pool supervisor and lifeguard at all times.~~
~~(e) Never form chains unless authorized by slide manager or by posted instructions.~~
~~(f) Keep hands inside the flume.~~
~~(g) Leave the landing pool promptly after exiting from slide.~~
~~(h) Keep all glasses, bottles and food away from pools.~~

300-8-1-.29 Repealed. ~~Circulation Systems.~~
~~(1) All water impounding flumes or rides using lakes with adequate fresh water inlets and outlets to prevent contamination shall not be required to comply with the following requirements on circulation.~~
~~(2) The filtration system shall be of adequate size to maintain water quality/clarity at a level not to exceed .5 J.T.U.'s (Jackson Turbidity Units) at all times.~~
~~(3) All equipment shall have installation and operation instructions posted in the immediate area of the equipment.~~
~~(4) Appropriate gauges shall be provided on both the influent and effluent sides of the filtration pumps/filters in order to assess the efficiency of said filter.~~
~~(5) Materials used in the circulation system shall comply with the requirements of the latest joint National Swimming Pool Institute — National Sanitation Foundation standards.~~

300-8-1-.30 Repealed. ~~Filters.~~
~~(1) All water impounding flumes or rides using lakes with adequate fresh water inlets and outlets to prevent contamination shall not be required to comply with the following requirements on filtration.~~
~~(2) Filters shall be designed to maintain pool water under anticipated operating conditions in accordance with guidelines.~~
~~(3) A means for releasing air which enters the filter tank shall be provided. This may be automatic or manual. Where an upflow design is used, air must be expelled through the filter tank. Any filters incorporating an automatic internal air release as their principal means of air release must have lids which provide a slow and safe release of pressure. Any separation tank used in conjunction with a filter tank shall have a manual means of air release or a lid which provides a slow and safe release of pressures.~~
~~(4) A statement warning personnel not to start the filter pump without first opening the air release shall be clearly visible on the separation tank in the area of the air release.~~
~~(5) Piping furnished with the filter shall be capable of withstanding three times the working pressure. The suction piping shall not collapse when flow on the suction side of the pump is completely shut off.~~

300-8-1-.31 Repealed. ~~Pumps.~~
~~(1) Pumps and motors shall be provided to circulate the water in the splash pool and slide. Performance of all filter pumps shall meet the conditions of flow required for filtering and cleaning (if applicable) the filters against the total head developed by the complete system. Flume pumps and motors shall be of adequate size, as specified by the flume manufacturer, and shall meet all National Swimming Pool Institute standards for swimming pool pumps.~~

~~(2) The pump suction header shall have a gauge which indicates vacuum. The gauge shall be installed as close to the pump inlet as possible.~~
~~(3) All pressure filter systems shall have suitable removable strainers or screens before all circulation pumps to remove solids, debris, hair, lint, and other materials.~~
~~(4) Pump units shall be accessible for inspection and service.~~
~~(5) All motors shall be, as a minimum, an open drip-proof enclosure (as defined by the latest National Electrical Manufacturers Association standards).~~
~~(6) All motors shall have thermal overload protection.~~
~~(7) The motor frame shall be properly grounded.~~
~~(8) Pumps used on slides shall comply with the latest joint National Swimming Pool Institute – National Sanitation Foundation performance standards in effect at the time the pump is installed.~~

300-8-1-.32 Repealed. ~~Inlets and Outlets.~~
~~(1) Pool inlets and outlets shall produce a uniform circulation of water to maintain a uniform disinfectant residual.~~
~~(2) The number and location of pool inlets shall be adequate and appropriate to insure that uniform water quality, as described herein, is maintained at all times.~~
~~(3) At least one outlet shall be provided at the lowest point of the floor to completely drain the entire floor. When the main outlets for pool pump suction are installed in the pool floor near one end, the spacing shall not be greater than 20 feet (6.1 m) on centers, and an outlet shall be provided not more than 15 feet (4.57 m) from each side wall. The total velocity through grate openings shall not exceed 2 feet per second (61 cm/second). Grate openings shall be designed to prevent fingers and toes, etc., from being trapped in the openings.~~
~~(4) Outlets on pump suction, except those for skimmers shall be covered with suitable protective grates that cannot be removed except with tools.~~
~~(5) An over-the-rim spout, if used shall not create a hazard. Its open end shall have no sharp edges and shall not protrude more than 2 inches (5.1 cm) beyond the edge of the pool.~~
~~(6) Inlets from the circulation system shall not project enough to cause harm to the splash pool user.~~

300-8-1-.33 Repealed. ~~Piping.~~
~~(1) The size of the slide circulation piping shall permit the rated flows for filtering and cleaning without exceeding the total head developed by the pump at the rated flow.~~
~~(2) The water velocity shall not exceed 10 feet per second (3.05 m/second) for discharge piping, except for copper pipe where the velocity shall not exceed 8 feet per second (2.4 m/second) and asbestos cement pipe, where the velocity shall not exceed 6 feet per second (1.83 m/second). Suction velocity for all piping shall not exceed 6 feet per second (1.88 m/second).~~

300-8-1-.34 Repealed. ~~Waste Water Disposal.~~
~~(1) Overflow water shall be returned to the filter system or discharged to a waste system approved by local authorities. Where perimeter overflow water discharges into a sanitary sewer, a suitable air gap at least 1 ½ times the discharge diameter shall be provided to~~

~~create a gravity drip which has no direct mechanical connection into the sewer.~~
~~(2) When an air gap is impractical, a relief manhole with a grated cover shall be constructed in the perimeter overflow main waste line, the clear area of which shall be twice the area of the main waste piping. It shall be at a level so that the waste flow in the line will rise in the manhole and overflow at ground level not less than 2 feet (61 cm) below the level of the perimeter overflow lip.~~

300-8-1-.35 Repealed. ~~Water Quality.~~
~~(1) Water impounded by the ride owner and used as an integral part of a water amusement ride, whether it be a part of a water contact ride or a water noncontact ride, which could expose the public to a safety or health hazard shall be maintained in a safe and sanitary condition in accordance with this section.~~
~~(2) The owner of any water amusement ride as described in (1) above shall provide evidence of the sanitary condition of such water when requested by the Safety Engineering Section.~~
~~(3) In order to maintain the safe and sanitary condition of water in a water amusement ride the owner of a water amusement ride shall disinfect with chlorine or other approved disinfecting agent.~~
~~(4) Impounded water, when in use, shall be:~~
~~(a) Sufficiently clear to permit the bottom of the water reservoir at its deepest point to be visible from an outside edge of the reservoir;~~
~~(b) Aesthetically pleasing; and~~
~~(c) Free of floating or suspended matter, except those items used specifically as part of the amusement.~~

300-8-1-.36 Repealed. ~~Disinfectant and Chemical Feeders.~~
~~(1) Disinfectants used in flume and pool water shall provide a disinfecting residual in the pool water. Chlorine or chlorine compounds are most frequently used for this purpose, but other bactericidal agents or apparatuses are acceptable if registered by the U. S. Environmental Protection Agency.~~
~~(2) Adequate and appropriate equipment for introducing a disinfectant into the recirculating system shall be provided. This equipment shall be of sufficient capacity to maintain appropriate disinfectant residual levels at all times. The DPD (diethyl-pphenylene-diamine) or other suitable free chlorine test method is suggested as a means of testing for the free chlorine residual.~~
~~(3) Feeding equipment shall be capable of permanently and precisely feeding the required quantity of disinfecting agent to the pool water. The disinfecting material used shall be subject to field-testing procedures.~~
~~(4) Chemical Operational Parameters; National Swimming Pool Institute Standards set forth the suggested operational parameters for proper chemical treatment and maintenance of both flume and pool waters. Because of high aeration rates and potentially high slider loads in the lower pool, tests for water quality and chemical balance shall be made every two hours the facility is operating. Proper water balance shall be obtained each day before the facility is opened to the public.~~
~~(5) Recommendations on the Use of Elemental Chlorine and Operational Procedures: Although chlorine solution (hypochlorite) is preferable from a safety standpoint, gaseous~~

~~chlorine may be approved as the disinfectant.~~
~~(6) Hypochlorinators or other adjustable-output rate chemical-feeding equipment shall conform to the joint National Swimming Pool Institute-National Sanitation Foundation Standard #19, relating to "Adjustable-Output Rate Chemical Feeding Equipment and Flow-Thru Chemical Feeding Equipment for Swimming Pools."~~
~~(7) Equipment and Installation: Chlorination equipment shall be located so that an equipment failure or malfunction will have a minimum effect on an emergency evacuation of patrons.~~
~~(8) The chlorinator, cylinders of chlorine, hypochlorite and associated equipment shall be housed in a reasonable open building with a leak detection system set at or slightly above ground for the detection of chlorine gas. Cylinders shall be securely fastened to a wall or post. Except for chemicals used to check chlorine leaks, no other chemicals shall be stored in the chlorine enclosure.~~
~~(9) Chlorine cylinders must be handled with care. Valve protection caps and valve outlet caps must be in place at all times, except when the cylinder is connected for use. Cylinders must not be dropped and shall be protected from falling objects. Cylinders shall be used on a first-in, first-out basis. Fresh washers shall be used each time a cylinder is connected.~~
~~(10) As soon as a container is empty, the valve shall be closed and the lines disconnected. The outlet shall be promptly capped and the valve protection hood attached. The open end of the disconnected line shall be plugged or capped promptly to keep atmospheric moisture out of the system.~~
~~(11) Although chlorine suppliers make every effort to furnish chlorine in properly conditioned cylinders, chlorine gas leaks may still occur. Operating personnel shall be informed about leak-control procedures.~~
~~(12) Enclosures shall be located at ground or above ground level. If the enclosure must be installed below grade, it shall have airtight ducts from the bottom of the enclosure to atmosphere in an unrestricted area, a motor-driven exhaust fan capable of producing at least one air change per minute and automatic louvers of good design near the top of the enclosure for admitting fresh air. The enclosure shall be inaccessible to casual slide users and, if possible, locked. All keys shall be kept on the premises so that they will be readily available when needed by servicing personnel.~~
~~(13) Containers may be stored indoors or outdoors. Full and empty cylinders shall be segregated and tagged.~~
~~(14) An automatic chlorine leak detector shall be installed, especially in below-grade installations.~~
~~(15) Respirators approved by the National Institute for Occupational Safety and Health shall be provided for protection against chlorine.~~
~~(16) At least one approved self-contained breathing apparatus shall be provided. Respiratory equipment shall be mounted outside the chlorine enclosure and filter cartridges replaced after each use.~~
~~(17) Elemental chlorine feeders shall be activated by a booster pump, with recirculated water. The booster pump shall be electrically or mechanically interlocked to the filter pump to prevent the feeding of chlorine when the recirculation pump is not running.~~
~~(18) Connections from the cylinders to the system depend on the type of chlorinator used and shall comply with the chlorinator manufacturer's recommendation.~~

~~(19) Electrical switches for the control of artificial lighting and ventilation shall be on the outside of the enclosure, adjacent to the door.~~
~~(20) Responsibility for Chlorination and Water Treatment: A specific person on each shift shall be responsible for disinfection and water treatment operations and shall be thoroughly trained in the performance of routine operations, including emergency procedures and leak-control problems. If possible, these people should complete training courses on swimming pool operations, given through local departments of health. A typical reference text available for such training is Swimming Pool Operators Handbook, published by the National Swimming Pool Foundation. This text is available through the National Swimming Pool Institute, 200 K Street, N. W., Washington, D.C. 20006. Another reference is Swimming Pools – Safety and Disease Control Through Proper Design and Operation. This manual is available through the Environmental Health Services Division, Center for Environmental Health, Centers for Disease Control, Atlanta, Georgia 30333. As an alternative, they should be trained by a professional operator. The facility shall not be in operations without such a person in attendance. No one else shall be responsible for chlorination or water treatment operations.~~
~~(21) A safety chart shall be posted in or near the chlorine enclosure, and a second chart shall be in the pool office near the telephone. Such charts are available from many suppliers and from the Chlorine Institute, 342 Madison Avenue, New York, New York 10017. The telephone number of the chlorine supplier shall be shown on these charts.~~
~~(22) Responsibility for Circulation and Filter System Operation. A specific person on each shift shall be made responsible for circulation and filter system operation, checks, maintenance, backwash and cleaning. This person shall be trained by a professional operator or an expert in swimming pool operations and shall carry out all scheduled cleanings and maintenance on the circulation and filter systems.~~

300-8-1-.37 Repealed. ~~Electrical Safety and Lighting.~~
~~(1) The latest National Electrical Code, as published by the National Fire Protection Association, or a local code, whichever is more restrictive, shall be used for the wiring and grounding of all electrical equipment associated with a slide and for the grounding of all metallic appurtenances.~~
~~(2) Whenever slides are operated after dark, artificial lighting shall be provided in upper and lower pool and deck areas, walkways, stairways, and flumes, as recommended by local codes or The Illuminating Engineering Society Lighting Handbook.~~

300-8-1-.38 Repealed. ~~Operation, Water Slides.~~
~~(1) Personnel responsible for the operation of disinfecting equipment shall be properly trained in equipment operation, field test procedures, and emergency procedures.~~
~~(2) The manufacturer or the general contractor of the slide shall provide the operator with a detailed written operational manual, or guide, for all phases of operations and normal maintenance of each component of the system. The guide shall be kept in a secure area and made available to each employee as needed. This guide shall include, as a minimum, the following information:~~
~~(a) Customer safety rules to be posted at the entrance to flumes;~~
~~(b) Required training or certification levels of upper and lower pool supervisors;~~
~~(c) The number and type of operating personnel;~~

~~(d) Specific work statements for each employee;~~
~~(e) Recommendations on the safe handling of crowds during emergencies;~~
~~(f) Slide maintenance and cleanup;~~
~~(g) Disinfectant operation;~~
~~(h) Chlorine cyclinder changing procedure (if applicable);~~
~~(i) Pump operating instructions;~~
~~(j) Backwash procedure;~~
~~(k) Operating instructions for vacuum filters (if applicable);~~
~~(l) Filter pit draining and cleaning procedure;~~
~~(m) Water test instructions — frequency of testing, method of test, interpretation of results;~~
~~(n) Filter checks;~~
~~(o) Record-keeping for health department;~~
~~(p) First-aid reports;~~
~~(q) Emergency phone numbers;~~
~~(r) Equipment and operational trouble-shooting instructions;~~
~~(s) Safe repair practices for flume and decks.~~

300-8-1-.39 Repealed. ~~Competence of Operators.~~
~~(1) Having properly trained and conscientious employees on site is the most important safety factor in the operation of slides.~~
~~(2) At least one person who has completed the Standard First Aid and Personal Safety course, as offered by the American National Red Cross, or the equivalent shall be on duty at all times during operating hours. This person shall also be competent in carrying out any emergency procedures peculiar to the slide he or she is operating.~~
~~(3) Splash Pool Supervisor: The principal function of the lower pool supervisor is to serve as a lifeguard. The lower pool supervisor shall be qualified in life-saving techniques through Red Cross training or the equivalent. He or she shall also control crowds in the splash pool by keeping sliders moving into and out of the lower pool as quickly and in as orderly a manner as possible; and shall control any horseplay, running, or unsafe behavior in the lower flumes, the splash pool and on the pool decks.~~
~~(4) Upper Pool Supervisor: The principal functions of the pool supervisor are to control crowds and sliders starting from the upper pool and flume, control the timing of each person on the slide and supervise all visible portions of the flumes.~~

300-8-1-.40 Repealed. ~~Emergency Procedures.~~
~~(1) The need for emergency planning in areas of public recreation has been demonstrated by past experience. Being prepared for problems is the best method of minimizing their consequences. Therefore, a written plan for emergencies shall be carefully devised and kept up-to-date. All employees shall be trained and drilled periodically in the execution of the plan. During operational hours, a person qualified through American National Red Cross training in both first-aid and life-saving techniques shall be on duty at all times.~~
~~(2) The emergency plan shall encompass crowd control and safe evacuation, drownings, electrical shock, heat prostration, fractures, poisonings, cuts and burns, neck and back or spinal injuries and exposure to chlorine gas. Each of these situations is addressed in the latest American National Red Cross handbook on first aid, a copy of which shall be on~~

~~hand at the same location as the emergency plan, the first-aid kit, and the emergency telephone numbers.~~
~~(3) Each park shall have available the following first-aid supplies:~~
~~(a) First-Aid Kit. A standard 24-unit kit stocked and readily accessible for use;~~
~~(b) A stretcher and blankets;~~
~~(c) A standard plywood backboard or other acceptable splint, made to the specification of the American National Red Cross, for persons with back and neck injuries;~~
~~(d) An area or room shall be set aside for the emergency care of causalities.~~
~~(4) Every park shall have posted by the phone a list of current emergency numbers, such as the nearest available facilities, ambulance service, hospital, rescue squad, police department, fire department, and the nearest local facility with capabilities to handle a major chlorine gas leak. One of the most effective methods of control of emergencies is to plan for them in the original design of the facility. Health and safety officials should review and comment on the original plans and layouts before a building permit is issued.~~
~~(5) Two types of emergency situations for which evacuation procedures shall be developed are:~~
~~(a) Major release of chlorine gas;~~
~~(b) Power outage during night time operation.~~

300-8-1-.41 Repealed. ~~Power Outage.~~
~~Each facility shall have an emergency plan for use in the event of a night time power outage. Battery-operated emergency lighting packs are available as standard building electrical items. In addition, portable lights and bullhorns shall be available to personnel at all times, and an evacuation plan shall be devised. Personnel shall be drilled regularly in execution of the plan.~~

300-8-1-.42 Repealed. ~~Kart Rules and Regulations.~~
~~(1) Mandatory rules and regulations for every owner, manager, and operator who provides for the operation and use of all types of mechanically operated karts which carry or convey passengers along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills or excitement shall comply with the Georgia Amusement Ride Safety Act, the Georgia Laws and Rules for Regulating and Licensing Amusement Rides Chapter 12 of Title 34 and this Section.~~
~~(a) Definition of terms used in this section:~~
~~1. The term "kart" means a powered vehicle used for amusement along, around or over a fixed restricted route or course or within a defined area including vehicles commonly called go karts and similar vehicles.~~
~~2. The term "kart ride" includes all karts, kart track, refueling areas, spectator areas, and all other areas used in any manner for the operation of karts.~~
~~(b) Where a kart is defective and not in compliance with this provision, such units shall be taken out of service and clearly marked with a red tag reading "Out of Service."~~
~~(c) The Chief Safety Engineer or his designee, upon presenting credentials to the owner/operator, is authorized without prior notice to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and manner, any kart, kart track, or other area of the kart rides.~~

~~1. Inspection includes, but is not limited to, a review of necessary documents, observance and/or inspection of the karts, kart track or any portion of the kart ride.~~
~~2. Inspection of the ride is to include: track design, track operation, kart design, fuel containers, mechanical condition and safe operation of the ride.~~
~~(d) The Department shall order in writing, a temporary cessation of operation of the kart ride, if it has been determined after inspection to be hazardous or unsafe or the failure to comply with any of the other provisions of the Chapter or the regulations promulgated thereunder including, but not limited to, the requirements set forth in Section 14 of this Chapter. Operation shall not be resumed until such conditions are corrected to the satisfaction of the Department.~~
~~(2) Track Operations.~~
~~(a) All karts that are operated on a kart track shall have bumpers, wheels and body parts that are compatible.~~
~~(b) No kart shall be operated during a lightning storm, a period of tornado alert or warning, fire, riot or other civil disturbance in the amusement park or in an area adjacent thereto. Passengers shall be unloaded and evacuated from the ride and the ride shut down until normal, safe operational conditions are established.~~
~~(c) All kart tracks shall be monitored during its operation either directly by attendants or indirectly by electronic visual and audio means acceptable to the Department.~~
~~(d) A kart that is losing oil or fuel shall immediately be removed from the kart track and be repaired prior to returning to operation on the kart track.~~
~~(e) Karts may only be operated by persons within the heights limits set by the manufacturer. If no height limit is set by the manufacturer, height limit shall be no less than 52 inches.~~
~~(f) Karts designed for single or dual riders shall use a shoulder harness and belt restraint system acceptable to the Department.~~
~~(g) All loose clothing and hair longer than shoulder length must be secured prior to operating any kart. Fully enclosed shoes must be worn by operators and passengers at all times during operation of a kart.~~
~~(h) A person who is smoking shall not be permitted to operate a kart.~~
~~(i) Track attendants shall not allow riders to leave their vehicles either in the pit or on the track unless assisted by a track or pit attendant.~~
~~(j) Where a kart track exposes a passenger or operator to high speed, or a high degree of excitement, the owner shall post a conspicuous warning sign at the entrance to the kart track advising the public of risk to passengers.~~
~~(k) The sign required by (j) above shall be at least two feet by two feet in sharply contrasting colors.~~
~~(l) The sign required by (j) shall read as follows or express an equivalent warning: "The following people should not ride this ride.~~
~~1. Those with heart conditions~~
~~2. Pregnant women~~
~~3. Those with back or neck ailments"~~
~~(m) Every kart track shall have a sign posted at the ticket window or track entrance and in the pit area that conveys at least the following rules and regulations.~~
~~1. Height limit as specified by manufacturer, or no less than 52 inches.~~
~~2. Keep both hands on the wheel and both feet in the kart at all times. Do not get out of~~

~~kart unless track attendant is present.~~
~~3. All loose clothing and hair longer than shoulder length must be secured. Fully enclosed shoes must be worn by operators and passengers at all times during operation of kart.~~
~~4. No smoking in karts or pit area.~~
~~5. Persons under the influence of intoxicants will not be allowed to operate karts.~~
~~(n) The use of private karts or vehicles will be prohibited on kart or other vehicle tracks while open to the general public.~~
~~(3) Kart Designs:~~
~~(a) The speed of every kart shall be set at a limit of not more than 20 mph, and not to exceed the maximum speed for which the track is designed and acceptable to the Department.~~
~~(b) Where the design of a kart enables the readjustment of its speed, the means of adjusting the speed shall not be accessible to the operator of the kart.~~
~~(c) The seat, back rest, seat belts and leg area of every kart shall be so designed as to retain the driver inside the kart in the event of a collision or overturn.~~
~~(d) No more than one person shall occupy a kart at one time unless the kart is designed and equipped with a seat belt system that is intended for two persons.~~
~~(e) All karts shall be provided with sufficient guards to prevent anyone from coming in contact with drive chains, belts, hot muffler, engine parts or any rotating parts.~~
~~(f) The steering wheel and its hub and all exposed components on a kart shall be padded to minimize the risk of injury to an occupant in the event of a collision or overturns.~~
~~(g) All karts shall have headrests of roll bars which must be of sufficient height and strength so as to provide the occupant with protection in the event a kart should roll over.~~
~~(h) A kart shall be provided with impact absorbing bumpers, or energy absorption body parts.~~
~~(i) Kart wheels shall be so enclosed or guarded so that the wheels of another kart cannot interlock with or ride over the wheels of another kart.~~
~~(j) The kart fuel tank shall be so designed and mounted that it cannot be damaged or spill any fuel in the event of collision or the kart overturning.~~
~~(k) All karts shall have sufficient muffler systems installed so as to prevent any undue noise levels which will interfere with the track operations, adjacent businesses, residential areas or damage the hearing of employees or patrons.~~
~~(l)1. Daily inspections shall be made on all karts prior to operation. It shall include but not limited to: tires, padding, steering, frame welds, spindles, axles, safety belts, roll bars, gasoline tank condition, brake and gas pedal operation, etc., as recommended by the kart manufacturer and acceptable to the Department.~~
~~2. Weekly as recommended by manufacturer and acceptable to the Department.~~
~~3. Monthly as recommended by manufacturer and acceptable to the Department.~~
~~4. Annually as recommended by manufacturer and acceptable to the Department.~~
~~(4) Track Design:~~
~~(a) The design of the kart track shall be consistent with the kart manufacturer's recommendations and acceptable to the Department.~~
~~(b) A kart track shall:~~
~~1. Have a hard and smooth surface as recommended by kart manufacturer.~~
~~2. Provide road grip sufficient to enable a kart to be driven safely at maximum speed and be free of ruts, holes or bumps, water, oil, etc.~~

3. Track Bank – may be banked on turns only, minimum of 2 degrees and maximum 4 degrees.
4. Straight-away length must be flat, except two (2) degrees allowed for drainage.
5. Track width must be a minimum of 16 feet wide and maximum 25 feet wide. On an oval track the turns should be a minimum of 5 feet wider than straight-away. The minimum radius of the turns is 15 feet. 6. Signs that indicate one direction of travel of karts shall be posted at various locations around the kart track perimeter. Signs that indicate no "U" turn must be posted at various locations.
(c) White or yellow lines at least four inches in width shall be used to mark all inside and outside edges of a kart track except where barriers are provided along the inside and outside edges of the kart track.
(d)1. A kart track shall be equipped with ABC dry chemical fire extinguishers of a minimum of 5 pounds capacity.
2. A fire extinguisher shall be located within seventy feet of all areas of the track and one fire extinguisher shall be kept in the pit and in the refueling area.
3. The location of each fire extinguisher shall be prominently marked and the fire extinguisher easily accessible.
(e) Refueling of karts shall be at a designated location remote from any area that is accessible to the public and must comply with NEC 70-510, 511, 514 and other applicable codes.
(f)1. The shoulder of every kart track shall be level with the kart track or guarded to prevent the kart from leaving the track.
2. The spectator area shall have a smooth and firm surface up to at least 15 feet from the edge of the kart track.
3. Each barrier on a kart track shall:
(i) Be so constructed that a kart colliding with a barrier at maximum speed will:
(I) Safely come to a full stop, or
(II) Be guided safely back to the proper part of the kart track;
(ii) Be so designed as to prevent a kart from overturning or running over or under the barrier after its contact with the barrier, and;
(iii) Be constructed of materials that will not readily ignite.
(g)1. Every kart track shall be surrounded by a fence that is at least 48 inches in height and be set back from the track at least 36 inches from the inside face of the barrier.
2. The requirements above may be met by natural barriers that provide the same degree of protection as the fence.
3. Gates will be located for easy supervision by attendants while the track is open, and locked when track is closed.
(5) Pit or pit areas:
(a) Must be fenced or have a barrier.
(b) Separate entrance and exit lanes required.
(6) Spectator Area must be separated from track and pit areas by fence or barriers that are built sufficient to withstand full impact from kart or other type of vehicle traveling at full speed.
(7) Electric – Lighting:
(a) All electric will comply with NFPA 70-1984 and all revisions.
(b) Lighting for night operation will comply with all applicable codes acceptable to the

~~Department.~~
~~(8) In addition, track design will incorporate all industry accepted standards of safety. Proposals for construction in the State of Georgia will be submitted to the Georgia Department of Labor Safety Engineering Section and other appropriate agencies before construction begins. All building support items, etc., must be approved by appropriate agencies. These items listed above are minimum requirements.~~

300-8-1-.43 Repealed.~~Imposition of Civil Penalties.~~
~~(1) Issuance of Citation or Notice of Administrative Proceeding:~~
~~(a) If, upon inspection by an inspector or deputy inspector,~~
~~1. An amusement ride is deemed to be in an unsafe condition,~~
~~2. The owner, operator, user, contractor, or installer has not complied with the Amusement Ride Safety Law or these rules, or~~
~~3. When a written warning has been issued and the violations continues, then the deputy inspector shall issue the violator a Citation stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.~~
~~(b) If, upon receiving information from any source, the Chief Inspector determines that there is a reasonable belief that:~~
~~1. An amusement ride may be in an unsafe condition,~~
~~2. The owner, operator, user, contractor, or installer has not complied with the Amusement Ride Laws or these rules, or~~
~~3. When a warning has been issued, the violation is a continuing violation, the Chief Inspector or the Director, Safety Engineering, on behalf of the Department, may issue Notice of Administrative Proceeding stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.~~
~~(c) The Director, Safety Engineering, upon review of a citation issued under subsection (a) above, may, in his sole discretion, dismiss the Citation and substitute therefore a Notice of Administrative Proceeding pursuant to subsection (b) above on the same, similar, or different violations, as required by the evidence.~~
~~(d) The Commissioner of Labor, upon review of a Citation or Notice of Administrative Proceeding, in his sole discretion, may refer the matter to the appropriate prosecuting official for criminal or injunctive relief as permitted under law. In such event, the Commissioner may, in his sole discretion, elect to dismiss, suspend, or continue with the civil penalty proceeding.~~
~~(2) Hearing Procedure:~~
~~(a) If a request for a hearing is not received from the respondent within the allotted time, the Director, Safety Engineering, on behalf of the Commissioner, may without further process impose a civil penalty not greater than the total of civil penalties set forth on the Citation or in the Notice of Administrative Proceeding. An administrative order under the authority of the Commissioner may be issued to collect the civil penalty assessed. If the civil penalty is not paid, the Commissioner may authorize the Director to file appropriate legal action in the name of the Commissioner through the Attorney General to collect the civil penalty.~~
~~(b) Upon receipt of a request for a hearing pursuant to any Citation or Notice of~~

~~Administrative Proceeding, the Director, Safety Engineering, shall determine, in his sole discretion, whether the hearing shall be held before the Commissioner of Labor or referred to the Office of State Administrative Hearings. If the hearing is to be before the Commissioner, the Director shall set a date and time for the hearing and shall cause the case file to be referred to the Attorney General for legal representation of the Department. If the Director determines that a hearing before the Commissioner is not warranted, the matter shall be referred to the Office of State Administrative Hearings pursuant to O.C.G.A. 50-13-41(a)(1). The case file for an OSAH proceeding may be referred to staff counsel within the Department or to the Attorney Genera l for representation of the Department. The Office of State Administrative Hearings will set the date, time and place of hearing as prescribed by OSAH Rules.~~

~~(c) All hearings, whether before the Commissioner or before the Office of State Administrative Hearings, shall be subject to the powers and procedures set forth in the Administrative Procedure Act, including but not limited to O.C.G.A. 50-13-13 and 50-13-15.~~

~~(d) The decision of an administrative law judge made after a hearing before the Office of State Administrative Hearings shall be the initial agency decision as set forth in O.C.G.A. 50-13-41(d) and shall be subject to review by the Commissioner, Department of Labor, as set forth in O.C.G.A. 50-13-41(e). A hearing before the Commissioner shall be the final agency decision in the matter and shall be subject to judicial review as set forth in O.C.G.A. 50-13-19.~~

~~(3) Guidelines for imposition of civil penalties:~~

~~(a) Any person, firm partnership, corporation or other business entity, which violates this part, shall be subject to the imposition of civil penalties. Each day on which a violation occurs shall constitute a separate offense. Repeat offenders, including those who refuse to adhere to orders of inspectors, exceed the limitations of operating permits , or refuse to adhere to the requirements of these rules and regulations, may be referred appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law. Serious violations, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may also be referred appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law.~~

~~(b) Notwithstanding the recommended minimum penalties set forth below, a serious violation, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may receive the maximum penalty of $5,000.00 for each violation including a first offense. The imposition of a penalty for a violation of this part shall not excuse the violation or permit it to continue.~~

~~(c) The deputy inspector issuing a Citation shall, at the time of issuance, specify a recommended civil penalty amount for each specific violation in accordance with these Rules and Regulations. The Director, Safety Engineering, is charged with the responsibility to ensure that recommended penalties for violations are graduated with the more serious violation receiving the heavier penalty and with assuring uniformity of recommended penalties such that offenders in similar circumstances with similar violations receive similar penalty recommendations. In this regard, the Director may dismiss a Citation and issue a Notice of Administrative Proceeding solely for the purpose~~

~~of making an appropriate penalty recommendation.~~
~~(d) The recommended civil penalty set forth in the Citation or Notice of Administrative Proceeding shall be given great deference by the Hearing Officer. The *minimum* recommended penalties set forth below are normally for first offenses with only one violation being cited. The Hearing Officer shall, after hearing the case, consider factors in mitigation of the violations as well as those in aggravation. The Hearing Officer shall impose a penalty less than the recommended *minimum* penalty only upon finding unusually significant mitigating factors, and shall set forth those factors in the order. The Hearing Officer may impose a penalty substantially greater than the department's recommended penalty upon finding significant aggravating factors associated with the violation, and shall set forth those factors in the order. The Hearing officer shall consider the provisions of these Rules and Regulations guiding the assessment of penalties. In particular, the Hearing Officer, shall, in cases involving continued operation of equipment without valid operating certificates; continued operation of equipment after failing to notify the department of an accident involving structural damage, bodily injury, or death; or continued operation after an unsafe condition is detected or after the equipment is taken out of service by an inspector or deputy inspector, consider the imposition of separate penalties for each day of violation. The Hearing Officer shall not assess a penalty exceeding $5,000.00 for each violation or each day of a continuing violation. (e) The Hearing Officer may, in addition to a civil penalty, recommend in the order that the Commissioner suspend for a period of time or indefinitely, operating certificates, permits to install, or certificates for contractors.~~
~~(4) Minimum recommended penalties:~~
~~(a) Specific violations:~~
~~1. Operating equipment without a certificate of inspection or permit.~~
~~(Authority: O.C.G.A. 34-12-7 and 34-12-8)~~
~~First offense .....$250.00~~
~~Second offense .....$500.00~~
~~2. Operating equipment in an unsafe condition. (Authority: O.C.G.A. 34-12-18)~~
~~First offense .....$500.00~~
~~Second offense .....$1000.00~~
~~3. Failure to permit free access for the purpose of inspecting or investigating equipment.~~
~~(Authority: O.C.G.A. 34-12-19)~~
~~First offense .....$500.00~~
~~Second offense .....$1,000.00~~
~~4. Failure to notify the Chief Inspector of any accidents involving serious personal injury.~~
~~(Authority: O.C.G.A. 34-12-13)~~
~~First offense .....$500.00~~
~~Second offense .....$1000.00~~
~~5. Failing to notify the Chief Inspector of an accident which involves death. (Authority: O.C.G.A. 34-12-13)~~
~~First offense .....$2500.00~~
~~Second offense .....$4500.00~~
~~6. Placing ride back in service which has been "Re d-Tagged" or placed out of service by a deputy inspector, without first having the unit inspected. (Authority: O.C.G.A. 34-12-18(a))~~

~~First offense .....$1000.00~~
~~Second offense .....$2500.00~~
~~7. Placing ride back in service which has been involved in an accident prior to first having the unit inspected or~~
~~otherwise cleared.~~
~~(Authority: O.C.G.A. 34-12-13)~~
~~First offense .....$1000.00~~
~~Second offense .....$2500.00~~
~~(b) General violations:~~
~~1. Violating adopted Code, Standards, Rules, Regulations or Order.~~
~~(Authority: O.C.G.A. 34-12-18(c)(2))~~
~~First offense .....$250.00~~
~~Second offense .....$500.00~~
~~2. Failure to file a required report. Each report constitutes a separate violation.~~
~~(Authority: O.C.G.A. 34-12-18(c)(2))~~
~~First offense .....$250.00~~
~~Second offense .....$500.00~~

~~3. Any third repeated offense may subject the violator to the maximum civil penalty permitted under the Act ($5,000.00).~~

300-8-1-.44 Repealed. ~~Special Situations.~~
~~Exemptions from Standards and Regulations approved by the Department. The owner/operator of the following equipment shall be exempt from applying for a permit or inspection. The owner/operator shall meet all other requirements of the Safety Act and these Rules.~~
~~(a) Mechanical bulls, climbing walls, human powered equipment or attractions, including but not limited to space balls, orbitrons, air supported structures, paddle boats, water cycles, bicycles and all rental boats.~~
~~(b) Playground equipment located at businesses, including but not limited to soft play areas, single or multi-passenger rides which are passenger operated or controlled, and may be electrically, mechanically, or manually powered, which do not normally require the supervision or services of an operator or attendant.~~
~~(c) Single waterslides and similar non-mechanical attractions at municipal, county, state or community operated swimming pools.~~

~~SAFETY ENGINEERING - 8 : CARNIVAL RIDE SAFETY ACT~~

300-8-2-.01 Repealed. ~~Purpose.~~
~~These rules establish minimum safety standards for the installation, assembly, repair, maintenance, use, operation, disassembly, and inspection of amusement rides at carnivals and fairs. These safety standards are for the protection of the employees and the general public using these rides.~~

300-8-2-.02 Repealed. ~~Application.~~
~~The rules apply to amusement rides at carnivals and fairs, to the manager of such rides,~~

~~and to the persons employed in connection with these rides and to their employees.~~

300-8-2-.03 Repealed. ~~Definitions. Amended.~~

~~Those definitions as listed in Chapter 13 of Title 34 and:~~

~~(a) "Approved" means in compliance with these Rules and Regulations.~~

~~(b) "A.S.T.M." The American Society of Testing Materials.~~

~~(c) "Average Adult Passenger" means for the purpose of design, a person weighing 170 pounds.~~

~~(d) "Average Child Passenger" means, for the purpose of design, a child weighing 75 pounds and is 12 years of age or under.~~

~~(e) "Carnival" means an enterprise principally devoted to offering amusement or entertainment to the public in, upon, or by means of amusement rides in any number or combination, whether or not associated with other structures or forms of public attraction, and which is located at a temporary location.~~

~~(f) "Fair" means an enterprise principally devoted to the exhibition of the products of agriculture or industry and at or in connection with which amusement rides are provided.~~

~~(g) "Guardian" means a person 16 years of age or over.~~

~~(h) "Guardia n Restrictions" means a condition placed on a ride where a child passenger must be accompanied on the ride by a guardian.~~

~~(i) "National Electrical Code" means the N.F.P.A. ANSI Code.~~

~~(j) "Manager" means a person having possession, custody, or managerial control of an amusement ride at a carnival or fair, whether as owner, lessee, agent, or otherwise.~~

~~(k) "Pinching Hazard" means any configuration of components that would pinch or entrap the fingers or toes of a person.~~

~~(l) "Puncture Hazard" means any surface or provision that would puncture a person's skin under casual contact.~~

~~(m) "Ride Operator" means a person who controls or has the duty to control the operation of one or more rides causing such rides to go and stop or perform its entertaining function. The ride operator shall not operate more than one (1) ride at a time.~~

~~(n) "Rated Capacity" means a capacity established by the design engineer for the normal loading and operation of a ride, or in the absence thereof, as established by the Commissioner of Labor after inspection and determination.~~

~~(o) "Ride".~~

~~1. "Major Ride" means a device to carry a specific number of passengers, adults , or children, either by power or gravity, in cars or other suitable fixtures for conveying persons.~~

~~2. "Kiddie Ride" means a device designed primarily for use by children but which may accommodate adults.~~

~~3. "Miscellaneous Ride" means any other ride not specifically provided for, described, or defined in these rules.~~

~~(p) "Rope", "Wire Rope", and "Cable" are interchangeable terms except where the term fiber rope is used.~~

~~(q) "Safety Factor" or "Factor of Safety" means the ratio of the ultimate or breaking strength of a member or piece of material to the actual working stress or to the maximum permissible or safe load stress or when in use.~~

~~(r) "Safety Devices."~~

~~1. "Restraining Device" means a safety belt, harness, cha in, bar, or other device which affords actual physical support, retention, or restraint to the passenger of a ride.~~
~~2. "Containing Device" means a strap, belt, bar, gate, or other safety device designed to prevent accidental or inadvertent dislodgment of a passenger from a ride but which does not actually provide physical support.~~
~~3. "Safety Retainer" means a secondary safety cable, bar, attachment, or other device from becoming disengaged from the mechanism or from tipping or tilting in a manner to cause hazards to persons riding on, or in the vicinity of, a ride.~~
~~4. "Chains" should be referred to according to the material from which they are constructed; alloy steel chains, wrought iron chains, commonly known as hardware chains.~~
~~(s) "Serious Personal Injury" means death, dismemberment, visible significant disfigurement, visibile significant or permanent loss of use of a body organ, member, function or system, compound fractures, visibile uncontrolled bleeding, heart attack, stroke, or unconsciousness likely attributable to trauma to the head, as a result of the operation or malfunction of a carnival ride.~~
~~(t) "Personal Injury" means sustained bodily harm resulting in medical treatment such as trauma, cuts, bruises, burns and sprains, but does not include Minor Injury/Illness or any mental disease or disorder not accompanied by physical injury at the time of the incident and further does not include false arrest, detention, imprisonment, confinement, slander, libel, violation of privacy or mental distress.~~
~~(u) "Minor Injury/Illness" means physical or mental incidents such as fainting, bruising, or minor lacerations for which treatment is limited to rest, cleansing, dispensation of over-the-counter medication, plastic adhesive bandage strips, fluids by mouth, or similar assistance.~~
~~(v) "Property Damage" means physical injury to, or destruction of tangible property to the structure or operational parts (including safety equipment and devices) of a carnival ride, sustained by reason of accident or malfunction, other than routine wear and tear, but does not include damage to personal property.~~

300-8-2-.04 Repealed. ~~Owner/Operator Responsibility; Rider Responsibility; Warnings and Signage. Amended.~~

~~(1) Every manager of an amusement ride shall comply with or effect compliance with all provisions of these rules and regulations, and every employer and employee shall comply with all provisions which concern or affect his conduct.~~
~~(2) Each owner, manager, or lessee is responsible for filing one of the following with the Georgia Department of Labor Safety Engineering Section prior to any ride being placed into operation:~~
~~(a) A certificate of insurance against liability for injury to persons arising out of the operation of the carnival or fair ride in the amount of at least $500,000.00.~~
~~(b) A bond for and in the same amount as stated in (a) above.~~
~~(c) Cash or other security acceptable to the Department for and in the amount as stated in (a) above.~~
~~(3) All ride patrons shall:~~
~~(a) Obey all posted signs, including but not limited to, warning signs, instruction signs, and directions signs, which are not inconsistent with these rules:~~

~~(b) Obey the instructions of ride attendants;~~
~~(c) Properly use all safety equipment provided;~~
~~(d) Act in a responsible manner while using a carnival ride, device or attraction;~~
~~(e) Refrain from acting in any manner that may cause or contribute to injury to self or others;~~
~~(f) Not participate or use a carnival ride, device or attraction while under the influence of alcohol or any intoxicating substance; and~~
~~(g) Be subject to any or all of the following penalties for violation of this Section A:~~
~~1. Removal from the ride, device or attraction and barred from returning that day;~~
~~2. Removal from the carnival owner's property and barred from returning that day;~~
~~3. Subject to a civil penalty up to a maximum of $100 per infraction to be assessed in accordance with the civil penalty provisions of these rules.~~
~~(4) All ride patrons, or, if the patron is a minor, the patron's parent or guardian, shall report in writing to the carnival owner or his designee any injury sustained on a carnival ride prior to leaving the carnival owner's premises , unless the ride patron (or parent or guardian) is unable to file the report because of the severity of the injuries, in which case the report shall be filed as soon as reasonably possible.~~
~~(5) Sign Requirements:~~
~~(a) Warnings and directions shall be based upon the standards of the American Society of Testing Materials (ASTM) or the American National Standards Institute (ANSI), or, if expressly approved by the Commissioner, other nationally recognized technical or scientific authority in the amusement ride or carnival ride industry.~~
~~(b) Signs shall be displayed in a public and conspicuous place on or near the ride, device or attraction in letters clearly visible from at least a distance of 15 feet.~~
~~(c) Rider responsibilities and potential penalties shall be posted in at least one public and conspicuous location on the premises of the carnival owner.~~

300-8-2-.05 Repealed. ~~Application for Permit. Amended.~~
~~(1) No amusement ride shall be operated at any time or location unless a permit is issued by the Department.~~
~~(2) Each owner, manager, or lessee shall apply for a permit on or before January 1 of each year, on a form furnished by the Department. The following must accompany the application:~~
~~(a) Certificate of insurance, bond, or securities;~~
~~(b) List identifying each ride;~~
~~(c) Itinerary with intended dates and locations of use;~~
~~(d) An inspection fee of $65.00 for each ride;~~
~~(e) An annual permit fee of $50.00;~~
~~(f) The form of payment must be a certified check or money order made payable to the Georgia Department of Labor.~~
~~(3) In situations where an emergency booking makes the notification period impossible, the Department shall be notified by telephone at least 72 hours prior to set up and this notificaiton shall be confirmed in writing.~~
~~(4) In cases where an owner and/or manager finds it necessary to change his itinerary for any cause after having reported his itinerary to the Department, he shall notify the Department of the changes immediately.~~

~~(5) In the event a special inspection is made, an additional fee of $75.00 per hour and all traveling expenses incurred in connection with the inspection will be charged. The expenses shall be governed by the regulations for traveling expenses established for State Officials. In cases where one trip is made to inspect two or more locations for two or more parties, the traveling expenses shall be prorated between the parties on the basis of time and expenses incurred for each inspection.~~
~~(a) A special inspection is any non-routine inspection which includes but is not limited to:~~
~~1. Failure to report a schedule change after scheduling an inspection.~~
~~2. All violation follow-up inspections which require a special trip to verify compliance.~~
~~3. Scheduling an inspection with less than 72 hours notice.~~

300-8-2-.06 Repealed.~~Imposition of Civil Penalties. Amended.~~
~~(1) Issuance of Citation or Notice of Administrative Proceeding:~~
~~(a) If, upon inspection by an inspector or deputy inspector,~~
~~1. A carnival ride is deemed to be in an unsafe condition,~~
~~2. The owner, operator, user, contractor, or installer has not complied with the Carnival Ride Safety Law or these rules, or~~
~~3. When a written warning has been issued and the violations continues, then the deputy inspector shall issue the violator a Citation stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.~~
~~(b) If, upon receiving information from any source, the Chief Inspector determines that there is a reasonable belief that:~~
~~1. A carnival ride may be in an unsafe condition,~~
~~2. The owner, operator, user, contractor, or installer has not complied with the Carnival Ride Laws or these rules, or~~
~~3. When a warning has been issued, the violation is a continuing violation, the Chief Inspector or the Director, Safety Engineering, on behalf of the Department, may issue Notice of Administrative Proceeding stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.~~
~~(c) The Director, Safety Engineering, upon review of a citation issued under subsection (a) above, may, in his sole discretion, dismiss the Citation and substitute therefore a Notice of Administrative Proceeding pursuant to subsection (b) above on the same, similar, or different violations, as required by the evidence.~~
~~(d) The Commissioner of Labor, upon review of a Citation or Notice of Administrative Proceeding, in his sole discretion, may refer the matter to the appropriate prosecuting official for criminal or injunctive relief as permitted under law. In such event, the Commissioner may, in his sole discretion, elect to dismiss, suspend, or continue with the civil penalty proceeding.~~
~~(2) Hearing Procedure:~~
~~(a) If a request for a hearing is not received from the respondent within the allotted time, the Director, Safety Engineering, on behalf of the Commissioner, may without further process impose a civil penalty not greater than the total of civil penalties set forth on the~~

~~Citation or in the Notice of Administrative Proceeding. An administrative order under the authority of the Commissioner may be issued to collect the civil penalty assessed. If the civil penalty is not paid, the Commissioner may authorize the Director to file appropriate legal action in the name of the Commissioner through the Attorney General to collect the civil penalty.~~

~~(b) Upon receipt of a request for a hearing pursuant to any Citation or Notice of Administrative Proceeding, the Director, Safety Engineering, shall determine, in his sole discretion, whether the hearing shall be held before the Commissioner of Labor or referred to the Office of State Administrative Hearings. If the hearing is to be before the Commissioner, the Director shall set a date and time for the hearing and shall cause the case file to be referred to the Attorney General for legal representation of the Department. If the Director determines that a hearing before the Commissioner is not warranted, the matter shall be referred to the Office of State Administrative Hearings pursuant to O.C.G.A. 50-13-41(a)(1). The case file for an OSAH proceeding may be referred to staff counsel within the Department or to the Attorney General for representation of the Department. The Office of State Administrative Hearings will set the date, time and place of hearing as prescribed by OSAH Rules.~~

~~(c) All hearings, whether before the Commissioner or before the Office of State Administrative Hearings, shall be subject to the powers and procedures set forth in the Administrative Procedure Act, including but not limited to O.C.G.A. 50-13-13 and 50-13-15.~~

~~(d) The decision of an administrative law judge made after a hearing before the Office of State Administrative Hearings shall be the initial agency decision as set forth in O.C.G.A. 50-13-41(d) and shall be subject to review by the Commissioner, Department of Labor, as set forth in O.C.G.A. 50-13-41(e). A hearing before the Commissioner shall be the final agency decision in the matter and shall be subject to judicial review as set forth in O.C.G.A. 50-13-19.~~

~~(3) Guidelines for imposition of civil penalties:~~

~~(a) Any person, firm partnership, corporation or other business entity, which violates this part, shall be subject to the imposition of civil penalties. Each day on which a violation occurs shall constitute a separate offense. Repeat offenders, including those who refuse to adhere to orders of inspectors, exceed the limitations of operating permits, or refuse to adhere to the requirements of these rules and regulations, may be referred appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law. Serious violations, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may also be referred appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law.~~

~~(b) Notwithstanding the recommended minimum penalties set forth below, a serious violation, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may receive the maximum penalty of $5,000.00 for each violation including a first offense. The imposition of a penalty for a violation of this part shall not excuse the violation or permit it to continue.~~

~~(c) The deputy inspector issuing a Citation shall, at the time of issuance, specify a recommended civil penalty amount for each specific violation in accordance with these Rules and Regulations. The Director, Safety Engineering, is charged with the~~

~~responsibility to ensure that recommended penalties for violations are graduated with the more serious violations receiving the heavier penalty and with assuring uniformity of recommended penalties such that offenders in similar circumstances with similar violations receive similar penalty recommendations. In this regard, the Director may dismiss a Citation and issue a Notice of Administrative Proceeding solely for the purpose of making an appropriate penalty recommendation.~~

~~(d) The recommended civil penalty set forth in the Citation or Notice of Administrative Proceeding shall be given great deference by the Hearing Officer. The *minimum* recommended penalties set forth below are normally for first offenses with only one violation being cited. The Hearing Officer shall, after hearing the case, consider factors in mitigation of the violations as well as those in aggravation. The Hearing Officer shall impose a penalty less than the recommended *minimum* penalty only upon finding unusually significant mitigating factors, and shall set forth those factors in the order. The Hearing Officer may impose a penalty substantially greater than the department's recommended penalty upon finding significant aggravating factors associated with the violation, and shall set forth those factors in the order. The Hearing Officer shall consider the provisions of these Rules and Regulations guiding the assessment of penalties. In particular, the Hearing Officer, shall, in cases involving continued operation of equipment without valid operating certificates; continued operation of equipment after failing to notify the department of an accident involving structural damage, bodily injury, or death; or continued operation after an unsafe condition is detected or after the equipment is taken out of service by an inspector or deputy inspector, consider the imposition of separate penalties for each day of violation. The Hearing Officer shall not assess a penalty exceeding $5,000.00 for each violation or each day of a continuing violation.~~

~~(e) The Hearing Officer may, in addition to a civil penalty, recommend in the order that the Commissioner suspend for a period of time or indefinitely, operating certificates, permits to install, or certificates for contractors.~~

~~(4) Minimum recommended pernalties:~~

~~(a) Specific violations:~~

~~1. Operating equipment without a certificate of inspection or permit. (Authority: O.C.G.A. 34-13-10 and 34-13-11)~~

~~First offense .....$250.00~~

~~Second offense .....$500.00~~

~~2. Operating equipment in an unsafe condition. (Authority: O.C.G.A. 34-13-18)~~

~~First offense .....$500.00~~

~~Second offense .....$1000.00~~

~~3. Failure to permit free access for the purpose of inspecting or investigating equipment. (Authority: O.C.G.A. 34-13-19)~~

~~First offense .....$500.00~~

~~Second offense .....$1,000.00~~

~~4. Failure to notify the Chief Inspector of any accidents involving serious personal injury. (Authority: O.C.G.A. 34-13-13 and 300-8-2-.14)~~

~~First offense .....$500.00~~

~~Second offense .....$1000.00~~

~~5. Failing to notify the Chief Inspector of an accident which involves death. (Authority:~~

~~O.C.G.A. 34-12-13)~~
~~First offense .....$2500.00~~
~~Second offense .....$4500.00~~
~~6. Placing ride back in service which has been "Re-d-Tagged" or placed out of service by a deputy inspector, without first having the unit inspected. (Authority: O.C.G.A. 34-13-18(a))~~
~~First offense .....$1000.00~~
~~Second offense .....$2500.00~~
~~7. Placing ride back in service which has been involved in an accident prior to first having the unit inspected or otherwise cleared. (Authority: O.C.G.A. 34-13-13)~~
~~First offense .....$1000.00~~
~~Second offense .....$2500.00~~
~~(b) General violations:~~
~~1. Violating adopted Code, Standards, Rules, Regulations or Order. (Authority: O.C.G.A. 34-13-18(c)(2))~~
~~First offense .....$250.00~~
~~Second offense .....$500.00~~
~~2. Failure to post required signage such as, but not limited to, age, weight or height restrictions. Each day constitutes a separate violation. (Authority: O.C.G.A. 34-13-18(c)(2))~~
~~First offense .....$250.00~~
~~Second offense .....$500.00~~
~~3. Failure to file a required report. Each report constitutes a separate violation. (Authority: O.C.G.A. 34-12-18(c)(2))~~
~~First offense .....$250.00~~
~~Second offense .....$500.00~~
~~4. Any third repeated offense may subject the violator to the maximum civil penalty permitted under the Act ($5,000.00).~~

300-8-2-.07 Repealed. ~~Identification and Rating Plates.~~
~~Every amusement ride shall be identified by a trade or descriptive name and an identification number, and there shall be firmly attached thereto in a readily visible location on a metal plate upon which there is legibly impressed the name~~ and number of ~~the ride, its model number if any, and the name and address of its manufacturer. Upon the same or another metal plate so attached, there shall be legibly impressed the maximum safe number of passengers and the maximum safe speed.~~

300-8-2-.08 Repealed. ~~Rebuilt and Modified Rides.~~
~~If an amusement ride which has withstood a performance test as required is thereafter materially rebuilt or so modified as to change its original action:~~
~~(a) The ride shall be reidentified by a different name or identification number or both;~~
~~(b) The ride shall be subject to all other provisions of this Chapter as if it were a new device not previously used.~~

300-8-2-.09 Repealed. ~~Control of Operation.~~
~~(1) Amusement rides shall be operated only by competent operators at least 16 years of~~

~~age.~~
~~(2) Every operator shall have knowledge of the use and function of all normal operating controls, signal systems, and safety devices applicable to the ride and of the proper use, function, capacity, and speed of the particular ride which he is operating. An operator shall be in the immediate vicinity of the operating controls during operation and shall have complete control of the ride at all times while being operated for the public's use. When the ride is shut down, provisions shall be made to prevent operation by the public.~~
~~(3) No person other than the trained operator shall be permitted to handle such controls during normal operation. This provision does not apply to amusement rides designed to~~

300-8-2-.10 Repealed. ~~Overspeeding and Overloading.~~
~~A ride shall not be loaded beyond its rated capacity nor shall it be operated at an unsafe speed or at any speed other than that prescribed by the design engineer or manufacturer. When this information is not obtainable, the criteria for safe operating speeds and rated capacity shall be established by the Department.~~

300-8-2-.11 Repealed. ~~Medical and First Aid. Amended.~~
~~The owner and operator shall ensure the availability of medical and first aid.~~
~~(a) While the venue is open or has patrons on the site, in the absence of an infirmary, clinic, or hospital available adjacent to the site or within one-half mile of the rides and attractions, one or more adequately trained and certified individuals shall be available on premises at all times with appropriate skills to render first aid and cardiopulmonary resuscitation. In addition, first aid supplies recommended and approved by the American Red Cross or by a consulting physician shall be readily available.~~
~~(b) At the site office or other appropriate place on the site, the telephone numbers for physician, hospital, ambulance and local fire and police services shall be conspicuously posted for use by the staff and public in the event of emergency.~~

300-8-2-.12 Repealed. ~~Fatalities, Personal Injury, and Accidents. Amended.~~
~~(1) **Accidents involving fatalities or serious personal injury.** In the event of an accident involving fatalities, serious personal injury, or personal injury requiring immediate overnight hospitalization, and of which the owner or operator has knowledge (Authority: O.C.G.A. 34-13-13):~~
~~(a) The ride or activity shall be shut down and immediately taken out of service:~~
~~(b) The ride or activity shall be secured to prevent operation until the Department has conducted a full investigation; and~~
~~(c) The accident shall be immediately reported to the Department by telephone, and shall be augmented by a detailed written report submitted by certified mail or similar means not later than the close of the next business day following the accident.~~
~~(2) **Accidents in which further safe operations may be compromised.** In the event of an accident involving either personal injury or property damage in which there is a discernable risk that further safe operation of the ride or activity may be compromised (Authority: O.C.G.A. 34-13-13):~~
~~(a) The ride or activity shall be shut down and immediately taken out of service;~~
~~(b) The ride or activity shall be secured to prevent operation until the Department has conducted a full investigation; and~~

~~(c) The accident shall be immediately reported to the Department by telephone, and shall be augmented by a detailed written report submitted by certified mail or similar means not later than the close of the next business day following the accident.~~
~~(d) If, at the time of the telephonic report, the owner or operator and a qualified repair technician present sufficient information to the Department, the Department may, in its discretion, permit the ride or activity to be promptly repaired and put back into service without an investigation and inspection. The Department shall make a record of such decision and record it upon the written report submitted concerning the accident.~~
~~(3) **All other accidents or incidents.** In order to evaluate the overall safety of regulated rides and activities, and to permit the identification of trends which may permit the effective prevention of accidents, all other accidents and incidents involving personal injury or property damage, but not including minor personal injury/illness, sustained by reason of the operation or malfunction of a ride or activity shall be reported as follows (Authority, O.C.G.A. 34-13-13):~~
~~(a) The accident or incident shall be reported in writing to the Department within 30 days of the accident or incident, or within 30 days after a belated report of personal injury becomes known by the owner or operator. In the alternative, such reports may be accumulated and submitted on a monthly basis.~~
~~(b) The report shall summarize the accident or incident; shall note any equipment repair or adjustment accomplished; and shall include any witness statements taken.~~

300-8-2-.13 Repealed. ~~Inspections. Amended.~~
~~All inspections will be conducted in accordance with the applicable sections as follows:~~
~~(a) ASTM (American Society of Testing Materials);~~
~~(b) Standard Building Code;~~
~~(c) National Electrical Code;~~
~~(d) The Rules and Regulations as adopted by the Board and approved by the Commissioner;~~
~~(e) As a minimum upon the ride manufacturer's specification and recommendations.~~

300-8-2-.14 Repealed. ~~Mechanical Failure Reports.~~
~~The owner and/or manager of an amusement ride shall report any major breakdown to the Department within 24 hours after occurrence of the incident by telephone or other media of immediate communication. The owner and/or manager shall confirm this report in writing within seven (7) days after the occurrence of the reportable incident. Upon being advised of such an incident, the Commissioner or his authorized agent, after reviewing the circumstances, may order the ride or device to be withheld from operation, and in such cases the Department shall conduct an immediate investigation. The ride shall be released for repair and operation only after a thorough and complete investigation by the Department.~~

300-8-2-.15 Repealed. ~~Removal of Parts.~~
~~No part of a ride shall be moved or disturbed where there is a failure prior to investigation by the Department.~~

300-8-2-.16 Repealed. ~~Load Tests.~~
~~(1) When the inspector deems necessary, a load test may be required prior to use on the~~

~~following rides:~~
~~(a) Rides having suspended passenger seats or spaces;~~
~~(b) Rides normally operated at speeds or with movements creating severe centrifugal forces;~~
~~(c) Rides so elevated that structural failure is likely to cause passengers to be injured by falling;~~
~~(d) Rides as to which the Department has ordered a test upon finding it necessary to assure safety.~~
~~(2) Evidence of Test. Unless a load test is made in the presence of a representative of the Department, they may accept a certified copy of such test made by a person qualified to perform such test, showing whether the ride withstood the test without failures in any material respect and setting forth such other relevant information as the Department may require. Until such a statement is so filed, it shall be presumed that the ride has not withstood the test as required.~~
~~(3) Nature of Test. Each passenger seat or space shall be weighed with at least 170 pounds dead weight, except that in rides intended only for small children of which each seat or space shall be weighed with at least 75 pounds. While so loaded the ride shall be so operated at maximum normal speed as to test the full operation of all control devices, speed limiting devices, brakes, and other equipment provided for safety.~~
~~(4) Effect of Test. If the Ride fails to withstand load test, it shall be deemed unsafe and shall not be used until it has withstood a subsequent load test without failure in any material respect. If the ride has withstood a load test without failure in any material respect, it shall be required to be so tested again only if rebuilt or modified or if there are reasonable grounds to believe that a further test is necessary to assure safety and the Department orders such test to be made.~~

300-8-2-.17 Repealed. ~~Design Criteria. Amended.~~
~~Structural material and construction of rides shall conform to recognized engineering practices, procedures, standards, and specifications. The design, materials, and construction features shall incorporate safety factors acceptable to the Department. If a designer or manufacturer of equipment wishes to use materials not now covered by these rules or by reference to existing standards, full information concerning these materials or methods shall be submitted to the Department. The design, detail, materials, and construction features shall provide safety factors acceptable to the Department.~~
~~(a) Manufacturers' Analyses. Before a new amusement ride is put into operation for the public's use, or whenever any additions or alterations are made which change the structure, mechanism, classification, or capacity of any ride or device, the owner shall file with the Department a notice of his intention and shall furnish design data, safety factors, materials utilized, stress analysis, and other pertinent data deemed necessary by the Department. This information shall also be furnished by the manager for existing rides if required by the Department. Such stress analysis and other data pertinent to the design, structure, factors of safety, or performance characteristics shall be in accordance with accepted engineering practices acceptable to the Department and written in English. Such data may be requested for, but not limited to, the following materials, parts, or components of rides; structural materials including bars; cables; chains; ropes; rods; tubing; pipes; girders; braces; fittings; fasteners; trusses; pressure vessels; piping; gears;~~

clutches; speed reducers; welds; bearings couplings; carriers such as tubs, cars, chairs, gondolas, or seating and carrying apparatus of any description; axles, hangers, pivots, safety bars, belts, harnesses, chains, gates; or other restraining, containing, or retaining devices. Data shall be furnished at the request of the Department on forces generated by acceleration, or deceleration centrifugal action, inertia kinetic, or other forces either constant, reversible, or eccentric.

(b) Rating. Manufacturers shall identify the capacity of an amusement ride in terms of number of passengers and operating speed. This information shall be included on the identification and rating plates.

(c) Seating and Carrying Devices.

1. Tubs, cars, chairs, seats, gondolas, and other carriers used on rides shall be designed and constructed as strong as practicable. The interior and exterior parts with which passengers may come in contact with shall be smooth, rounded, free from sharp, rough or splintered edges or corners, and with no protruding screws or projections which might cause injury. Parts upon or against which passengers might be thrown by action of the ride shall be adequately padded to prevent or minimize the possibility of injury. The upholstery or decoration shall be permitted.

2. Propellers or other moving parts or decorations attached to tubs, cars, chairs, seats, gondolas, and other carriers shall be securely fastened to such equipment and keyed or otherwise secured so that they can not come off during operation of the ride. Vanes, canopies, or other attachments which might become disengaged shall be secured with safety straps to prevent their flying away in case of breakage or dislocation.

(d) Speed Limiting. An amusement ride capable of exceeding its maximum safe operating speed shall be provided with a maximum speed-limiting device.

(e) Brakes and Stops.

1. On a ride where coasting renders the operation dangerous, either during the period while the ride is being loaded or unloaded or in case of power failure or other unforeseeable situation, a method of breaking shall be provided.

2. If cars or other components of an amusement ride may collide in such a way as to cause personal injuries upon failure of normal controls, emergency brakes sufficient to prevent such collisions shall be provided.

3. On rides which make use of inclined tracks; automatic anti-rollback devices shall be installed to prevent backward movement of the passenger carrying units in case of failure of the propelling mechanism.

(f) Retaining, Restraining, and Containing Safety Devices.

1. Safety Retainer. Tubs, cars, chairs, seats, gondolas, or other carriers on a ride that depends upon a single means of attachment or support shall be equipped with safety retainers to prevent a carrier from being catapulted from the ride and to prevent any action of the carrier which might throw the occupants from the carrier if it becomes disengaged from its support or attachment.

2. Restraining Safety Devices. Restraining devices used on tubs, cars, chairs, seats, gondolas, or other carriers on a ride, wherein the forces generated by the action of the ride require retention, restraint or actual physical support of the passenger, shall be designed, constructed, and installed to withstand impact and forces of a minimum of 850 pounds per passenger.

3. Containing Safety Devices. On a ride design where, after inspection by the

~~Department, it is deemed necessary to install safety devices to prevent accidental or inadvertent dislodgement of a passenger from any tub, car, chair, seat, gondola, or other carrier, a containing device shall be installed. This device shall be designed to withstand minimum forces of 850 pounds for the exclusive use of children, or the design load, whichever sets the greater minimum force.~~

~~4. Recommended passenger restrictions and limitations, where applicable, such as but not limited to, height, weight, age, passenger placement, or other appropriate restrictions shall be provided to the end user by the Manufacturer or seller of the amusement ride or device. In the event the manufacturer is unwilling or unable to provide said restrictions, thereby rendering himself in non-compliance with this law and ASTM Standards, the said restrictions and/or limitation must be established by the owner and/or manager and shall be acceptable to the Department.~~

~~(g) Motors, Motor Circuits, and Controllers shall be manufactured and utilized in accordance with Article 430, National Electric Code. Any motor operating with greater than 50 volts shall have its frame grounded with a conductor.~~

~~(h) Safety Stop Circuits. Electrical safety stop circuits shall be closed circuits so in case of power failure, the system will cause the ride to which the circuit pertains to fail safe. Circuits shall be all metallic.~~

~~(i) Stairways, Landings and Ramps.~~

~~1. Adequate stairways or ramps and the necessary landings and platforms shall be provided where people enter or leave a ride that is above or below grade or floor level at entrance to or exit from such ride. The design and construction of stairways, ramps, and railings shall conform to OSHA Standards for Walking-Working surfaces, except the requirement regarding the placement of stairway railings and guards. All stairs with more than one step shall have standard handrails or railings on both sides regardless of width, and when stairways are 88 inches or greater in width, a railing shall be placed approximately in the center. The construction of the standard railings and handrails shall be in accordance with the OSHA Rules and Regulations.~~

~~2. Design of Stairways, Landings and Ramps. Stairways, landings, and ramps shall be designed, constructed, and maintained so as to sustain safely a live load of at least 90 pounds per square foot.~~

~~3. Stairways, Ramps, and Platforms. Stairways and ramps shall be at least 21 inches wide. Stair treads shall be at least 9 inches deep exclusive of nosing and the height of rise shall not exceed 8 inches. Between any two levels the treads shall be of uniform depth and the risers of uniform height.~~

~~(j) Signal Systems shall be provided and utilized for controlling, starting, and stopping of a ride when the operator of the ride does not have a clear view of the point where passengers are loaded or unloaded. Where the need for coded signals is required, the code of signals adopted for operations of the ride shall be printed and kept posted at both the operator's and signalman's stations. Persons who use the signals shall be instructed in their use and shall be trained to understand thoroughly their operation and meaning. Signal systems shall be tested on each day prior to operation of the ride. A ride requiring a signal system shall not operate if the system is not performing correctly. Signals for the movement of operation of an amusement ride shall not be given until all passengers and other persons who may be endangered are in a position of safety.~~

~~(k) General Environment.~~

1. Hazardous Weather and Riot. During a lightning storm, high wind storm, a period of tornado warning; fire, or when violence, riot, or civil disturbance occurs or threatens in or is a direct threat to a fair or carnival lot, passengers shall be unloaded or evacuated from a ride and the ride shut down and secured immediately. Operations shall not resume until the situation has returned to a normal safe operating condition.
2. Illumination. Access and exit to and from amusement rides shall be provided with illumination by natural or artificial means of no less than 5 foot candles measured at grade level. No less than 10 foot candles of illumination shall be provided at work levels for assembly and disassembly of amusement rides.
3. A separate or emergency source of illumination shall be provided, excluding flashlights, in all portable trailers used as fun houses, dark rides, etc.
(l) Fire Prevention and Protection.
1. Fire Resistance of Fabrics. Fabrics constituting part of an amusement ride shall be fireresistant to meet the following standards: Two strips or test sections either of the fabric used or other fabric identical therewith shall be tested. Each strip shall not be less than 6 inches wide and 12 inches long. Each strip shall be thoroughly dry and shall then be subjected to an open flame applied to the lower edge while the strip is held vertically for twelve seconds. Neither strip shall flame for more than two seconds after the test flame is removed from contact nor shall the average length of char exceed 2½ inches. Such a test is not required by this section if other evidence of the required degree of fire resistance is accepted by the Department as sufficient.
2. Fire Extinguishers. Approved fire extinguishers shall be provided where necessary to secure reasonable and adequate protection from fire hazards.
3. Flammable Waste. Flammable waste such as oily rags and other flammable materials shall be placed in a covered metal container which shall be kept in easily accessible location.
4. Flammable Liquids and Gases. Gasoline and other volatile liquids and flammable gases when stored shall be kept in reasonably cool and ventilated places. Such liquids shall be in approved safety cans. Smoking and the carrying of lighted cigars, cigarettes, or pipes is prohibited in any area where such liquids or gases are stored or are transferred from one container to another.
(m) Cleanliness. A suitable number of metal containers for refuse shall be provided in and around all amusement rides. Excessive accumulations of trash or rubbish shall be promptly removed. All parts of amusement rides used by passengers or customers shall be maintained in a clean condition.
(n) Equipment. Equipment used in connection with any ride shall be constructed, equipped and maintained to insure safe operation.
(o) Oil and Hydraulic Systems. Oil and hydraulic systems and other related equipment used in connection with amusement rides shall be free of leaks and maintained to insure safe operation at all times. Such systems shall have a dumping or bypass valve that shall be drilled and sealed at 125% of working pressure by the manufacturer and witnessed by a representative of the Department. Such systems shall be inspected at least annually and must be inspected before being put into service. All pressure gauges shall have the maximum safe working pressures conspicuously marked thereon. All systems shall have a manual lowering valve.
(p) Pressure Vessels. Pressure Vessels used in conjunction with rides that meet the

~~following criteria must be constructed in accordance with the ASME Code, repaired in accordance with the National Board Inspection Code, and safety inspected by a state inspector once each year.~~
~~(q) Machinery and Machine Guarding.~~
~~1. General Requirements are as follows: machinery used in or with an amusement ride shall be enclosed, barricaded, or otherwise effectively guarded against contact. Guards removed for maintenance purposes shall be replaced before normal operation is resumed. One or more methods of machine guarding shall be provided to protect the public from injury. An example of double guarding is public barriers and gear shielding. Guards shall be fixed to the machine where possible and secured elsewhere if for any reason attachment to the machine is not possible. The guard or brarier shall be such that it does not offer an accident hazard in itself. Barriers shall be securely stacked or sandbagged to prevent movement or tipover by the public falling, pressing, or stumbling against them, and be at least 30 inches high. The barriers shall be located to keep the public at least six feet away from all major or spectacular rides, and at least three feet away from all kiddie rides. Ride entrances shall have a passenger waiting line retaining chain, bar gate, or device. All machinery designed for a fixed location shall be securely anchored to prevent walking or moving. All rides containing or having a mounting or mountings that would catch, wind up, or entangle long hair shall have attached warning signs.~~
~~2. Mechanical Power Transmission. All power transmission devices and associated moving parts shall be shielded, enclosed, or barricaded to protect the public.~~
~~(n) Welding, Cutting, and Brazing. No welding, cutting, or brazing shall be accomplished where the public can directly observe the process or be hit by sparks or flying materials generated by the process. Any welding, cutting, and brazing accomplished when the general public is in attendance, shall be accomplished behind temporary erected solid barriers. The ends of these shall be overlapped to prevent any direct exposure. If the operation can not be shielded, the manager shall provide a means of keeping the public away from the point of work for a distance of 35 feet for all soldering, brazing, cutting, and gas welding up to ½ inch, 50 feet for all gas welding over ½ inch, and 150 feet for all welding utilizing electrodes up to 3/16 inch diameter. All larger arc welding operations shall be accomplished behind solid shielding or prior to or after public attendance hours.~~

300-8-2-.18 Repealed. ~~Operations.~~
~~(1) Assembly and Disassembly.~~
~~(a) Competent Supervision. The assembly and disassembly of an amusement device or a temporary structure shall be done by or under the immediate supervision of a person experienced and instructed in the proper performance of such work in respect to the device or structure.~~
~~(b) Quality of Assembly Work. Assembly work shall be performed in a proper and workmanlike manner. Parts shall be properly aligned~~ and shall not be bent, distorted, cut ~~or otherwise injured to force a fit. Parts requiring lubrication shall be lubricated in the course of assembly. Fastening and locking devices, such as bolts, cap screws, cotter pins, lock washers, etc., shall be installed where required for dependable operation. Nuts shall be drawn tight, cotter pins shall be spread, and lock nuts firmly set. Welding of parts upon which safe operation depends shall be done by welders qualified in accordance with the requirements of the American Welding Society.~~

(c) Quality and Inspection of Parts. Parts which are excessively worn or which have been materially damaged shall not be used. Close visual inspection of parts shall be made during assembly to discover such wear or damage and immediate inspection of fastening devices shall be made after assembly to discover such wear or damage and immediate inspection of fastening devices shall be made after assembly to assure that they have been properly installed.
(d) Tools and Equipment.
1. Persons engaged in the assembly or disassembly of amusement devices shall be provided with and shall use tools of proper size and design to enable the work to be done safely. Broken, damaged, and unsuitable tools shall not be used. Electrically operated tools shall be grounded during use.
2. Ladders, scaffolds, and safety belts used in assembly or disassembly work shall be of such design, material, and construction as to provide reasonable and adequate protection to the persons using them.
3. Fiber rope used in assembly or disassembly work shall be standard quality manila or equivalent in strength.
4. Tackle blocks shall be of a size to fit the rope. All load-carrying equipment shall be designed and constructed throughout to support the intended load.
(e) Persons in Work Area. A sufficient number of persons to do the work properly shall be engaged for the assembly or disassembly of amusement devices. Persons not so engaged in this work and who may create a hazard shall be prevented from entering the work area.
(2) Location. The general layouts shall be established such that continuous traffic patterns will exist. Box canyons formed by rides and concession booths shall be avoided. The egress of a ride or booth shall not be located immediately in front of hazardous equipment. The layouts shall be such that traffic patterns through the concession areas shall minimize traffic over any water or electrical lines. The intermingling of water lines and electrical lines shall be avoided. Long guy wires or narrow braces utilized for ride, or booth support shall be clearly marked with streamers or other devices to attract attention.
(a) Temporary Ride. A ride shall be placed on solid footings to be secured to prevent shifting, tipping, swaying, or erratic motion. No cement, brick, or similar type blocks shall be permitted, unless approved by the Department. Provisions pertinent to erratic motion or sway does not apply to a ride designed to permit flotation characteristics or flexibility. Use of shim blocks shall be kept to a minimum. Depression in the ground near the ride footings shall be filled and tamped and adequate means of drainage provided to prevent water from collecting and softening supporting areas in case of rain. The areas surrounding the ride shall be clear and kept free from trash and tripping hazards. A daily inspection of the ride motion and footing shall be made.
(b) Public Protection.
1. An amusement ride shall not be used or operated while any person is so located as to be endangered by it. Areas in which persons may be so endangered should be fenced, barricaded, or otherwise guarded against public intrusion.
2. Temporary booths shall not be located under aerial amusement rides. Temporary booths utilized for cooking food shall be located such that at least 10 feet of clearance exists on two sides for the use of fire equipment or other emergency vehicles, and shall not be located within 10 feet of amusement rides. A minimum clearance of six feet shall

~~exist between an exterior ride and walls, building, and other structures. At least twelve feet of clearance shall be maintained between major and spectacular rides and at least three feet between all kiddie rides.~~
~~3. At no time shall a ride be assembled, disassembled, or operated within the minimum clearance of power transmission lines as stated below, except when the transmission lines have been de-energized and disconnected or locked out.~~
~~(i) For lines rated 50KV or below, minimum clearance between the lines and any part of lifting crane, ride structure, or equipment shall be ten feet.~~
~~(ii) For lines rated over 50KV, minimum clearance between the lines and the lifting crane, ride structure, or equipment shall be ten feet plus 0.4 inches for each 1KV over 50KV.~~
~~(iii) During assembly or disassembly a person shall be designated to observe clearance of the equipment and give timely warning for all maneuvers where it is difficult to maintain the desired clearance by visual means.~~
~~(3) The manager shall insure that there exists in the immediate vicinity a device or devices (for example; ladder, fire truck, or hydraulic lift) which are available for emergency removal of passengers from elevated amusement rides that will not operate.~~
~~(4) Leveling and Alignment. Corner posts, central column or support structures of a ride designed to operate on a perpendicular axis shall be plumb and secured so that the path of the sweeps or platforms shall be level and operate on a true horizontal plane at right angles to the axis of the pivot. A ride whose carriers are designed to operate on a horizontal axis shall be leveled so that the carriers will orbit in a true perpendicular plane. The base of a ride employing a combination of orbiting planes or a ride whose carriers operate normally in a plane other than true horizontal or vertical shall be leveled, plumbed, and secured so that they will not tip or shift and will be stable under the most adverse operating conditions, except for a ride designed to operate properly whether the base is plumb or level or not.~~
~~(5) Internal Combustion Power Sources.~~
~~(a) Internal combustion power sources shall be of adequate type, design, and capacity to handle the design load.~~
~~(b) Fuel tanks should be of adequate capacity to permit uninterrupted operation during normal operating hours. Where it is impossible to provide tanks of proper capacity for a complete day, the ride shall be shut down and unloaded or evacuated during the refueling procedure. Under no circumstance shall the fuel supply be replenished while the engines are running.~~
~~(c) An enclosed area in which an internal combustion engine is operated shall be ventilated. Exhaust fumes from the engine shall be discharged outside the area. The equipment shall be properly grounded.~~
~~(d) Internal combustion power sources shall be located in a manner permitting proper maintenance and shall be protected either by guards , fencing, or enclosure to prevent exposure to hazard and to secure the equipment from the public.~~
~~(e) A manager shall provide and maintain portable fire extinguishers of the classification, capacity, and number prescribed by the Department.~~
~~(f) A manager shall store and handle liquid petroleum gas employed either as fuel for internal combustion engines, for heat, or for illumination in a manner approved by the Department.~~

~~(g) A manager shall store and handle flammable liquids in accordance with the standards of the Department. Bulk storage (quantities above 60 gallons) will not be permitted in the area accessible to the public.~~

300-8-2-.19 Repealed. ~~Maintenance. Amended.~~

~~(1) General. All equipment relative to amusement rides shall be given periodic maintenance service. This shall include proper lubrication and cleaning of machinery, engines, and motors. Worn mechanical parts and machinery shall be periodically inspected for loose fasteners. Lockout devices shall be engaged prior to inspecting or servicing a piece of equipment. Equipment and structure for amusement rides shall be kept free from protruding nails, loose nails, splintered wood, loose and wobbly seats, and rough, loose, or dangerous arm rests.~~

~~(2) Wire rope:~~

~~(a) shall be thoroughly examined. Wire rope found to be damaged shall be condemned and replaced with new rope of proper design and capacity as per data tag that is attached. Any of the following conditions shall be cause for rope replacement.~~

~~1. In running ropes, six randomly distributed broken wires in one rope lay, or three broken wires in one strand in one rope lay. A rope lay is the length along the rope in which one strand makes a complete revolution around the rope.~~

~~2. In pendants or standing ropes, (ropes bearing the entire load and subjected to constant pressure and surge shocks) evidence of more than one broken wire in one rope lay.~~

~~3. Abrasion, scrubbing, or peeling causing loss of more than 1/3 of the original diameter of the outside wires.~~

~~4. Severe corrosion.~~

~~5. Severe kinking, severe crushing, or other damage resulting in distortion of the rope structure.~~

~~6. Heat damage resulting from a torch or arc caused by contact with electrical wires.~~

~~7. Reduction from normal diameter of more than 3/64 inch for diameters up to and including ¾ inch; 1/16 inch for diameters 7/8 inch to 1 1/8 inches; 3/32 inch for diameters 1 ¼ inches to 1 ½ inches. Marked reduction in diameter indicating deterioration of the core resulting in lack of proper support for the load carrying strands. Excessive rope stretch or elongation may be an indication of internal deterioration.~~

~~8. Bird-caging or other distortion resulting in some members of the rope structure carrying more load than others.~~

~~9. Noticeable rusting or developing of broken wires in the vicinity of attachments. If this condition is localized in an operating rope, the section in question can be eliminated by making a new attachment. This may be done rather than replacing the entire rope.~~

~~10. All wire rope used to support, suspend, bear, or control forces and weight shall be double clamped.~~

~~(b) Wire ropes used to support, suspend, bear, or control forces and weights involved in the movement and utilization of tubs, cars, chairs, seats, gondolas, other carriers, the sweeps, or other supporting members of a ride shall not be lengthened or repaired by splicing.~~

~~(c) Couplings, sockets, and fittings shall be a design and type approved by the Department and installed in accordance with the instructions or specifications of the designer, engineer, or manufacturer.~~

~~(3) Wood Components. Footings, splices, uprights, track timbers, ledgers, sills, laps, bracing flooring, and all other wood components of rides shall be inspected for deterioration, cracks, or fractures. Emphasis shall be given to insuring tight nails, bolts, lag bolts, and other fasteners. Wood members found to be defective shall be removed and replaced with material of equal or greater strength and capacity.~~

~~(4) Housekeeping. An adequate number of containers for refuse shall be provided in and around all amusement rides. Excessive accumulation of trash and refuse shall be promptly removed. All parts of amusement rides used by the public shall be maintained in a clean condition. All walkways between amusement rides shall be kept free from debris, obstructions, or other hazards.~~

~~(5) Electric Motors. Electric motors exposed to water shall be given a dialectic test annually to insure a safe operation and the results are to be kept with the carnival.~~

~~(6) Wire Rope Rollers, Drums, and Sheaves. The mechanical devices that brake, control, or come in contact with wire rope, such as rollers, drums, and sheaves shall be examined on a periodic basis to insure cleanliness and safe conditions. Mechanical devices with broken chips, undue roughness, or uneven wear shall be replaced immediately.~~

~~(7) Articulation and Bearings.~~

~~(a) The articulating pinions, frames, sweeps, eccentrics, and other mechanical members shall be inspected for wear, out or around, cracks, and other signs of deteriorations, and shall be kept in good repair.~~

~~(b) All main center spindles not visible to the naked eye shall be X-rayed or other approved means, by an accredited testing laboratory and one copy of the results of such tests shall be forwarded to the Department. Test results shall have listed the date of the test, name of the ride owner, and serial number for identification of the ride.~~

~~(c) Bear surfaces, ball joints, and other single or multiple direction mechanical surfaces shall be kept well lubricated and clean and inspected for out of round or out of spherical and shall be kept in good repair.~~

~~(d) Gear alignment and gear drives shall be kept in good repair.~~

~~(8) Electrical Wiring. Motor wiring, general service circuitry, decorative wiring, festoon wiring, and concession stand wiring shall be inspected for insulation wear, fraying, or other signs of deterioration such as cracking. Secure tape repairs may be used; however, use of tape repairs shall be kept to a minimum. Wire clips on articulating devices shall be kept in good repair, and wires at elbows and at the end of articulating devices shall be emphasized during inspection.~~

~~(9) Safety Devices. Retaining, restraining and containing devices shall be inspected to insure they can continuously fulfill their function. Worn and damaged areas shall be repaired immediately or shall be cause for immediate replacement.~~

~~(10) Hydraulic Systems. The system is to be checked for leaks, damaged pipes, and worn or deteriorated hoses.~~

300-8-2-.20 Repealed. Electrical.

~~Electrical conductors and electrical equipment installed and utilized on or around amusement rides shall conform to the National Electrical Code, as revised. The following rules are stated for emphasis and clarification and are supplement to the National Code. If any conflict exists or appears to exist, the National Code shall have precedence.~~

~~(a) Installation. Portable electrical systems required by amusement rides shall be installed by a qualified electrician.~~

(b) Grounding. A carnival shall not operate until all grounding electrodes, equipment, and safety grounding connections are secured, polarized, and tested. The grounding conductors shall conform to the National Electrical Code, as revised. Article 250 Grounding, Paragraph 250-94 Alternating Current Systems and 250-95 Size of Equipment Grounding Conductors. The path to ground from circuits, equipment and conductor enclosures shall (1) be permanent and continuous and (2) shall have ample carrying capacity to conduct currents liable to be imposed on it, and (3) shall have impedance sufficiently low to limit the potential ground and to facilitate the operation of the over-current devices in the circuit.

1. Service Ground. Equipment or generators operating from a separate supply or supplies which are located closer than 8 feet and all service equipment within itself shall be bonded together. The service ground shall be established by connecting the grounding conductor to the service entrance neutral bar in the hot truck or generator and to an approved type service grounding electrode such as ground rods. A sufficient number of ground rods shall be spaced not less than 6 feet apart and at secure depth to obtain and maintain 25 ohms or less resistance to ground. A resistance of 3 ohms or less shall exist when grounding to a water system.

2. Generator Grounding. Where electrical power is supplied for an amusement ride by a privately operated generating system, the generator and all equipment shall be properly grounded if the system incorporated a ground.

3. Circuit and Equipment Safety. From the service entrance neutral bar, the circuit grounded and equipment safety grounding conductors shall be continuous and separate throughout the entire system. The portable outlet and terminal boxes shall contain a service ground through grounded receptacles for both circuit and safety. The equipment safety grounding conductors shall be attached to each ride such that a grounding resistance of 25 ohms or less is obtained. Separate steel tracks or steel framework, such as relief coaster tracks or big slides, shall have grounding the same as the service equipment.

(c) Current Limiting Devices. Conductors shall be fused or protected to their current carrying capacities. No more than 6 disconnect switches are to be in the hot truck or generator unless a main switch is provided. All distribution lines from hot trucks or generators shall be either 100 amp capacity. No fuses or current limiting devices shall be installed in the neutral or grounding conductors. Motors and lighting circuits shall be fused separately.

(d) High Voltage Lines. The outlets of electric power lines carrying more than 120 volts shall be clearly marked to show their voltages.

(e) Outdoor Apparatus and Wiring. Electrical apparatus and wiring located outdoors shall be of such quality and so constructed or protected that exposure to weather will not interfere with its normal operation.

(f) Elevated Lines. Elevated power lines crossing access or other roads within the grounds of a carnival or fair shall be suspended as to provide minimum vertical clearance of 12 feet from the road surface and minimum horizontal clearance of 3 feet on each side of the normal passage space of vehicles.

(g) Bus Bars. Bus bars shall be located low or near the bottom of the cabinet. Separate bus bars shall be provided for grounding neutral and phase conductors. Color codes painted on inside and outside of box, but not on contact surfaces of bus bars, are to be:

Ground – Green With Yellow Strip — 1st Phase – Black
Neutral – White or Natural Gray — 2nd Phase – Red
3rd Phase – Blue

~~On a 4 wire delta connected secondary, the phase conductor having the higher voltage to ground shall be arranged. These color codes are to carry on through all connected wiring from service through portable power outlets and terminal boxes. Buses shall not be less than 200 ampere capacity. The load terminals in a switchboard or panel board shall be located so that it will be unnecessary to reach across or beyond a live bus (hot bus) to make a local connection.~~

~~(h) Portable Power Outlet and Terminal Box. Boxes are to be rain tight and kept locked during the time when the general public is in the area. Wood boxes may be used if insulated on all sides with fire resistant material or painted with insulating varnish. The service power shall be connected to the box by receptacles mounted on the exterior wall which includes the safety grounding. The distribution within the box shall be accomplished by neutral terminal bar(s) and circuit breakers or fuses. The branch circuits which include the equipment safety grounding shall obtain their power through receptacles mounted on the exterior of the box. The exterior openings of the receptacles must be at least 6 inches above ground level and provided with a protective cover, draining eave, or canvas that will avoid the possibility of rain on the receptacle. If it is required to run conductors directly through an opening on the wall of the box for additional service or to obtain required amperage, the opening(s) shall be color coded and shall be sized to prevent public accessibility to the interior of the box. The fuses or breakers in the boxes shall be secured permanently in place, and all connections to the bus bars within the boxes shall be made with threaded screws and lugs of the proper size to fasten in place.~~

~~(i) Power Sources. Electrical power sources shall be located in a manner permitting proper maintenance and shall be protected either by guards, fencing, or enclosure to prevent exposure to hazard and to secure the equipment from the public.~~

300-8-2-.21 Repealed. ~~Daily Inspection.~~

~~The amusement rides shall be inspected each day they are intended to be used. This inspection shall be made by a person experienced and instructed in the proper assembly and operation of the device and shall be performed before the device is put into normal operation. The inspection and test shall include the operation of control devices, speedlimiting devices, brakes, and other equipment provided for safety. A record of each inspection and test shall be made at once upon completion of the test and shall be kept with the device and available to the Department. An operator or manager shall not knowingly use, or permit to be used, a ride which is not properly assembled or which is defective or unsafe in any of its parts, controls, or safety equipment.~~

300-8-2-.22 Repealed. ~~Special Situations.~~

~~(1) This Code is to provide for the safety of life and limb and to promote the public welfare. Where a rule because of practical difficulty cannot be complied with literally or where its literal application would cause undue hardship, the Department may upon written request, grant exceptions, but only when it is clearly evident that reasonable safety is assured.~~

~~(2) In the event that an unsafe condition is discovered during the course of a safety inspection on a carnival device and the manufacturer of that device is no longer in business and cannot be contacted for specific repairs, the Department shall determine the necessary requirements needed in order to return the carnival device to safe operating conditions.~~

~~(3) Exemptions from Standards and Regulations approved by the Department. The owner/operator of the following equipment shall be exempt from applying for a permit or inspection. The owner/operator shall meet all other requirements of the Safety Act and these Rules.~~

(a) Mechanical bulls, climbing walls, human powered equipment or attractions, including but not limited to space balls, orbitrons, air supported structures, paddle boats, water cycles, bicycles.

SAFETY ENGINEERING - 8 : BUNGEE JUMPING

300-8-3-.01 Repealed. Bungee Jumping. Amended.

This rule specifies and gives guidance on the site, design, testing of equipment, management of the operation, operating procedures, emergency provisions, and procedures for Bungee Jumping. Bungee Jumping will be restricted to permanent structures, constructed solely for the purpose of Bungee Jumping. **BUNGEE JUMPING FROM HOT AIR BALLOONS, BLIMPS, CRANES, OR OTHER MOBILE FACILITIES ARE PROHIBITED.** This shall include stationary towers that are utilizing construction baskets and construction hoisting equipment. This rule is applicable to all operators of Bungee Jumping for public use.

300-8-3-.02 Repealed. Definitions. Amended.

The definitions in the Official Code of Georgia Annotated Section 34-12-2 and Chapter 300-8-1-.01, of the Georgia Rules will apply and in addition the following shall apply:

(a) **AIR BAG** - A device which cradles the body and which uses an air release breather system to dissipate the energy due to a fall, thereby allowing the person to land without an abrupt stop or bounce.

(b) **BINDING OF CORD** - Material used to hold the bungee cord threads in place.

(c) **BUNGEE CATAPULTING** - The jumper is held on the ground while the bungee cord is stretched. When the jumper is released, he/she is propelled upwards. **BUNGEE CATAPULTING IS PROHIBITED.**

(d) **BUNGEE CORD** - The elastic rope to which the jumper is attached. It lengthens and shortens and thus produces the bouncing action.

(e) **BUNGEE JUMPING** - When a person falls from a height and the descent is limited by attachment to the bungee cord.

(f) **CORD** - See Bungee Cord.

(g) **DEFINED AREA** - The area designated for the bungee jump by the owner or operator and approved by the Department.

(h) **DYNAMIC LOADING** - The load placed on the rigging and attachments by the initial free fall of the jumper and the bouncing movements of the jumper.

(i) **EQUIPMENT** - Power or manually operated devices to raise, lower and hold loads.

(j) **FENCE** - A permanent or temporary structure designed and constructed to restrict people, animals and objects from entering the designated bungee jumping area.

(k) **INCIDENT** - An event that results in injury to a person, or an event that causes damage or loss of process (jumping interrupted or stopped).

(l) **JUMP AREA** - The maximum designed area in all directions for the movement of the jumper.

(m) **JUMP DIRECTION** - (Forward or Backward) The direction in which a jumper jumps upon leaving the platform from the jump point.

(n) **JUMP HARNESS** - An assembly to be worn by a jumper, which is attached to a bungee cord.

(o) **JUMP HEIGHT** - The distance from the jump platform to the bottom of the jump zone.

(p) **JUMP MASTER** - A person who has responsibility for the bungee jumping operation and who prepares the jumper for the actual jump.
(q) **JUMP OPERATOR** - A person who assists the jump master to prepare a jumper for jumping and operates the lowering system.
(r) **JUMP POINT** - The position from which the jumper leaves the platform.
(s) **JUMP ZONE** - The space bounded by the maximum designed movements of the jumper or any part of the jumper.
(t) **JUMPER** - The person who falls or jumps from a height attached to a bungee cord.
(u) **JUMPER WEIGHT** - The weight of the jumper only, determined by the jump master on a calibrated scale, traceable to a National Standard.
(v) **LANDING AREA** - The surface area of a net, pad, air bag or water directly under where the jumper lands.
(w) **LATERAL DIRECTION** - The area measured at 90 degrees to the designed jump direction.
(x) **LOWERING SYSTEM** - Any manual or mechanical equipment capable of lowering a jumper to the designated landing area.
(y) **LOADED LENGTH** - The length of the bungee cord when extended to its fullest designed length.
(z) **PLATFORM** - The area attached to a structure from which jumper falls or jumps.
(aa) **PREPARATION AREA** - The area where the jumper is prepared for jumping. The preparation area shall be separate from the jump area.
(bb) **RIGGING SYSTEM** - The bungee cord plus any webbing or rope connected to the bungee cord which is of variable lengths set by the jump master for each jumper.
(cc) **RECOVERY AREA** - An area next to the landing area, where the jumper may recover from the jump before returning to the public area.
(dd) **SAFE WORKING LOAD (SWL)** - The maximum rated load as determined by the manufacturer which can be safely handled under specified conditions, by a machine, equipment or component of the rigging system.
(ee) **SAFETY BELT** - A belt designed to fit around the waist of a person which can be attached to either an anchor point or safety line.
(ff) **SAFETY HARNESS** - An assembly to be worn by an operator. It is designed to be attached to a safety line and prevent the jump site operator from falling.
(gg) **SAFETY HOOK** - A hook with a latch to prevent rigging or loads from accidentally slipping off the hook.
(hh) **SAFETY LINE** - A line used to connect a safety harness or belt to an anchor point.
(ii) **SAFETY SPACE** - A space extending beyond the jump zone as a safety factor.
(jj) **SITE OPERATING MANUAL** - The document containing the procedures and forms for the operation of all bungee jumping activities and equipment.
(kk) **STRUCTURE** - A permanent structure constructed solely for the purpose of bungee jumping.
(ll) **TANDEM JUMPING** - The practice of two people harnessed together while jumping simultaneously from the same jump platform. **TANDEM JUMPING IS PROHIBITED.**
(mm) **TESTING AUTHORITY** - An organization acceptable to the department for the purpose of testing the performance of bungee cords.
(nn) **UNLOADED LENGTH** - The length of the bungee cord without load or stress

~~applied.~~

300-8-3-.03 Repealed. ~~Site and Operating Approval.~~

~~(1) The operator shall obtain a permit from the Department of Labor, Safety Engineering Section to operate on the site. The initial permit fee shall be $5,000.00. Each permit shall be renewed annually, at a cost of $1,000.00.~~

~~(2) Each site shall be inspected by the Department quarterly, at a cost of $500.00. The cost of one quarterly inspection shall be included in the annual permit renewal.~~

~~(3) Site Plan and Equipment Design and Construction:~~

~~(a) A report shall contain site plans, safety zones, drawings and specifications of equipment and structures which shall be submitted to the department prior to construction.~~

~~(b) Inspections shall be conducted at the discretion of the department.~~

~~(4) The owner shall provide a certificate of insurance to the department covering any spectator, and any patron in bungee jumping in the amount of one million dollars ($1,000,000.00) per occurrence.~~

300-8-3-.04 Repealed. ~~Safety Space.~~

~~(1) Each bungeejump site shall maintain a side safety space of twenty (20) feet in all directions.~~

~~(2) Where jumps occur over water, the water shall be at least nine (9) feet deep. The vertical safety space shall be at least sixty (60) inches above the water. However, if the depth of the water is greater than nine (9) feet, no vertical safety space is needed.~~

~~(3) Where jumps occur over land an air bag or net is used. The vertical safety space shall be at least sixty (60) inches above the air bag~~ or net.

300-8-3-.05 Repealed. ~~Permanent Platform.~~

~~(1) The Safe Working Load (SWL) shall be determined by the maximum weight on the platform at any one time, with a safety factor of not less than five (5) times the maximum designed platform weight.~~

~~(2) When the platform is not an integral part of the structure, the attachment devices and the part of the structure to which they are attached, shall have a safety factor of at least five (5) over the total load.~~

~~(3) The platform shall have a non-slip surface.~~

~~(4)The platform shall have anchor points for safety harnesses, designed and placed to best suit the movements of anyone on the platform.~~

~~(5) The platform shall be fitted with a permanent fence separate from the jump point to contain the jumper during preparation.~~

~~(6) There shall be a gate across the jump point which shall remain closed when a jumper is not present.~~

~~(7) The jump master shall stop the jumping operation when the wind speed affects the safe operations on the jump platform and/or the recovery area.~~

300-8-3-.06 Repealed. ~~Lowering System.~~

~~(1) The system for lowering the jumper to the landing pad shall be operated by either the jump operator or jump master.~~

~~(2) There shall be an alternative method of jumper recovery should the main lowering system fall.~~

300-8-3-.07 Repealed. ~~Bungee Cord Requirements.~~

~~(1) The operating length of a bungee cord at its maximum designed dynamic load shall not exceed four (4) times its unloaded length.~~

~~(2) The cord material and sheathing to be used shall be clearly specified in the site operating manual.~~

~~(3) The cord and its non-metallic connectors shall be destroyed when one of the following conditions occur:~~

~~(a) Exposure today light exceeds 250 hours. This does not apply when the cord cover or sleeve fully protects all of the cord from visible and ultra-violet exposure.~~

~~(b) Six (6) months from the date of manufacture.~~

~~(c) Evidence of threads exhibiting wear, such as bunched threads, uneven tension between threads or thread bands.~~

~~(d) Broken threads in excess of five percent (5%).~~

~~(e) After contact with solvents, corrosive or abrasive substances.~~

~~(f) Any other flaws found.~~

~~(g) As the bungee cord stretches over the course of its jump life, the dynamic load required to extend the bungee to four (4) times its unloaded length will reduce. When this dynamic Toad reduces to less than the maximum designed dynamic load, the cord shall be destroyed.~~

~~(h) After a maximum of five hundred (500) jumps using that cord.~~

~~(i) When the cord or its connectors are not incompliance with the manufacturer's specifications.~~

~~(j) Any particular cord shall not be used for successive jumps. At least five (5) minutes must be provided between jumps from a particular cord, to allow the cord to fully return to its original unloaded length.~~

~~(4) Bungee cords must be examined daily. Before starting the day's operations, the jump master shall visually inspect the entire length and circumference of the bungee cord for signs of wear. The inspection shall be repeated at least four (4) times during daily operation and recorded in the site log.~~

~~(a) When unexpected changes in bungee cord performance occur, the bungee cord is to be replaced immediately. The bungee cord shall be subjected to inspection and testing as required in these regulations.~~

300-8-3-.08 Repealed. ~~Jump Harness.~~

~~(1) A jump harness shall be either a full body harness or a seat harness with shoulder straps.~~

~~(2) A jump harness shall be available to fit the range of patron sizes accepted for jumping.~~

300-8-3-.09 Repealed. ~~Ropes.~~

~~All ropes for holding and/or lowering the jumper shall have a breaking load of at least 6,000 pounds.~~

300-8-3-.10 Repealed. ~~Hardware.~~

~~(1) Carabineers shall be the screw gate type, manufactured of hardened steel, with at least a minimum breaking load of 6,000 pounds.~~

~~(2) Pulleys and shackles shall be manufactured of hardened steel and shall have a minimum breaking load of at least 6,000 pounds.~~

~~(3) All pulleys shall be compatible with the rope size.~~

~~(4) Webbing shall be flat or tubular mountaineering webbing or equivalent with a minimum breaking load of at least 6,000 pounds. If military specification cords are used, all webbing will have redundant connections.~~

300-8-3-.11 Repealed. ~~Testing and Inspection.~~

~~(1) All jump rigging, harnesses, lowering system and safety gear shall be regularly inspected and tested as set forth in the operating manual. Inspections, findings and corrective action shall be recorded in the site log.~~

~~(2) Hardware subject to abnormal loadings, impacts against hard surfaces or having surface damage, shall be replaced immediately.~~

~~(3) All ropes, webbing and bindings shall be inspected visually, and by feel for signs of wear, fraying, or damage by corrosive substances in accordance with the site operating manual.~~

300-8-3-.12 Repealed. ~~Replacement of Rigging and Equipment.~~

~~(1) Replacement equipment for the following items shall always be available on site:~~

~~(a) Bungee cords;~~

~~(b) All ropes;~~

~~(c) Rigging hardware;~~

~~(d) Binding, ankle strapping for jumpers;~~

~~(e) Jump harnesses;~~

~~(f) Safety harnesses;~~

~~(g) Life lines and clips.~~

~~(2) Items of equipment, rigging or personal protective equipment found to be substandard shall be replaced immediately.~~

~~(3) Jumping shall cease immediately when a sub-standard item cannot be replaced.~~

300-8-3-.13 Repealed. ~~Identification of Equipment, Rigging, Bungee Cord and Safety Equipment.~~

~~(1) Each piece of equipment, rigging, bungee cord and safety equipment shall have its own permanent identification number.~~

~~(2) The form of identification shall not damage or detract from the integrity of the material.~~

~~(3) The identification shall be clearly visible to the operators during daily operations.~~

~~(4) The identification of each piece of equipment shall be recorded in the site operating manual.~~

300-8-3-.14 Repealed. ~~Landing/Recovery Area Including The Area Immediately Under The Jump Space.~~

~~(1) The following requirements shall apply where the jump space and/or landing area is over land:~~

~~(a) A net or air bag shall be used. The net or air bag shall be designed to provide adequate coverage of the jump zone and shall be specified in the site operating manual. The net or air bag shall be rated for the maximum free fall height possible from the platform during operation;~~

~~(b) The net or air bag shall be in position before jumper preparation commences on the platform;~~

~~(c) Upon completion of a jump, the jumper shall be lowered onto the net or air bag or landing pad;~~

~~(d) The landing area shall be free of spectators at all times;~~

~~(e) The area shall be free of any equipment or staff when a jumper is being prepared on the jump platform and until the bungee cord is at its static extended state;~~

~~(f) A place for the jumper to sit and recover should be provided close to but outside the landing area.~~

~~(2) The following requirements shall apply where the jump space and/or landing area is over a body of water:~~

~~(a) A lancing and recovery vessel shall be positioned to recover jumpers;~~

~~(b) The landing vessel shall have a landing pad which is at least five (5) feet by three (3) feet. This shall be placed within the vessel;~~

~~(c) One person may operate the lancing vessel and assist the jumper to land if the vessel is docked or moored. If the vessel is not docked or moored, one person shall pilot the vessel while another person assists the jumper to land;~~

~~(d) The vessel shall be equipped with Coast Guard approved life jackets and rescue equipment. The vessel operators shall wear required life jackets;~~

~~(e) The jump space and/or landing area shall be free of other vessels, floating, submerged objects, the public, and any spectators. When the landing vessel is in open waters, it shall be defined by the deployment of buoys. A sign of appropriate size which reads **"BUNGEE JUMPING-KEEP CLEAR"** shall be attached to the four (4) sides of the landing vessel.~~

~~(3) When the landing area is a pool, especially constructed for bungee jumping, the following shall apply:~~

~~(a) The pool size shall at a minimum be equal to the safety space as defined in these rules;~~

~~(b) Rescue equipment shall be available and the jump space and landing area shall be secured;~~

~~(c) Only the operators of the bungee jump shall be within the jump space and landing areas.~~

~~(4) The landing area shall be enclosed by a fence. The fence shall be designed and constructed to prevent people, animals and objects from entering the landing area. A four (4) inch sphere shall not be able to pass through any section of the fence or gate.~~

300-8-3-.15 Repealed. ~~Site Requirements.~~

~~(1) Adequate storage shall be provided to protect equipment from physical, chemical and~~

~~ultra-violet ray damage. The storage area shall be secured against unauthorized entry.~~
~~(2) There shall be a public address system in operation during all hours of business. There shall be a radio communication link on permanent platform sites between the platform and the landing/recovery area or vessel.~~
~~(3) All staff shall be easily identified.~~
~~(4) Instructions to jumpers shall be placed at the entrance to the site.~~
~~(5) There shall be a means of communication to local emergency services within two hundred (200) feet of the operation.~~
~~(6) Owner(s) shall allow jumps only under the direct control of a jump master.~~
~~(7) Adjustments for the weight of each jumper shall be made by the jump master's selection of bungee cord and length of webbing or rope attached to the bungee cord.~~
~~(8) A sign shall be erected listing the medical and age restrictions for jumpers. The sign shall be clearly visible.~~
~~(9) Staff shall be briefed for each days operation. This shall include assignment of the designated jump master where more than one jump master is on site.~~
~~(10) Registration information on jumpers include: Name, address, city, county, state, zip code and telephone number; medical factors and exclusions; age; weight and markings.~~
~~(11) Jumper preparation shall include: information to the jumper on jumping, landing, lowering, and recovery procedures; completing harness or binding activities; final inspection by jump master; return of the jumper to the public area; and retrieval of the bungee cord to the platform or storage location.~~

300-8-3-.16 Repealed. ~~Jumper Requirements.~~
~~(1) The minimum age for jumping shall be eighteen (18) years old. However, persons between sixteen (16) and eighteen (18) years of age may be allowed to jump with written parental consent.~~
~~(2) Any jumpers who in the opinion of the operation's staff, represent a danger to themselves or others, shall not be allowed to jump.~~
~~(3) Jumpers in a visible intoxicated state shall not be allowed to jump.~~

300-8-3-.17 Repealed. ~~Safety and Loss Control Management.~~
~~(1) A jump master shall be designated Safety, Health and Loss Control Coordinator. He/she shall hold a first aid rating or its equivalent as required by Rule 300-8-1-.39 of the Rules.~~
~~(2) The jump master shall be thoroughly familiar with the department's Bungee Jumping rules and regulations.~~
~~(3) A comprehensive emergency plan shall be developed, practiced, maintained and posted at the site entrance.~~

300-8-3-.18 Repealed. ~~Injury and Damage.~~
~~(1) All serious injuries, as defined in 300-8-1-.01, shall be reported to the Department within one (1) hour, and the device shall be closed until the Department reopens it. All injuries shall be reported within twenty-four (24) hours to the Department.~~
~~(2) Record all injuries, damages or incidents in a log established and maintained for that purpose and available for inspection by the department.~~

300-8-3-.19 Repealed. ~~Staff and Duties.~~

~~(1) The minimum age for staff shall be twenty-one (21) years.~~
~~(2) To qualify as Jump Master for a Bungee Jumping site, a person shall complete five hundred (500) jumps under supervision and have complete knowledge of all aspects of the operation.~~
~~(3) The staff of a bungee jumping operation shall include at least four (4) persons, with the following roles:~~
~~(a) Jump Master: The designated jump master shall have control over the operation and is responsible and accountable for the operation of the site. This person is in complete control when jumping occurs. A jump master is the only person who takes the jumper through the final stages of preparation to the jump take-off. The jump master is responsible for the training of other staff and shall have a thorough knowledge of the site, equipment, procedures and staff. The jump master is responsible for checking selection of the bungee cord and adjusting the rigging at each jump platform.~~
~~(b) Jump Operator: The jump operator assists the jump master to prepare the jumper; assists the jumper into harnesses, safety belts, etc.; attaches the jumper to rigging; and operates the lowering system. The jump operator may carry out landing/recovery operator duties; and assists in controlling the public.~~
~~(c) Landing/Recovery Operator: The landing/recovery operator assists the jumper to land on the landing pad or air bag; assists the jumper to the recovery area; and assists in controlling the public.~~
~~(d) Registration Clerk: The registration clerk's duties include: registration of the jumper; weighing of the jumper; controlling movement of a jumper to the jump platform; and controlling or assisting to control the public. An accurate scale shall be used and calibrated three (3) times each year as a minimum, or when in doubt as to accuracy.~~
~~(e) Vessel Operator: The vessel operator's duties shall include operating the landing and/or emergency vessels.~~
~~(4) Staff training shall be conducted by, or under the direct supervision of a jump master.~~
~~(5) Staff who are in training shall be directly supervised at all times.~~

300-8-3-.20 Repealed. ~~Site Operating Manual.~~

~~(1) The site manual shall describe the system of operation to be used and shall address, but not be limited to, the following elements. The site should follow procedures described in the manual at all times.~~
~~(a) Site plan showing a plan view of the site with all components in place, fencing and the Jump Zone defined;~~
~~(b) Site plan showing a profile of the Jump Zone;~~
~~(c) A complete description of all components in the Rigging System which shall include a manufacturer's specification or laboratory test certificate of each component;~~
~~(d) A complete description of all operator, jumper and passenger safety equipment;~~
~~(e) A complete description of all rescue equipment;~~
~~(f) A complete job description of all personnel employed on the site with the minimum qualifications of each person and complete detail of work periods required;~~
~~(g) A complete description of personnel selection criteria and verification process;~~
~~(h) Rules concerning the health and safety of staff, patrons and the public;~~

~~(i) A complete description of the owners requirements regarding personnel use of drugs or alcohol and testing procedures which may be required;~~
~~(j) A complete description of the training program of personnel;~~
~~(k) A complete description of standard operating procedures;~~
~~(l) A complete description of emergency procedures to be taken in all possible scenarios which may occur;~~
~~(m) A complete description of the reporting to authorities of incidents resulting in injury;~~
~~(n) A complete description of the reporting procedure for any incidents which do not result in injury but which were not in accord with normal operational procedures;~~
~~(o) A complete description of Equipment Inspection procedures and the logging of those inspections;~~
~~(p) A complete description of maintenance procedures;~~
~~(q) A complete description of redundancy criteria and procedures for all equipment;~~
~~(r) A complete description of purchasing procedures;~~
~~(s) A complete description of the method of identifying or labeling all equipment.~~
~~(2) Any requested change in procedures from the site operating manual shall be submitted in writing to the Department. Approval must be obtained from the Department prior to implementation. Non-compliance with any of the criteria contained in the Site Operating Manual may result in suspension or cancellation of the Permit.~~

300-8-3-.21 Repealed. ~~**Emergency Provisions and Procedures.**~~
~~(1) Each site shall have an emergency plan.~~
~~(2) A medium first aid kit, stretcher, back board and blankets shall be maintained on site.~~
~~(3) All jump masters shall have current first aid certification and complete an annual refresher course.~~
~~(4) At sites where the jump or recovery is over water, the jump master and all landing/recovery staff shall beholders of a current Life Saving Certificate and shall have passed the equivalent for "in-water rescue of spinal injuries or unconscious patients".~~
~~(5) Where the site includes moving water or swift water, the site operating manual shall specify the rescue training and/or qualifications required for all operators and staff on the site.~~
~~(6) Emergency Lighting shall be provided at all jump sites that operate one-half (½) hour prior to sun set until one-half (½) hour after sun rise. The emergency lighting system shall illuminate the jump platform, the jump space and the landing area. The emergency lighting system shall have its own power source.~~