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901:9-1-01 **Amusement ride or device permit.**

(A) No person shall operate an amusement ride, as defined in section 1711.50 of the Revised Code, without a permit issued pursuant section 1711.53 of the Revised Code and this rule.

(B) Issuance.

(1) The department shall only issue a permit in the name of the applicant if the following conditions are met:

(a) The department has received a completed application and the appropriate permit and inspections fees as outlined in paragraph (D) of this rule.

(b) The department has received proof of insurance as outlined in paragraph (E) of this rule.

(c) The department has received the applicant's yearly itinerary in accordance with paragraph (F) of this rule, if applicable.

(d) The rides for which the owner is permitting have been inspected in accordance with paragraph (G) of this rule.

(e) The applicant does not have unpaid civil penalties, fees, fines, or other unpaid monies that have been assessed and are outstanding and owed to the department.

(2) The department shall within thirty days of receiving an application for a amusement ride or device permit shall decide whether or not to issue a permit. If the owner fails to meet the requirements for a permit, the department will inform the owner in writing that the permit is being denied. In the event of a denial, the owner shall be afforded a hearing in accordance with Chapter 119. of the Revised Code.

(C) Term and Transfer.

(1) All permits for amusement rides, except for inflatable rides, shall expire on the thirty-first day of December following the date of issue.

(2) All permits for inflatable rides shall be issued on a twelve-month basis and shall expire on the three-hundred and sixty-fifth day after issuance. In the case of a leap year, the permit shall expire on the three-hundred and sixty-sixth day after issuance.

(3) In the event that a ride is sold, leased, or transferred to a new owner during the period that the permit is in effect, the new owner shall be responsible for obtaining a new permit in the new owner's name.

(D) Application.

(1) At least thirty days prior to the operation of any amusement ride or device, the owner shall submit to the director all of the following for all rides that the owner intends to operate in Ohio:

(a) A completed application for all rides the owner wishes to permit. Applications may be found on the department's website www.agri.ohio.gov;

(b) The permit fee, as outlined in section 1711.53 of the Revised Code; and

(c) The appropriate initial inspection fees:

(i) For inflatable rides, the annual inspection and reinspection fee shall be one hundred and four

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dollars.

(ii) For all other rides, the annual inspection and reinspection fee shall be in accordance with paragraph (E)(1) of section 1711.53 of the Revised Code.

(2) All coin-operated rides located at a specific park or with a given show may be included on a single permit application.

(E) Insurance.

(1) Each owner is required to have insurance coverage and provide proof of such coverage to the department.

(2) Acceptable forms of proof of insurance are:

(a) A copy of the executed policy;

(b) A certified statement issued by the insurer attesting to the requirements set forth in section 1711.54 of the Revised Code; or

(c) Other evidence which is deemed satisfactory to the director.

(3) Proof of insurance shall include the amount and duration of the coverage and either:

(a) A listing of the rides and devices covered by manufacturer, make and model number, and either a serial number or unique identifying number; or

(b) A statement to to the effect that all rides or devices operated under the control of the insured are covered. In this case, any and all exclusions from the coverage must be explicitly documented by the insurance company.

(F) Itinerary.

(1) All owners of portable amusement rides shall submit with their ride permit application their yearly itinerary as known.

(2) The itinerary shall include:

(a) The dates of operation with opening time;

(b) The date and time the operator will be ready for inspection;

(c) The location of operation, including street and address when within an incorporated or unincorporated city or village;

(d) The local contact information, if available;

(e) The approximate number of adult and kiddie rides which shall be operated; and

(f) The number of adult and kiddie rides which have not yet been licensed in the current calendar year.

(3) The permit holder shall report to the amusement ride safety division any changes, additions, or deletions to the itinerary at least ten days prior to the date the changes, additions, or deletions are scheduled to occur. Failure to report these changes to the amusement ride safety division prior to the ten day

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restriction is a violation of this rule.

(G) Initial inspection.

- (1) All rides must be completely assembled and operational prior to the initial inspection.
- (2) The ride shall pass inspection when it has been determined by the department that it meets all applicable laws and rules.
- (3) Any new permanent rides or those with major modifications must comply with the Ohio basic building code permit requirements. INFORMATION ON THE BUILDING CODE CAN BE FOUND HERE.

(H) Midseason operational inspection.

- (1) All rides must be completely assembled and operational prior to the midseason operational inspection.
- (2) The midseason operational inspection may be conducted any time during the operating season. The midseason operational inspection may be, but is not required to be, conducted on any amusement ride which operates in Ohio less than fifteen days per calendar year.
- (3) Midseason operational inspections shall consist of, but not be limited to, review of operation, maintenance and safety procedures and all necessary record keeping in order to satisfactorily determine that the owner is in compliance with department regulations.
- (4) All midseason operational inspections shall be recorded on a form developed by the department, and a copy shall be given to the owner after completion by the inspector.

(I) Safety inspection.

To assure continued safety of all amusement rides or devices licensed under section 1711.53 of the Revised Code periodic safety inspections may be conducted at various times throughout the term of the permit. These inspections are in addition to both the initial and midseason operational inspection and are provided to the owner at no cost. Any violations that are discovered during these inspection shall be enforced in the same manner of those violations discovered in the initial and midseason inspections.

(J) Plate and decal.

Accompanying such permit shall be a decal with a unique number corresponding to the unique number noted on the permit. In addition to the decal referred to in this rule, the department shall issue a permanent identification plate for all permitted rides. Such plate shall be permanently attached to the ride as part of the licensing procedures. On all annually licensed rides, the decal shall be affixed to the permanent plate.

(K) Rides or conveyances not subject to a permit.

Rides or conveyances not subject to a permit or inspection include, but are not limited to, the following:

- (1) Canoe livery rides,
- (2) Riding stables;
- (3) Hay rides;
- (4) Untethered balloon rides;

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(5) Pressure boilers used for locomotion on train or trolley rides used in the portable or permanent amusement industry;

(6) Spa-type fitness devices;

(7) Hand-held animal rides;

(8) Airplane or helicopter flights, and

(9) Single or multiple passenger coin-operated rides customarily found in public locations outside the amusement industry.

901:9-1-06 Additional operation procedures for amusement rides and devices.

- (A) All amusement rides or devices operated under section 1711.53 of the Revised Code must bear a numbered decal as required by ~~paragraph (F) of~~ rule 901:9-1-01 of the Administrative Code. The number appearing on the decal shall at all times match the number on the permit. If these numbers do not coincide, or if the required decal does not appear on the ride, the ride shall be ordered stopped until proof of a valid permit is furnished.
- (B) All amusement rides or devices must be under the control of a competent trained operator or attendant, at least sixteen years of age, at all times when the ride or device is in operation. This operator shall operate no more than one ride at a time.
- (C) Adequate fencing or barriers must be provided for the protection of spectators and riders from the action of the ride and its associated power units. All fencing, if required, shall comply with American society for testing and materials, volume 15.07, 2003 edition, (ASTM) standard 1159 (standard practice for the design and manufacture of amusement rides and devices) by January 1, 2005 regardless of the date of manufacture of the amusement ride or device. In the case of aerial rides or swings, these barriers must provide a safe distance from the outmost arc of such swing or aerial ride. For portable rides where an electrical source could contact a ride fence and/or platform, a daily pre-opening inspection shall be performed to ensure that no voltage is traveling through the fence and/or platform. This inspection shall be performed by use of a device measuring voltage and the inspection shall be documented.
- (D) No amusement ride or device or its power unit shall be so located as to present a fire hazard to adjacent buildings, exhibits or other structures. In the case of a ride or device using gasoline engines, storage of gasoline must be in approved safety containers, and located so that it does not cause a safety hazard.
- (E) All electrical wires leading to and from a ride or device must be protected and insulated so as to prevent shock hazard. All electrical equipment must be properly grounded. All electrical junction boxes and generator panels/doors shall be locked or sealed and properly identified as such. All wiring shall conform to manufacturer's recommended practices. All electrical equipment shall be properly grounded prior to energizing the ride or device with power source.
- (F) Any ride when patron restraint is required shall be provided with lap bars or seat belts, or other safety restraints as appropriate. Height and weight restrictions may be required on any ride by the department inspector or ride owner.
- (G) The operator of an amusement ride or device shall have the authority to view patrons so that no one is permitted on such ride who appears to be in an intoxicated, drugged or other condition that could be

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detrimental to the safety of the patrons, the operator or bystanders. An operator shall exercise reasonable control to prohibit the wearing of improper attire as prescribed by the owner and prohibit the carrying of any article which might be dropped from the ride.

(H) An ABC type fire extinguisher meeting the standards of state fire officials shall be present or readily accessible, within a maximum of 100 feet, to every ride or device as determined by the department and must be properly charged and operable at all times.

(I) Procedures required for operator training:

(1) The owner of an amusement ride or device shall read and become familiar with the contents of the manufacturer's recommended operating instructions and specifications. The owner shall prepare an operating fact sheet. This fact sheet shall be made available to each ride or device operator and attendant of the amusement ride or device. The owner's fact sheet (on a ride-by-ride basis) shall include but not be limited to:

(a) Specific ride or device operation policies and procedures with pertinent information from manufacturer's instructions.

(b) Description of the ride or device operation.

(c) Duties of the specific assigned position of the ride or device operator or attendant.

(d) General safety procedures.

(e) Additional recommendations of the owner.

(f) Specific emergency procedures in the event of an abnormal condition or an interruption of service.

(2) The owner shall develop a written training checklist which shall be used in training to ensure uniformity of training. The owner shall provide training, including written proof of training, for each ride operator or attendant of an amusement ride. This training shall include but not be limited to:

(a) Instruction on ride or device operating procedures.

(b) Instructions on specific duties of the assigned position.

(c) Instructions on general safety procedures.

(d) Instructions on emergency procedures.

(e) Demonstration of the physical ride or device operation.

(f) A period of supervised operation of the ride or device by the trainee.

(g) Additional instructions deemed necessary by the owner.

(J) The owner shall provide written proof that the fact sheet on each specific ride has been reviewed with the operator and attendant of each ride.

(K) Procedures required in the event of an accident.

(1) The owner of an amusement ride or device shall maintain records of all accidents and serious injuries and

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make reports of all accidents occurring on a ride or device as follows:

- (a) In the case of an accident as defined in section 1711.50 of the Revised Code, the owner shall immediately notify the department by telephone or in person and subsequently file a written report with the department within twenty-four hours of the accident.
 - (b) Accidents will be reported on forms provided by the department or similar forms.
- (2) After an accident that occurs as a result of the action of the ride or device involved, it shall be taken out of operation and the department immediately notified. Until the department gives the owner permission, the ride or device shall remain out of operation and undisturbed, unless an accident scene has to be altered because it is necessary to administer medical assistance to a patron, free of any changes from the condition of the ride or device at the time of the accident. If the accident occurs during department working hours, the owner shall notify the department by telephone. If the accident occurs during department nonworking hours, the owner will notify the department on a toll-free telephone number provided by the department which features an automatic answering service or device. The owner shall not disturb the scene of the accident until after either reinspection or approval of the department. However, the amusement ride or device owner may take witness information, including addresses, telephone numbers and statements.
- (L) The owner of an amusement ride shall notify the department when design flaws or failures that may affect rider safety are identified. On rides for which the manufacturer is no longer in existence, the owner shall take appropriate corrective action. An individual with a recognized degree or professional certificate shall determine the corrective action. The individual shall have extensive knowledge and experience in the subject field and capable of the analysis, design, and specification of the corrective action. The corrective action shall meet American society for testing and materials, volume 15.07, 2003 edition, (ASTM) F846-standard guide for testing performance of amusement rides and devices and ASTM 1159-standard practice for the design and manufacture of amusement rides and devices.

901:9-1-09 Violations and fines.

~~Pursuant to division (B) of section 1711.53 of the Revised Code, the~~ The following schedule of fines for violations of sections 1711.50 to 1711.57 of the Revised Code and rules in Chapter 901:9-1 of the Administrative Code 901:9-1-01 to 901:9-1-20 promulgated pursuant to division (B) of section 1711.53 of the Revised Code is established. After notice and opportunity for hearing pursuant to Chapter 119. of the Revised Code, all fines are assessed on the owner of the ride, and shall be paid by the owner within thirty days of receipt of notice of the fine from the director of the department.

- (A) The following violations may be subject to a fine of not more than one thousand dollars for the first violation and not more than five thousand dollars for each subsequent violation on the same or other ride that occurs within two years of the first violation or preceding subsequent violation:
 - (1) Any violation of the prohibitions listed in ~~paragraphs (A) to (H) and paragraph (J) of~~ rule 901:9-1-03 of the Administrative Code.
- (B) The following violations may be subject to a fine of not more than five hundred dollars for the first violation, not more than twenty-five hundred dollars for the second violation and not more than five thousand dollars for each subsequent violation on the same or other ride that occurs within two years of the second violation

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or preceding subsequent violation:

- (1) Violation of any of the requirements listed in divisions (A) to (E) inclusive of section 1711.55 of the Revised Code.
- (2) Violation of any other rule adopted pursuant to section 1711.53 of the Revised Code .

901:9-1-14.1 Ultraviolet disinfection systems for full body contact aquatic devices.

~~(A) As used in this rule, "third party" means a registered engineer or pool designer with sufficient appropriate experience.~~

~~(B)~~ (A) For all aquatic devices, existing on or before December 31, 2011 and which are regulated pursuant to paragraph (A) of rule 901:9-1-14 of the Administrative Code, an ultraviolet disinfection system (UVDS) shall be added to their filtration system according to the following schedule:

- (1) All indoor aquatic devices by December 31, 2014;
- (2) All aquatic devices at large outdoor aquatic parks (aquatic parks with annual attendance greater than two hundred fifty thousand people) by December 31, 2017; and,
- (3) All other aquatic parks and devices by December 31, 2020.

~~(C)~~ (B) After December 31, 2011, all All newly constructed aquatic devices operating to the public for the first time which are regulated pursuant to paragraph (A) of rule 901:9-1-14 of the Administrative Code must have a UVDS as part of their filtration system.

~~(D)~~ (C) A UVDS is not required if another treatment process is used which the department has determined to be capable of providing a 3-log (99.9 per cent) reduction of cryptosporidium at the peak flow rate of the entire recirculation flow. Such performance must be validated by an industry recognized and capable third party.

~~(E)~~ (D) UVDS' must be certified to meet the NSF/ANSI Standard 50 for pools, spas, hot tubs, and other recreational water facilities.

~~(F)~~ (E) All UVDS' must include an automatic alarm to warn of a malfunction or impending shutdown.

~~(G)~~ (F) All UVDS' must be installed in an enclosure designed to protect the operator against electrical shock, excessive radiation, and protection from sunlight.

~~(H)~~ (G) The ultraviolet equipment, electrical components, wiring, and installation shall comply with all local and national electrical codes and Underwriters Laboratory standards.

~~(I)~~ (H) All UVDS must have an accurately calibrated ultraviolet light intensity readout with ~~sensor(s)~~ sensors capable of accurately reading the ultraviolet dosage. Sensors shall be calibrated at a frequency in accordance with the manufacturer's recommendations and records of valid calibration shall be maintained by the facility. The minimum dosage of the UVDS will not go below forty millijoules per square centimeter.

~~(J)~~ (I) The UVDS shall be installed per the design of an industry recognized and capable third party registered engineer or third party pool designer with sufficient appropriate experience.

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901:9-1-47 Exemptions.

Division (B) of section 1711.531 of the Revised Code does not apply to a ride powered solely through a three prong plug connected to an existing and permanent one hundred ten volt, three prong outlet.

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~~A ride powered solely through a three prong plug connected to an existing and permanent one hundred ten volt, three prong outlet.~~