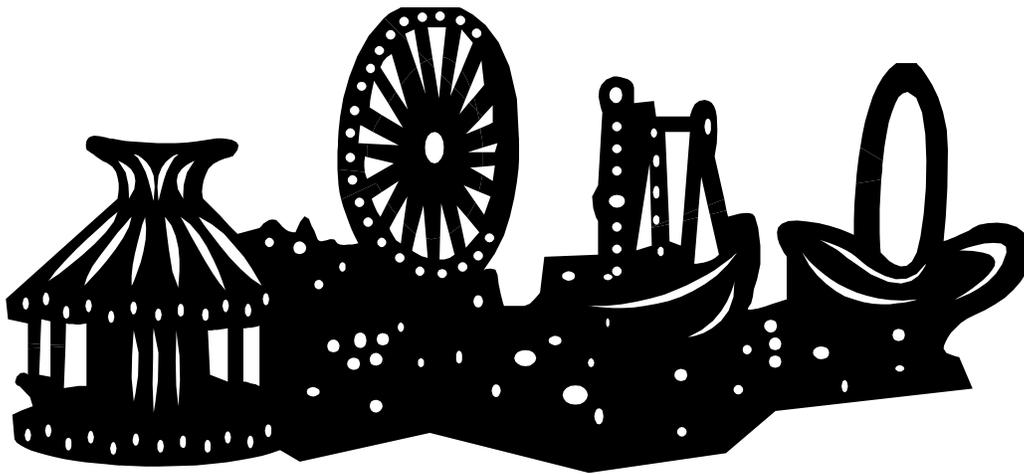


Laws and Rules Governing Amusement Rides in Ohio



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Table of Contents

OHIO STATUTES PERTAINING TO AMUSEMENT RIDES..... 1

1711.50 DEFINITIONS. 1

1711.51 ADVISORY COUNCIL ON AMUSEMENT RIDE SAFETY. 3

1711.52 DUTIES OF ADVISORY COUNCIL. 4

1711.53 LICENSING REQUIREMENTS AND FEES. 5

1711.531 ELECTRICAL REQUIREMENTS. 9

1711.54 INSURANCE REQUIREMENTS. 10

1711.55 MAINTENANCE, REPAIR, ITINERARIES, INSPECTIONS, RIDE OPERATOR REQUIREMENTS,
ACCIDENT REPORTING AND TEMPORARY CESSATION ORDER. 11

1711.551 RIDER RESPONSIBILITIES. 12

1711.56 PENALTIES AND FINES FOR VIOLATIONS AND HEARING PROCEDURES..... 13

1711.57 EXEMPTIONS. 14

1711.99 PENALTIES. 15

3749.01 OHIO DEPARTMENT OF HEALTH DEFINITIONS 15

**ADMINISTRATIVE RULES PERTAINING TO AMUSEMENT RIDES
LICENSES AND OPERATION..... 17**

901:9-1-01 PROCEDURES FOR OBTAINING A LICENSE AUTHORIZING OPERATION OF AN
AMUSEMENT RIDE OR DEVICE. 17

901:9-1-02 POWERS OF THE DIRECTOR. 19

901:9-1-03 PROHIBITIONS. 20

901:9-1-04 PROCEDURE FOR SAFETY INSPECTION OF AMUSEMENT RIDES OR DEVICES. 21

901:9-1-05 MAINTENANCE PROCEDURES FOR AMUSEMENT RIDES AND DEVICES..... 23

901:9-1-06 ADDITIONAL OPERATION PROCEDURES FOR AMUSEMENT RIDES AND DEVICES. ... 25

901:9-1-06.1 SAFETY STANDARDS FOR INFLATABLE AMUSEMENT DEVICES	30
901:9-1-07 RULES PERTAINING TO SIGNAGE FOR AMUSEMENT RIDES AND DEVICES.	30
901:9-1-08 STANDARD DEFINITIONS OF TERMS RELATING TO AMUSEMENT RIDES OR DEVICES.	31
901:9-1-09 VIOLATIONS AND FINES.....	32
ADMINISTRATIVE RULES PERTAINING TO AQUATIC RIDES.....	34
901:9-1-10 INTER-AGENCY COOPERATION FOR AQUATIC RIDES AND DEVICES.	34
901:9-1-11 DEFINITIONS.....	34
901:9-1-12 MANUFACTURER’S REQUIREMENTS AND PROCEDURES.....	35
901:9-1-12.1 LIFEGUARDS.	36
901:9-1-13 SAFETY STANDARDS FOR WAVE POOLS.....	38
901:9-1-14 WATER QUALITY FOR AQUATIC DEVICES USING CHEMICALLY TREATED WATER.....	41
901:9-1-14.1 ULTRAVIOLET DISINFECTION SYSTEMS FOR FULL BODY CONTACT AQUATIC DEVICES.	46
901:9-1-15 WATER QUALITY FOR AQUATIC DEVICES USING NON CHEMICALLY TREATED WATER.	47
901:9-1-16 GENERAL SAFETY STANDARDS FOR AQUATIC ACTIVITY AREAS.....	50
901:9-1-17 SAFETY STANDARDS FOR WATER SLIDES.	51
901:9-1-18 SAFETY STANDARDS FOR THE LAZY RIVER.	53
901:9-1-19 SAFETY STANDARDS FOR WATER COASTERS.	54
901:9-1-20 REQUIRED WATERPARK SIGNAGE.	54
ADMINISTRATIVE RULES PERTAINING TO BUNGEE JUMPING	56
901:9-1-21 PURPOSE AND SCOPE.	56
901:9-1-22 DEFINITIONS.....	56
901:9-1-23 SITE AND OPERATING APPROVAL.....	59

901:9-1-24 SAFETY SPACE.....	59
901:9-1-25 PLATFORM SAFE WORKING LOAD.	60
901:9-1-26 LOWERING SYSTEM.	61
901:9-1-27 CRANES.	61
901:9-1-28 SUSPENDED PERSONNEL PLATFORMS.	63
901:9-1-29 BUNGEE CORD SPECIFICATIONS.....	65
901:9-1-30 JUMPER HARNESS AND HARDWARE.....	67
901:9-1-31 TESTING AND INSPECTION.....	68
901:9-1-32 REPLACEMENT OF RIGGING AND EQUIPMENT.	69
901:9-1-33 IDENTIFICATION OF EQUIPMENT, RIGGING, BUNGEE CORD AND SAFETY EQUIPMENT.	69
901:9-1-34 LANDING/RECOVERY AREA INCLUDING THE AREA IMMEDIATELY UNDER THE JUMP SPACE.....	70
901:9-1-35 SITE REQUIREMENTS.	71
901:9-1-36 JUMPER REQUIREMENTS.....	72
901:9-1-37 STAFF AND DUTIES	73
901:9-1-38 SITE OPERATING MANUAL.....	73
901:9-1-39 EMERGENCY PROVISIONS AND PROCEDURES.....	75
901:9-1-40 PROHIBITED ACTIVITIES.	76
901:9-1-41 NETS.	76
ADMINISTRATIVE RULES PERTAINING TO GO-KARTS.....	78
901:9-1-42 TERMINOLOGY.	78
901:9-1-43 DESIGN AND MANUFACTURE.	79
901:9-1-44 TRACK DESIGN AND CONSTRUCTION.....	80

901:9-1-45 CONCESSION GO KART FACILITY OPERATIONS.....	83
901:9-1-46 GO KART TRACK PLAN REVIEW.....	86
ADMINISTRATIVE RULES EXEMPTIONS	87
901:9-1-47 EXEMPTIONS.....	87
ADMINISTRATIVE RULES PERTAINING TO THE ADVISORY COUNCIL ON AMUSEMENT RIDE SAFETY	88
901:9-1-48 MEETING OF THE ADVISORY COUNCIL ON AMUSEMENT RIDE SAFETY.....	88
ADMINISTRATIVE RULES PERTAINING TO MULTIPLE VEHICLE SAFETY SYSTEMS.....	89
901:9-1-51 MULTIPLE VEHICLE SAFETY SYSTEM.....	89

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The Ohio Department of Agriculture does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

OHIO STATUTES PERTAINING TO AMUSEMENT RIDES

As used in sections [1711.50](#) to [1711.57](#) of the Revised Code:

1711.50 DEFINITIONS.

As used in sections 1711.50 to 1711.57 of the Revised Code:

(A) "Amusement ride" means any mechanical, aquatic, or inflatable device, or combination of those devices that carries or conveys passengers on, along, around, over, or through a fixed or restricted course or within a defined area for the purpose of providing amusement, pleasure, or excitement. "Amusement ride" includes carnival rides, bungee jumping facilities, and fair rides, but does not include passenger tramways as defined in section 4169.01 of the Revised Code or amusement rides operated solely at trade shows for a limited period of time. For purposes of this division, "trade show" means a place of exhibition not open to the general public where amusement ride manufacturers display, promote, operate, and sell amusement rides to prospective purchasers.

(B) "Temporary amusement ride" means an amusement ride that is relocated at least once per year with or without disassembly.

(C) "Permanent amusement ride" means an amusement ride that is erected to remain a lasting part of the premises.

(D) "Owner" means any person who owns or leases and controls or manages the operation of an amusement ride, and includes individuals, partnerships, corporations, both profit and nonprofit, and the state and any of its political subdivisions and their departments or agencies.

(E) "Operation" means the use or operation, or both, of an amusement ride with riders.

(F) "Rider" means any person who sits, stands, or is otherwise conveyed or carried as a passenger on an amusement ride, but does not include employees or agents of the owner of the amusement ride.

(G) "Amusement ride operator" means any person causing the amusement ride to go, stop, or perform its function.

(H) "Reassembly" means the installation, erection, or reconstruction of the main mechanical, safety, electrical, or electronic components of an amusement ride following transportation or storage and prior to operation. Replacement of mechanical, safety, electrical, or electronic components of an amusement ride for the purpose of repair or maintenance is not reassembly.

(I) "Repair" means to restore an amusement ride to a condition equal to or better than original design specifications.

(J) "Maintenance" means the preservation and upkeep of an amusement ride for the purpose of maintaining its designed operational capability.

(K) "Inspection" means a physical examination of an amusement ride by an inspector for the purpose of approving the application for a permit. "Inspection" includes a reinspection.

(L) "Accident" means an occurrence during the operation of an amusement ride that results in death or injury requiring immediate hospital admission.

(M) "Serious injury" means an injury that does not require immediate hospital admission but does require medical treatment, other than first aid, by a physician.

(N) "First aid" means the one-time treatment or subsequent observation of scratches, cuts not requiring stitches, burns, splinters, and contusions or a diagnostic procedure, including examinations and x-rays, that does not ordinarily require medical treatment even though provided by a physician or other licensed professional personnel.

(O) "Advisory council" means the advisory council on amusement ride safety created by section 1711.51 of the Revised Code.

(P) "Safe operation" means, except as provided in section 1711.57 of the Revised Code, the practical application of maintenance, inspection, and operational processes, as indicated by the manufacturer, owner, or advisory council, that secures a rider from threat of physical danger, harm, or loss.

(Q) "Private facility" means any facility that is accessible only to members of the facility and not accessible to the general public, even upon payment of a fee or charge, and that requires approval for membership by a membership committee representing the current members who have a policy requiring monetary payment to belong to the facility.

(R) "Bungee jumping" means a fall or jump from a height by an individual who is attached to an elastic cord that prevents the individual from hitting the ground, water, or other solid, semi-solid, liquid, or elastic surface.

(S) "Bungee jumping facility" means a device or structure utilized for bungee jumping.

(T) "Kiddie ride" means an amusement ride designed for use by children under thirteen years of age who are unaccompanied by another person. "Kiddie ride" includes a roller coaster that is not more than forty feet in elevation at any point on the ride.

1711.51 ADVISORY COUNCIL ON AMUSEMENT RIDE SAFETY.

There is hereby created within the department of agriculture an advisory council on amusement ride safety to consist of the director of agriculture or the director's designee, the general manager of the Ohio state fair or the general manager's designee, plus eleven appointed members, of whom one shall be a representative of temporary amusement ride owners, one shall be a representative of the greater Ohio showmen's association and the owner of a ride, three shall be representatives of owners of amusement parks, one shall be a representative of the Ohio fair managers' association, one shall be a representative of the insurance industry, one shall be an engineer, who has an academic degree in engineering and who is knowledgeable in the amusement ride industry, one shall be a representative of the Ohio festivals and events association, and two shall be representatives of the general public. One member of the council shall be designated annually by the governor as chairperson. The appointed members not representing the general public shall be appointed by the governor, with the advice and consent of the senate. One member representing the general public shall be appointed by the speaker of the house of representatives and the remaining member representing the general public shall be appointed by the president of the senate. The council shall select from its membership a vice-

chairperson to act as chairperson in the chairperson's absence.

Of the members first appointed by the governor, four shall be appointed for terms of two years, three for terms of four years, and two for terms of six years. The members appointed initially by the speaker of the house of representatives and the president of the senate shall each serve terms of six years. All members appointed thereafter shall serve six-year terms. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of that term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office.

Members of the council shall be residents of this state and shall be reimbursed for actual and necessary expenses incurred in attending meetings of the council and in the performance of their official duties.

1711.52 DUTIES OF ADVISORY COUNCIL.

The advisory council on amusement ride safety shall:

- (A) Study any subject pertaining to amusement ride safety, including administrative, engineering, and technical subjects, and make findings and recommendations to the director of agriculture;
- (B) Prior to the adoption of any rules or amendments to those rules under division (B) of section [1711.53](#) and division (B) of section [1711.551](#) of the Revised Code, study the proposed rules to be adopted by the director regarding amusement ride safety, advise the director, and make findings and recommendations to the director;
- (C) Not later than December 31, 2006, prepare and submit a report to the governor, the speaker and the minority leader of the house of representatives, the president and the minority leader of the senate, and the director concerning the advisory council's recommendations for alternative funding sources for the amusement ride safety program established under this chapter.

The director shall make available to the advisory council any information, reports and studies requested by the advisory council.

1711.53 LICENSING REQUIREMENTS AND FEES.

(A)

(1) No person shall operate an amusement ride within the state without a permit issued by the director of agriculture under division (A)(2) of this section. The owner of an amusement ride, whether the ride is a temporary amusement ride or a permanent amusement ride, who desires to operate the amusement ride within the state shall, prior to the operation of the amusement ride and annually thereafter, submit to the department of agriculture an application for a permit, together with the appropriate permit and inspection fee, on a form to be furnished by the department. Prior to issuing any permit the department shall, within thirty days after the date on which it receives the application, inspect each amusement ride described in the application. The owner of an amusement ride shall have the amusement ride ready for inspection not later than two hours after the time that is requested by the person for the inspection.

(2) For each amusement ride found to comply with the rules adopted by the director under division (B) of this section and division (B) of section 1711.551 of the Revised Code, the director shall issue an annual permit, provided that evidence of liability insurance coverage for the amusement ride as required by section 1711.54 of the Revised Code is on file with the department.

(3) The director shall issue with each permit a decal indicating that the amusement ride has been issued the permit. The owner of the amusement ride shall affix the decal on the ride at a location where the decal is easily visible to the patrons of the ride. A copy of the permit shall be kept on file at the same address as the location of the amusement ride identified on the permit, and shall be made available for inspection, upon reasonable demand, by any person. An owner may operate an amusement ride prior to obtaining a permit, provided that the operation is for the purpose of testing the amusement ride or training amusement ride operators and other employees of the owner and the amusement ride is not open to the public.

(B) The director, in accordance with Chapter 119. of the Revised Code, shall adopt rules providing for a schedule of fines, with no fine exceeding five thousand

dollars, for violations of sections 1711.50 to 1711.57 of the Revised Code or any rules adopted under this division and for the classification of amusement rides and rules for the safe operation and inspection of all amusement rides as are necessary for amusement ride safety and for the protection of the general public. Rules adopted by the director for the safe operation and inspection of amusement rides shall be reasonable and based upon generally accepted engineering standards and practices. In adopting rules under this section, the director may adopt by reference, in whole or in part, the national fire code or the national electrical code (NEC) prepared by the national fire protection association, the standards of the American society for testing and materials (ASTM) or the American national standards institute (ANSI), or any other principles, tests, or standards of nationally recognized technical or scientific authorities. Insofar as is practicable and consistent with sections 1711.50 to 1711.57 of the Revised Code, rules adopted under this division shall be consistent with the rules of other states. The department shall cause sections 1711.50 to 1711.57 of the Revised Code and the rules adopted in accordance with this division and division (B) of section 1711.551 of the Revised Code to be published in pamphlet form and a copy to be furnished without charge to each owner of an amusement ride who holds a current permit or is an applicant therefor.

(C) With respect to an application for a permit for an amusement ride, an owner may apply to the director for a waiver or modification of any rule adopted under division (B) of this section if there are practical difficulties or unnecessary hardships for the amusement ride to comply with the rules. Any application shall set forth the reasons for the request. The director, with the approval of the advisory council on amusement ride safety, may waive or modify the application of a rule to any amusement ride if the public safety is secure. Any authorization by the director under this division shall be in writing and shall set forth the conditions under which the waiver or modification is authorized, and the department shall retain separate records of all proceedings under this division.

(D)

(1) The director shall employ and provide for training of a chief inspector and additional inspectors and employees as may be necessary to administer and enforce sections 1711.50 to 1711.57 of the Revised Code. The director may appoint or contract with other persons to perform inspections of amusement rides, provided that the persons meet the qualifications for inspectors established by

rules adopted under division (B) of this section and are not owners, or employees of owners, of any amusement ride subject to inspection under sections 1711.50 to 1711.57 of the Revised Code. No person shall inspect an amusement ride who, within six months prior to the date of inspection, was an employee of the owner of the ride.

(2) Before the director contracts with other persons to inspect amusement rides, the director shall seek the advice of the advisory council on amusement ride safety on whether to contract with those persons. The advice shall not be binding upon the director. After having received the advice of the council, the director may proceed to contract with inspectors in accordance with the procedures specified in division (E)(2) of section 1711.11 of the Revised Code.

(3) With the advice and consent of the advisory council on amusement ride safety, the director may employ a special consultant to conduct an independent investigation of an amusement ride accident. This consultant need not be in the civil service of the state, but shall have qualifications to conduct the investigation acceptable to the council.

(E)

(1) Except as otherwise provided in division (E)(1) of this section, the department shall charge the following amusement ride fees:

Permit	\$ 150
Annual inspection and reinspection per ride:	
Kiddie rides	\$ 100
Roller coaster	\$ 1,200
Aerial lifts or bungee jumping facilities	\$ 450
Go karts, per kart	\$ 5
Inflatable rides, kiddie and adult	\$ 105
Other rides	\$ 160
Midseason operational inspection per ride	\$ 25
Expedited inspection per ride	\$ 100
Failure to cancel scheduled inspection per ride	\$ 100
Failure to have amusement ride ready for inspection per ride	\$ 100

The go kart inspection fee is in addition to the inspection fee for the go kart track.

The fees for an expedited inspection, failure to cancel a scheduled inspection, and failure to have an amusement ride ready for inspection do not apply to go karts.

As used in division (E)(1) of this section, "expedited inspection" means an inspection of an amusement ride by the department not later than ten days after the owner of the amusement ride files an application for a permit under this section.

(2) All fees and fines collected by the department under sections 1711.50 to 1711.57 of the Revised Code shall be deposited in the state treasury to the credit of the amusement ride inspection fund, which is hereby created, and shall be used only for the purpose of administering and enforcing sections 1711.11 and 1711.50 to 1711.57 of the Revised Code.

(3) The owner of an amusement ride shall be required to pay a reinspection fee only if the reinspection was conducted at the owner's request under division (F) of this section, if the reinspection is required by division (F) of this section because of an accident, or if the reinspection is required by division (F) of section 1711.55 of the Revised Code. If a reinspection is conducted at the request of the chief officer of a fair, festival, or event where the ride is operating, the reinspection fee shall be charged to the fair, festival, or event.

(4) The rules adopted under division (B) of this section shall define "roller coaster," "aerial lifts," "go karts," and "other rides" for purposes of determining the fees under division (E) of this section. The rules shall define "other rides" to include go kart tracks.

(F) A reinspection of an amusement ride shall take place if an accident occurs, if the owner of the ride or the chief officer of the fair, festival, or event where the ride is operating requests a reinspection, or if the reinspection is required by division (F) of section 1711.55 of the Revised Code.

(G) As a supplement to its annual inspection of a temporary amusement ride, the department may inspect the ride during each scheduled event, as listed in the schedule of events provided to the department by the owner pursuant to division (C) of section 1711.55 of the Revised Code, at which the ride is operated in this

state. These supplemental inspections are in addition to any other inspection or reinspection of the ride as may be required under sections 1711.50 to 1711.57 of the Revised Code, and the owner of the temporary amusement ride is not required to pay an inspection or reinspection fee for this supplemental inspection. Nothing in this division shall be construed to prohibit the owner of a temporary amusement ride having a valid permit to operate in this state from operating the ride at a scheduled event before the department conducts a supplemental inspection.

(H) The department may annually conduct a midseason operational inspection of every amusement ride upon which it conducts an annual inspection pursuant to division (A) of this section. The midseason operational inspection is in addition to any other inspection or reinspection of the amusement ride as may be required pursuant to sections 1711.50 to 1711.57 of the Revised Code. The owner of an amusement ride shall submit to the department, at the time determined by the department, the midseason operational inspection fee specified in division (E) of this section. The director, in accordance with Chapter 119. of the Revised Code, shall adopt rules specifying the time period during which the department will conduct midseason operational inspections.

1711.531 ELECTRICAL REQUIREMENTS.

(A) No person shall operate an amusement ride powered from an electric light company source unless the amusement ride operates through a fusible switch, enclosed circuit breaker, or panelboard that has been:

Rated by the Underwriters Laboratories for service entrance applications;
Installed in compliance with the National Electrical Code;
Metered through a meter installed by the electric light company.

(B) An amusement ride owner shall not use an electric light company source as described in division (A) of this section unless the owner has written certification that the fusible switch, enclosed circuit breaker, or panelboard satisfies the requirements established in divisions (A)(1) to (3) of this section and that is issued by a person certified under section [3783.03](#) or licensed under section [4740.06](#) of the Revised Code. The owner shall make the certificate available to the director of agriculture upon request.

- (C) This section does not apply to either of the following types of amusement rides:
 - (1) Rides that do not require electrical current;
 - (2) Rides that the director exempts in rules the director adopts.
- (D) A person licensed pursuant to section [4740.06](#) of the Revised Code, when conducting an inspection pursuant to this section, is not violating section [3783.06](#) of the Revised Code.
- (E) As used in this section, “electric light company” has the same meaning as in section [4905.03](#) of the Revised Code.

[1711.54 INSURANCE REQUIREMENTS.](#)

No permit shall be issued under division (A) of section [1711.53](#) of the Revised Code, until the owner of the amusement ride has filed with the department of agriculture a certificate of insurance evidencing that there is liability insurance in effect with an insurer authorized or approved to write such insurance in this state on the operation of the ride providing coverage, subject to a limit, exclusive of interests and costs, of not less than \$500,000 because of bodily injury to or death of one person in each occurrence, and subject to such limit for one person, to a limit of not less than \$1,000,000 because of bodily injury to or death of two or more persons in each occurrence. The insurance policy may include a deductible clause, provided that any settlement made by the insurance company with the injured party or his legal representative shall be paid as though the deductible clause did not apply. Each policy, by its original terms or an endorsement, shall obligate the insurer that the insurer will not cancel the policy without 30 days written notice and a complete report of the reasons for such cancellation being given to the department. Each policy, by its original terms or an endorsement, shall obligate the insurer that the insurer will, within 24 hours, report to the department if it pays a claim or reserves any amount to pay an anticipated claim that reduces the liability insurance coverage to a limit of less than \$1,000,000 because of bodily injury to or death of two or more persons in each occurrence. If the policy is canceled during its term or lapses for any reason, including coverage reduced below the required amount, the owner shall replace the policy with another policy fully complying with the requirements of this section. If the owner fails to file a certificate of insurance for new or replacement insurance, the owner

shall cease all operations under the permit immediately upon the cancellation or lapse of the insurance and further operations shall not be conducted without the specific approval of the department, which shall be given after the owner has complied with this section.

1711.55 MAINTENANCE, REPAIR, ITINERARIES, INSPECTIONS, RIDE OPERATOR REQUIREMENTS, ACCIDENT REPORTING AND TEMPORARY CESSATION ORDER.

- (A) The owner of an amusement ride shall maintain a current maintenance, repair, and inspection record for each amusement ride in accordance with rules prescribed under division (B) of section [1711.53](#) of the Revised Code. The records shall contain information on the date and nature of all inspections of the amusement ride made by the department of agriculture or the owner, and a record of all violations of the rules issued by the department and actions taken by the owner to correct such violations. The owner shall keep inspection and maintenance records and make them available to the department upon request.

The owner of a temporary amusement ride shall inspect that ride in accordance with rules prescribed under division (B) of section [1711.53](#) of the Revised Code each time that there is a reassembly of the ride.

- (B) The owner of an amusement ride shall maintain records of all serious injuries involving riders, containing such information as the department prescribes, on forms prescribed by the department. These records shall be made available for inspection by the department on request. In the case of an accident, the owner of an amusement ride 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.
- (C) The owner of a temporary amusement ride shall provide the department with a tentative schedule of events at which his ride will operate during the upcoming season. Rules of the director shall establish timetables and procedures for the providing and updating of the schedules to the department.
- (D) An amusement ride operator shall be at least sixteen years of age, shall be in attendance whenever the ride is in operation, and shall operate no more

than one ride at a time. The owner or amusement ride operator may deny any person entrance to the amusement ride if he believes the entry may jeopardize the safety of the person desiring entry, riders, or other persons.

- (E) In addition to the annual inspection or reinspection of an amusement ride for a permit or other reason required by the rules adopted under division (B) of section [1711.53](#) of the Revised Code, the department may inspect any amusement ride after the report of an accident or in response to a complaint filed with the department.
- (F) The director may order in writing a temporary cessation of the operation of an amusement ride that the department finds by inspection to be unsafe by reason of a violation of the rules adopted under division (B) of section [1711.53](#) of the Revised Code. The operation of that amusement ride shall not resume until the condition causing the violation has been corrected and the amusement ride is reinspected. Any reinspection under this division shall take place within 24 hours after notice to the department by the owner that the condition causing the violation has been corrected.

1711.551 RIDER RESPONSIBILITIES.

- (A) No rider shall fail to do any of the following:
 - (1) Heed all written warnings and directions that require a person to meet certain conditions or to refrain from certain actions regarding an amusement ride, as determined by rule by the director of agriculture.
 - (2) Refrain from behaving or acting in any manner that may cause injury or contribute to injuring himself or other people while occupying an amusement ride.
- (B) The director, in accordance with [Chapter 119](#) of the Revised Code, shall adopt, and may amend and rescind, rules governing the types of warnings and directions required to be followed pursuant to this section. Rules adopted by the director determining the types of printed warnings and directions shall include specifications as to the character, size, and print size of such warnings and directions. At a minimum, the rules shall require the following:

- (1) The warnings and directions prominently disclose the penalties imposed if a rider violates section [1711.551](#) of the Revised Code.
- (2) The warnings and directions be based upon the standards of ASTM or the American National Standards Institute, or any other principles, tests, or standards of nationally recognized technical or scientific authorities that research the proper use of each amusement ride and the potential injuries that occur or are unique to each amusement ride if it is used improperly.
- (3) The owner of the amusement ride display the warnings and directions in a public and conspicuous place on or near the ride.

1711.56 PENALTIES AND FINES FOR VIOLATIONS AND HEARING PROCEDURES.

- (A) The director of agriculture may fine any owner of an amusement ride for a violation of sections [1711.50](#) to [1711.57](#) of the Revised Code or any rules issued under division (B) of section [1711.53](#) of the Revised Code pursuant to a schedule of fines established under division (B) of section [1711.53](#) of the Revised Code. The fine shall not exceed \$5,000. In addition, the director may order the revocation of an owner's permit for an amusement ride for failure to file a certificate of insurance as required under division (A) of section [1711.54](#) of the Revised Code, for failure to maintain records of serious injuries or to report accidents as required under division (B) of section [1711.55](#) of the Revised Code, or for violation of a temporary cessation order issued pursuant to division (F) of section [1711.55](#) of the Revised Code.
- (B) Any hearing or other procedures held with respect to any refusal to issue a permit, any order of the director, or any fine shall be conducted in accordance with sections [119.06](#) to [119.13](#) of the Revised Code. Notwithstanding the provisions of section [119.12](#) of the Revised Code, all appeals from any fine by, or order of, the director shall be to the court of common pleas of the county where the place of business of the owner is located or to the common pleas court of the county in which the owner is a resident or in which the amusement ride is located, in the case of a temporary amusement ride, or to the court of common pleas of the county

where the amusement ride is located in the case of a permanent amusement ride.

1711.57 EXEMPTIONS.

Sections [1711.50](#) to [1711.57](#) of the Revised Code do not apply to any of the following:

- (A) A private facility;
- (B) A single-passenger coin-operated ride that is manually, mechanically, or electrically operated, is customarily placed either singly or in groups in a public location, and does not normally require the supervision or services of an amusement ride operator;
- (C) Nonmechanized playground equipment, including swings, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides, rock climbing walls, trampolines, and swinging gates, except where an admission fee is charged for usage or an admission fee is charged to areas where such equipment is located;
- (D) Devices regulated or licensed by the federal aviation administration or the federal railroad administration in the United States department of transportation, the department of transportation, or the bureau of motor vehicles in the department of public safety;
- (E) Vessels regulated by the department of natural resources under Chapters [1547](#). and [1548](#). of the Revised Code or under the jurisdiction of the United States coast guard;
- (F) Tractors, trucks, or similar vehicles at competition events;
- (G) Automobiles or motorcycles at competition events;
- (H) Animals ridden in competitive events or shows;

- (I) Physical fitness devices;
- (J) Devices to which the definition of “safe operation” in section [1711.50](#) of the Revised Code does not apply as determined by the director of agriculture, including mechanized bulls, surfboards, zip lines, vertical wind tunnels, skateboard or bicycle rodeo devices, cable wakeboard or ski facilities, or other devices that are not intended or manufactured to secure the rider from threat of physical danger, harm, or loss.

[1711.99 PENALTIES.](#)

- (A) Whoever violates section [1711.11](#) of the Revised Code shall be fined not less than \$100 nor more than \$500.
- (B) Whoever violates section [1711.12](#) of the Revised Code shall be fined not less than \$10 nor more than \$50.
- (C) Whoever violates section [1711.551](#) of the Revised Code is guilty of a minor misdemeanor; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree.

[3749.01 OHIO DEPARTMENT OF HEALTH DEFINITIONS](#)

As used in sections [3749.01](#) to [3749.09](#) of the Revised Code:

- (A) “Board of Health” means a city board of health or a general health district, or an authority having the duties of a city board of health as authorized by section [3709.05](#) of the Revised Code.
- (B) “Health District” means any city or general health district created pursuant to section [3709.01](#) of the Revised Code.
- (C) “Person” means the state, any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity.
- (D) “Licensor” means a city board of health or a general health district, an authority having the duties of a city board of health as authorized pursuant

to section [3709.05](#) of the Revised Code, or the director of the department of health when acting under section [3749.07](#) of the Revised Code.

- (E) “Director” means the director of the department of health or his authorized representative.
- (F) “Private Residential Swimming Pool” means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing located at a dwelling housing no more than three families and used exclusively by the residents and their nonpaying guests.
- (G) “Public Swimming Pool” means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving or bathing that is intended to be used collectively for swimming, diving, or bathing and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not a fee is charged for use, but does not mean any public bathing area or private residential swimming pool.
- (H) “Public Spa” means any public swimming pool that is typically operated as a smaller, higher temperature pool for recreational or non-medical uses.
- (I) “Special Use Pool” means a public swimming pool containing flume slides, wave generating equipment, or other special features that necessitate different design and safety requirements. Special use pool does not include any water slide or wave generating pool at a public amusement area which is licensed and inspected by the department of agriculture pursuant to sections [1711.50](#) to [1711.57](#) of the Revised Code.
- (J) “Public Bathing Area” means an impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water.

ADMINISTRATIVE RULES PERTAINING TO AMUSEMENT RIDES LICENSES AND OPERATION

901:9-1-01 PROCEDURES FOR OBTAINING A LICENSE AUTHORIZING OPERATION OF AN AMUSEMENT RIDE OR DEVICE.

- (A) At least thirty days prior to the operation of any amusement ride or device, the owner shall submit to the director a completed application for a permit, together with the appropriate permit and inspection fees, both initial and midseason operational, for all rides he intends to operate in Ohio during the year. All coin-operated rides located at a specific park or with a given show may be included on a single permit application. These applications will be furnished by the department.
- (1) The midseason operational inspection may be conducted any time during the operating season.
 - (2) 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.
- (B) The department shall inspect each ride described in the application before issuing a permit.
- (C) All rides the owner desires to have inspected must be completely assembled and operational prior to inspection. Any new permanent rides or those with major modifications must comply with the Ohio Basic Building Code permit requirements.

- (D) Each owner is required to have insurance coverage. Proof of insurance may be a copy of the executed policy, or a certified statement issued by the insurer, attesting to the requirements set forth in section [1711.54](#) of the Revised Code, or other evidence which is deemed satisfactory to the director. The proof shall include a listing of the rides and devices by manufacturer, make and model number, serial number and/or unique identifying number, amount and duration of the coverage of the insured or a statement to the effect that all rides or devices operated under the control of the insured are covered. In the case of blanket coverage, any exclusions must be explicitly documented by the insurance company.
- (E) All owners of portable amusement rides shall submit, along with their ride permit application, their yearly itinerary as known, on the date of filing for the permit. Such itinerary shall include the playing dates, with opening time, date and time ready for inspection, locations and local contact, (if available), approximate number of adult rides and kiddie rides to be operated, and number of adult rides and kiddie rides which have not yet been licensed in current calendar year. Street and address number shall be included where set-up is within an incorporated or unincorporated city or village. Any changes, additions or deletions to the itinerary shall be reported to the Amusement Ride Safety Division at least ten days prior to the itinerary date the changes, additions or deletions takes effect.
- (F) Upon receipt of proper applications and upon completion of a satisfactory inspection as set forth in paragraphs (A), (B), (C), and (E) of this rule, the department shall issue a permit in the name of the applicant. All permits shall expire on the thirty-first day of December following the date of issue.

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. In the case of the temporary licensing of a given ride or device, such permanent plate shall not be affixed but rather a temporary decal with specified expiration date. On all annually licensed rides, the decal shall be affixed to the permanent plate. 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 decal shall be removed from the plate by the previous owner prior to the sale, lease or transfer.

(G) No permit to operate shall be issued to any ride owner or operator

that has unpaid civil penalties, fees, fines, or other unpaid monies that have been assessed and are outstanding and owed to the department.

901:9-1-02 POWERS OF THE DIRECTOR.

- (A) The director or his designee has the authority to issue stop orders under the authority of division (F) of section [1711.55](#) of the Revised Code, suspend any permit issued pursuant to section [1711.53](#) of the Revised Code and to levy fines under the authority of section 1711.56 of the Revised Code for any violation of this Chapter adopted under the authority of division (B) of section [1711.53](#) of the Revised Code.
- (B) Ride inspectors or other designees of the department are authorized by the director to prohibit the operation of any ride found to be in an unsafe condition, or the ride was not set-up, and ready to operate at the time ready for inspection listed on the ride company's itinerary on file with the department, by issuing a "Stop Operation Order" as provided in division (F) of section [1711.55](#) of the Revised Code. A "Stop Operation Order" may be issued to any owner who is operating an unlicensed ride based on the premise that under division (F) of section [1711.55](#) of the Revised Code no ride can be presumed to be safe until it is inspected.
- (C) The "Stop Operation Order" shall be issued as follows:
 - (1) The inspector shall fill out the "Stop Operation Order" form in triplicate. The order shall contain the reason for the order.
 - (2) The owner shall sign all copies retaining one for his own use. The inspector shall retain one for the department's use. The third copy shall be forwarded immediately to the individual or group responsible for the event.
 - (3) The inspector shall place on the ride or device, in clear view of potential riders, a "Stop Operation Order" sign stating "Temporarily Closed by the Ohio Department of Agriculture". This sign shall be in place prior to his leaving the event or park. This sign shall be part of the order and shall remain posted until removed by an inspector or other designee of the department.

- (D) No ride or device shall be open to the public while a “Stop Operation Order” is outstanding against it.
- (E) Any owner who disagrees with the issuance of any “Stop Operation Order” is entitled to a hearing as provided by [Chapter 119](#) of the Revised Code.
- (F) The “Stop Operation Order” will be removed when:
 - (1) The order has been determined unreasonable by the director or his designee at a hearing held in accordance with [Chapter 119](#) of the Revised Code.
 - (2) When the department determines the condition causing the violation has been corrected as prescribed under division (F) of section [1711.55](#) of the Revised Code.

901:9-1-03 PROHIBITIONS.

- (A) No person shall interfere with any inspector in the performance of his lawful duties of inspection under the rules of this chapter.
- (B) No person shall operate or contract to operate, or offer to operate by means of renting or leasing, an amusement ride or device as defined in division (A) of section 1711.50 of the Revised Code under any of the following conditions:
 - (1) When the amusement ride or device does not have a valid permit.
 - (2) When the amusement ride or device is not covered by the required insurance.
 - (3) When the amusement ride or device is in an unsafe condition that could cause a hazard to riders, employees or the public.
 - (4) When the operation of the ride is being conducted in a negligent, reckless or careless manner.
 - (5) When any employee or operator appears to be impaired due to the influence of alcohol, drugs or is fatigued.
 - (6) When the amusement ride does not conform to the manufacturer's

required operation and maintenance procedure, updated bulletins and/or directives.

- (7) While a "Stop Operation Order" is in effect.
- (8) Following the expiration date of any safety order when the required corrective action has not been accomplished.

The owner of an amusement ride or device to whom a safety order is issued shall file a signed and dated copy of the safety order with the department no later than twenty-four hours after the date specified in the safety order for compliance with the order. Failure to comply is a violation of paragraph (H) of rule 901:9-1-03 of the Administrative Code

- (9) In violation of any other rule adopted pursuant to section 1711.53 of the Revised Code.
- (10) During any period when the ride permit is suspended by the director.
- (11) Until a daily pre-opening inspection of the ride has been completed. The inspection records shall be maintained for a minimum of the current calendar year plus the two prior calendar years.

901:9-1-04 PROCEDURE FOR SAFETY INSPECTION OF AMUSEMENT RIDES OR DEVICES.

- (A) The owner of an amusement ride shall ensure that the ride or device is well maintained and conforms to the manufacturer's or equivalent specifications or in the absence of such specifications, generally accepted engineering standards and practices.
- (B) Inspection of amusement rides and devices shall be conducted by authorized inspectors of the department in accordance with the provisions of rule [901:9-1-01](#) to [901:9-1-47](#) of the Administrative Code. These inspectors shall file a form provided for this purpose for every ride or device they inspect. This form shall be kept on file in the Amusement Ride Safety Division of the department for a minimum of two years

following the term of the permit application to that particular ride or device. All rides submitted for inspection shall show evidence that the ride is in substantial compliance with all owner requirements of American Society for Testing and Materials, Volume 15.07, 2003 edition (ASTM). ASTM standards regarding amusement rides currently in effect except go karts shall be in compliance with the standards set forth in [901:9-1-42](#) through [901:9-1-47](#) of the Administrative Code plus any additional requirements as may be set forth in this Chapter. ASTM standards will be on file at the "Ohio Department of Agriculture, Amusement Ride Safety Division, 8995 East Main Street, Reynoldsburg, Ohio 43068" or may be purchased for a nominal fee from:

"American Society for Testing and Materials
100 Barr Harbor Drive
West Conshohocken, Pennsylvania 19428-2959"
610/832-9500

In those instances where the manufacturer of the ride has not provided the owner with sufficient information to comply with this requirement, the owner shall contact said manufacturer by certified mail requesting said information to be supplied with a copy of the request being submitted with his application for licensing to the department. In those cases where the required information is not obtained from the manufacturer due to reticence on the part of the manufacturer, manufacturer no longer in existence, data not available, etc., the owner shall generate a fact sheet consisting of all known information relative to normal manufacturer suppliable data. Effective January 1, 1991, no new amusement ride shall be licensed in the state of Ohio unless it is in compliance with ASTM F-24 standards except go karts shall be in compliance with the standards set forth in [901:9-1-42](#) through [901:9-1-47](#) of the Administrative Code.

- (C) If the inspector finds the ride to be in an unsafe condition, he shall issue a "Stop Operation Order" in accordance with rule [901:9-1-02](#) of the Administrative Code.
- (D) All aerial passenger tramway type rides shall comply with American National Standards Institute, B77.1 1992 edition (ANSI B-77) standards as currently in effect. ANSI B-77 standards will be on file at the "Ohio

Department of Agriculture, Amusement Ride Safety Division, 8995 East Main Street, Reynoldsburg, Ohio 43068" or may be purchased for a nominal fee from:

“American National Standards Institute
1430 Broadway
New York, New York 10018”

901:9-1-05 MAINTENANCE PROCEDURES FOR AMUSEMENT RIDES AND DEVICES.

- (A) The owner of an amusement ride shall maintain a current maintenance, repair, pre-opening inspection and inspection record for each amusement ride. The owner shall keep these records for not less than two calendar years.
- (B) Each owner of an amusement ride or device shall read and become familiar with the contents of the manufacturer’s maintenance instructions and specifications. Based on the manufacturer’s recommendations, each owner shall implement a program of maintenance, and pre-opening inspections. This program shall encompass all care required for the safe operation of each amusement ride or device.
- (C) This program of maintenance shall include a pre-opening checklist to be made available to each person performing the regularly scheduled maintenance on each ride or device. The owner’s checklist, on a ride-by-ride basis, shall include, but not necessarily be limited to:
 - (1) Description of preventive maintenance assignments to be performed.
 - (2) Description of inspections to be performed.
 - (3) Special safety instructions, where applicable.
 - (4) Any additional recommendations of the owner/operator.
- (D) The owner of the amusement ride or device shall provide training for each

person performing the regularly scheduled maintenance on the ride or device, pertaining to their assigned duties. This training shall include, but not be limited necessarily to the following:

- (1) Description of the ride or device operation including the function and operation of its major components.
- (2) Description of the designed motion(s) of the ride or device during operation.
- (3) Description of the recommended procedures for installation, setup, disassembly, and transportation of an amusement ride or device.
- (4) Recommended lubrication procedures for the amusement ride or device.
- (5) Recommended types and specifications of lubricants.
- (6) Recommended frequency of lubrication.
- (7) A lubrication drawing, chart, or instruction showing the location of lubrication points.
- (8) Recommended special method of lubrication, where applicable.
- (9) Description of the recommended daily pre-opening inspection to be performed and identification of special care areas and recommended procedures for inspection and maintenance of these areas.
- (10) Description, including frequency, of recommended maintenance inspections and testing, other than daily pre-opening inspection.
- (11) Recommended wear limits or tolerances, where deemed necessary by the manufacturer.
- (12) Recommended operational tests, along with minimum intervals for these tests to be performed, that will allow the owner of the ride or device to determine whether a given ride or device is operating

within recommended and prescribed operational limits.

- (13) Where applicable, recommended non-destructive testing along with appropriate acceptance criteria, including suggested frequency and the special parts or areas to be tested.
- (14) Recommended specifications for the use of replacement fasteners, and recommended torque requirements on fasteners, where applicable.
- (15) Schematics of electrical power, lighting, controls, and other systems, including location charts and manufacturer's trouble-shooting guide, where applicable.
- (16) Description of recommended maintenance procedures for electrical components.
- (17) Schematics of hydraulic and pneumatic systems including recommended pressures, location of components, line specification, fitting specification.
- (18) Description of recommended maintenance procedures for hydraulic and pneumatic systems and components.
- (19) List of parts used in the assembly of the ride or device or drawings showing component parts and their use.
- (20) Recommended procedures to be followed in the event of an extended period of non-operation or storage or both.
- (21) Description of recommended assembly and disassembly techniques and procedures, pertaining to specific components, as deemed necessary by the manufacturer.
- (22) Recommended restrictions and special procedures, lubricants, materials, or equipment that may be necessary because of environmental conditions.

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 noted 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 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 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 non-working hours, the owner will notify the department on a toll-free telephone number to be 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 address, 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 be 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.

901:9-1-06.1 SAFETY STANDARDS FOR INFLATABLE AMUSEMENT DEVICES

- (A) As defined in Section 1711.53 of the Ohio Revised Code, inflatable amusement devices are an amusement ride subject to the rules of this chapter.
- (B) Inflatable amusement devices owners and operators shall have the manufacturer's specifications on-hand and available for the department at the time of inspection.
- (C) An owner/operator of an inflatable amusement device may vary from the manufacturer's operating instructions or make alterations to the design, only by doing the following:
 - (1) Obtaining permission, in writing, from the manufacturer for such a variance;
 - (2) Submitting the written permission from the manufacturer to the department for approval by the department; and
 - (3) Re-inspection by the department to ensure compliance with the revised manufacturer's specifications and or operating instructions
- (D) Inflatable amusement devices shall not be inflated with flammable gases.

901:9-1-07 RULES PERTAINING TO SIGNAGE FOR AMUSEMENT RIDES AND DEVICES.

- (A) Each owner shall display or post a sign at each ride containing, at a minimum, the following language:
 - (1) “Section [1711.551](#) of the Revised Code requires that riders must obey all warnings and directions regarding this ride and behave in a manner that will not cause or contribute to injury to themselves or others. Failure to comply is a misdemeanor.”
 - (2) Additional language shall be posted setting forth the operational instructions and/or other requirements for the use of the ride or device and shall include height, size or other physical requirements

and other duties and obligations of the rider. Warnings and directions shall be based on current industry standards, manufacturer's recommendations for a ride, the standards of ASTM, operator rules for the ride based on their knowledge and experience, or other nationally recognized authorities.

- (B) All signs required by this rule shall be prominently placed, clearly visible to the public entering the ride, bold in design, with wording short, simple and to the point. All signs shall be clearly legible with letters a minimum of three eighths inches high and shall be displayed on or near each ride. Additional methods of providing warnings and directions to the public may include pre-recorded messages, live public addresses, verbal, pictures, video and visual signals.

901:9-1-08 STANDARD DEFINITIONS OF TERMS RELATING TO AMUSEMENT RIDES OR DEVICES.

- (A) "Accepted engineering practice" means that which conforms to accepted principles, tests or standards of nationally recognized technical or scientific authorities.
- (B) "Carnival" means a mobile enterprise principally devoted to offering amusement or entertainment to the public in, upon, or by means of portable amusement rides or devices or temporary structures in any number of combinations, whether or not associated with other structures or forms of public attractions.
- (C) "Circular ride" means an amusement ride whose motion is primarily rotary in a fixed or variable plane from horizontal to forty-five degrees above horizontal.
- (D) "Flat ride" means an amusement ride that operates on a single level whether over a controlled, fixed course or track, or confined to a limited area of operation.
- (E) "High ride" means an amusement ride whose motion is in a fixed or variable plane from horizontal to vertical.
- (F) "Kiddie ride" means an amusement ride designed primarily for use by

children up to twelve years of age.

- (G) “Operator” means the person having direct control of the starting, stopping, or speed of an amusement ride.
- (H) “Other ride” means any ride or device together with its structures which is intended to provide amusement, pleasure or excitement to its patrons. Other rides include go kart tracks.
- (I) “Stop order” means any order for the temporary cessation of a ride or device issued by the director or his designee as provided in division (E) of section [1711.55](#) of the Revised Code.
- (J) “Time ready for inspection” shall mean the ride is set up, ready to operate, and the pre-opening inspection has been completed by the owner.
- (K) “Subsequent violation” means a violation which occurs within twenty-four months of the first violation on the same or different ride.

[901:9-1-09 VIOLATIONS AND FINES.](#)

Pursuant to division (B) of section [1711.53](#) of the Revised Code, the following schedule of fines, for violations of sections [1711.50](#) to [1711.57](#) of the Revised Code and rules [901:9-1-01](#) to [901:9-1-20](#) [901:9-1-47](#) 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.
 - (2) Violation of any other rule adopted pursuant to section [1711.53](#) of the Revised Code which creates a significant safety hazard to

persons either using or operating the amusement ride or device.

- (B) The following violations may be subject to a fine of not more than five hundred dollars for the first violation, not more than two thousand 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 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.

ADMINISTRATIVE RULES PERTAINING TO AQUATIC RIDES

901:9-1-10 INTER-AGENCY COOPERATION FOR AQUATIC RIDES AND DEVICES.

No person shall construct, install or perform major modifications on an aquatic device until such plans for the aquatic device are approved by the local building authority or any other regulatory authority having jurisdiction and certified by a professional engineer registered in Ohio or an architect licensed in Ohio. Recognizing the unique nature of aquatic devices, the director of agriculture may consult with the director of health prior to authorization of construction of any new aquatic device, or major modifications of existing aquatic devices licensed by the department of agriculture. In addition, the director may consult with the director of health on any issues involving operation or maintenance of aquatic devices.

901:9-1-11 DEFINITIONS.

For the purpose of this chapter, the following are defined:

- (A) “High-wave pool” means wave pools normally capable of producing waves exceeding four feet in height, measured from trough to crest, and are generally uniform across the pool.
- (B) “Action pool” means wave pools which normally produce waves that do not exceed four feet in height, measured from trough to crest, and are choppy, with a continuous rolling or bobbing action.
- (C) “Water slide” means an amusement ride utilizing a straight or twisting slide along which a continuous stream of water passes and which patrons rapidly slide down independently or riding on a sled, mat, or inflatable device which slide empties into a splash pool or a run-out. It does not include playground type slides dumping into ponds, lakes, or swimming pools intended for diving, bathing, or swimming.
- (D) “Lazy river” means a pool whose unique feature is the stream of water created by mechanical means which slowly propels patrons on flotation devices along the length of the pool.

- (E) “Speed slide” means a water slide so designed by the manufacturer for high velocity rides.
- (F) “Kill switch” means a control which when activated results in the immediate shut-down of wave-generating equipment.
- (G) “10/20 rule” states any patron in a water attraction must be identifiable if in distress within ten seconds by a lifeguard and rescuer contact made within an additional twenty seconds.
- (H) “Aquatic activity area” means any non-wave pool that has aquatic related attractions associated with it such as, but not limited to, rope ladders, cable swings, diving platforms, hand-over-hand activities, slides, etc.
- (I) “Public bathing area” means an impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water.
- (J) “Dispatch procedure” means controlling how patrons are sent down or away from one specific area of a water slide to a splash pool or run-out by means of a person and/or signaling device which prevents patrons from colliding in the slide or in the splash pool or run-out.
- (K) “Surrounding patron” means a park patron that is not presently participating as a rider on a water park device.
- (L) “Acceptable barrier” means a barrier that is determined to have sufficient height and density so as to deter a patron from access to an area in a manner that meets or exceeds the recommended fencing material required for the attraction.

901:9-1-12 MANUFACTURER’S REQUIREMENTS AND PROCEDURES

Operators must comply with all requirements listed in the manufacturer’s manuals except in those areas where specific state laws and rules impose a stricter standard of compliance.

901:9-1-12.1 LIFEGUARDS.

- (A) Lifeguards required by this chapter to be posted at aquatic devices shall:
- (1) Be capable swimmers, and;
 - (2) Be at least sixteen years of age, and;
 - (3) Be certified validly and currently by one of the following entities as having completed the specified training successfully:
 - (a) “American Red Cross” – “Lifeguard Training” or “Advanced Lifesaving,” or;
 - (b) “YMCA” – “National YMCA Lifeguard,” or;
 - (c) “Boy Scouts of America” – “BSA, Lifeguard” (within the previous three years) or “Aquatic Instructor, BSA” (within the previous three years), or;
 - (d) “Ellis and Associates” – ILTP (international lifeguard training program), or;
 - (e) “NASCO” – “National Aquatic Safety Company,” or;
 - (f) “Star Guard” – “American Safety and Health Institute,” or;
 - (g) Any other person, agency, or organization whose training the licenser determines is comparable to the training specified in paragraphs (A)(3)(a) to (A)(3)(f) of this rule, and;
 - (4) Possess current valid certification in cardio-pulmonary resuscitation of the specified type from one of the following entities:
 - (a) “American Red Cross” – “Community CPR,” “Adult CPR,” or “Basic Life Support Professional Rescuer” or

- successor courses offered by the “American Red Cross,”
or;
- (b) “American Heart Association” – “Cardio-pulmonary Resuscitation – Course A, B, or C,” or;
 - (c) Any other person, agency, or organization whose training the licensor determines is comparable to the training specified in paragraph (A)(4)(a) or (A)(4)(b) of this rule, and;
- (5) Possess current valid certification from one of the following entities as having completed one of the specified courses successfully:
- (a) “American Red Cross” – “Standard First Aid” or “Advanced First Aid”, or;
 - (b) Ohio department of education – “Emergency Medical Technician – Basic”, or;
 - (c) Any other person, agency, or organization whose training the licensor determines is comparable to the training specified in paragraphs (A)(5)(a) or (A)(5)(b) of this rule, and;
- (6) Be prepared to enter the water at any time while on duty, and;
- (7) Have a defined zone to observe and perform duties as described in the facility’s approved life guarding plan, and;
- (8) Be similarly attired and readily identifiable by bathers and other lifeguards.
- (B) Shallow water lifeguards required or permitted by this chapter to be posted at aquatic devices shall:
- (1) Be certified validly and currently as having successfully completed the shallow water rescue course given by an approved organization

such as those listed in paragraph (A)(3) of this rule or an equivalent course, and;

- (2) Meet the requirements of paragraphs (A)(4), (A)(5), (A)(6) and (A)(8) of this rule.
 - (3) Not have a defined zone of water to observe where the water depth is greater than forty-eight inches.
- (C) Attendants required or permitted by this chapter to be posted at aquatic devices shall:
- (1) Be at least sixteen years of age.
 - (2) Meet the requirements of paragraphs (I) and (J) of rule 901:9-1-06 of the Administrative Code.
 - (3) Operate positions on aquatic devices only where the facility owner, state or federal law or the aquatic device manufacturer do not require the utilization of a lifeguard or shallow water lifeguard.

901:9-1-13 SAFETY STANDARDS FOR WAVE POOLS.

- (A) Entry to the water shall be permitted only at the zero depth entry of the pool.
- (B) The wave pool shall be fenced from the wave generating machinery along the side of the pool to the point of zero static water depth. Fencing shall only be open at points of exit from the pool. Fencing may be no closer than eighteen inches from the pool, with the exception of high wave pools, and the public will not be permitted between the fencing and the edge of the pool. The pool is to be fenced on all sides except at the point of zero static water depth or where the position of wave-generating equipment makes it unnecessary to fence to prevent public access to the water. Patrons shall be protected from the elevated leading edge hazards that may exist along the side walls and back walls of the wave pool through the use of fencing/acceptable barriers. Fencing/acceptable barriers shall be installed to prohibit patron access to the leading edges on the elevated

sides and rear of the wave pool. Fencing and/or acceptable barriers shall comply with ASTM Volume 15.07, 2007 Edition, Design and Manufacture of a Patron Directed Artificial Climbing Walls, Dry Slides, Coin Operated and Purposeful Immersion Amusement Rides and Devices and Air-Supported Structures. The fence will come to the water's edge at zero static water depth. Employee access gates in perimeter fences must be secured with a latch and a sign must be posted stating "authorized personnel only".

- (C) Life vests will be available to the public without additional charge. A refundable deposit may be collected. Signs encouraging the use of the vests will be placed conspicuously near the entrance to the pool.
- (D) All wave pools must have minimum rest periods within each hour of operation according to the following formula:
 - (1) High-wave pools cannot be operated more than sixty minutes without a minimum five minute rest period. A "rest period" is defined as non-operation of wave-generating equipment.
 - (2) Action pools cannot be operated more than fifteen minutes without a minimum five minute rest period. A "rest period" is defined as non-operation of wave-generating equipment.
- (E) Lifeguards must be assigned to guard wave pools at a minimum standard of one lifeguard per two thousand square feet of water surface area over thirty-six inches static water depth available for use to patrons as a minimum, and at times of high pool population, a minimum standard of the 10/20 rule will be in effect. A lifeguard staffing program shall be established by the owner. Such plan shall be submitted to the department for approval as part of the request for licensing. Owners should also have available for inspection their plan for high-pool population density lifeguard assignments.
- (F) Children under forty-eight inches in height, not accompanied by an adult, must wear a life vest or pass a swimming test in order to gain access to a wave pool. Signs indicating this requirement should appear at the ticket booth/entrance gate to the park.

- (G) All steps and ladders should be recessed such that the outer edge is flush with the vertical wall. Handrails and steps should extend down the pool wall in such a way so that they will be easily accessible at the lowest water level during wave action. It is recommended that the area between the handrail and the vertical wall be enclosed but in no case should the distance between the handrail and vertical wall exceed five inches. Existing construction and construction in progress as of the effective date of this rule is exempted.
- (H) Handholds should be installed twelve to fifteen inches above the static water level. They shall be installed so that the outer edge is flush with the vertical wall. Handholds are not required in the areas of wave pools where the static water level is less than or equal to forty-two inches. Handholds shall be constructed such that they are self-draining and so that there are no gaps between the handholds and the pool wall. All handholds should run in the same direction as the wave action. Existing construction and construction in progress as of the effective date of this rule is exempted.
- (I) Patrons shall be protected from the wave generation area by a physical barrier or a zone not available to patrons with appropriate signage alerting patrons to the hazards of approaching the wave-generating equipment. Physical barriers shall be inspected daily.
- (J) The surface of all wave pools at the shallow entry end shall be such as to provide a slip resistant surface starting not less than four feet above the water line and including all areas that are wet due to wave action. The slip-resistant area will extend into the pool to a pool depth of not less than three feet.
- (K) Only flotation devices authorized by the owner of the wave pool shall be allowed in the pool, including personal flotation devices. All flotation devices shall be such as to preclude injury should wave action cause contact between the flotation device and patron (user or other). Exceptions to this requirement may be made for special events where participation is controlled and for special flotation devices required for handicapped individuals as approved by the park management.
- (L) In all cases where wave action is suspended for any reason, an audible signal shall be used to signal warning of the impending resumption of

wave action. In those high-wave pools where significant intervals exist between waves, such signal shall sound at least thirty seconds prior to wave action.

- (M) Safety equipment shall include one United States Coast Guard approved Type IV personal flotation device (ring buoy or equivalent) per lifeguard station and one spine board with straps per pool. Lifeguards will have rescue tubes ready for use at all times when on duty or rotating stations.
- (N) Permanent lifeguard stations shall be distributed in such a fashion that all pool areas are covered in order to facilitate the lifeguard staffing program stated in paragraph (E) of this rule. A permanently installed clearly labeled kill switch shall be located at each permanent lifeguard station. All lifeguards will have immediate access to all safety equipment.

901:9-1-14 WATER QUALITY FOR AQUATIC DEVICES USING CHEMICALLY TREATED WATER.

- (A) Water quality of any aquatic device where full body contact with water exists such as, but not limited to wave pools, water slides, lazy rivers, aquatic activity areas shall be maintained to standards listed below:
 - (1) Gas chlorine shall not be used for disinfection of any aquatic device.
 - (2) If chlorine is used as a disinfectant, there shall be a residual of free chlorine in all parts of the aquatic device, maintained preferably between two and four parts per million (ppm), but not less than one ppm.
 - (3) If bromine is used as a disinfectant, there shall be a residual of total bromine in all parts of the aquatic device, maintained preferably between four and six ppm, but not less than two ppm.
 - (4) The licensee of an aquatic device shall maintain the water of the device in an alkaline condition as indicated by a pH of not less than 7.2 and not over 7.8.
 - (5) The licensee shall ensure that the total alkalinity of an aquatic

device is maintained at a minimum of sixty ppm.

- (6) Cyanuric acid, if used, shall not exceed one hundred ppm.
- (7) The licensee shall ensure that the water in an aquatic device has sufficient clarity when in use that a black disk, six inches in diameter, is readily visible when placed on a light field at the deepest point of the pool and is viewed from the pool side when the water is at rest.
- (8) The licensee shall ensure that the water in an aquatic device meets at least one of the two bacteriological standards (fecal coliform or E. Coli), but the licensee is not required to take water samples for bacteriological analysis except when the licensor has reason to believe that the water in an aquatic device does not meet the bacteriological standards. The licensee is responsible to ensure that the required water samples are taken and analyzed by a certified or approved testing facility. The bacteriological standards are:
 - (a) “MPN” means most probable number.
 - (b) “MF” means membrane filter.
 - (c) The geometric mean fecal coliform content (either MPN or MF) based on not less than four samples within a time period determined by the licensor shall not exceed two hundred per one hundred milliliter with no sample exceeding four hundred per one hundred milliliter.
 - (d) The geometric mean E. Coli content (either MPN or MF) based on not less than four samples within a time period determined by the licensor shall not exceed one hundred twenty-six per one hundred milliliter with no sample exceeding two hundred thirty-five per one hundred milliliter.
 - (e) For sampling procedures, see paragraph (B) of rule [901:9-1-15](#) of the Administrative Code.

- (B) For aquatic devices where only partial body contact with water exists such as, but not limited to log flume rides, paddle boats, bumper boats:
 - (1) The licensee shall ensure that the water in an aquatic device meets at least one of the two bacteriological standards (fecal coliform or E. Coli), but the licensee is not required to take water samples for bacteriological analysis except when the licensor has reason to believe that the water in an aquatic device does not meet the bacteriological standards. The licensee is responsible to ensure that the required water samples are taken and analyzed by a certified or approved testing facility. The bacteriological standards are:
 - (a) The geometric mean fecal coliform content (either MPN or MF) based on not less than four samples within a time period determined by the licensor shall not exceed five thousand per one hundred milliliter (either MPN or MF).
 - (b) The geometric mean E. Coli content (either MPN or MF) based on not less than four samples within a time period determined by the licensor shall not exceed five hundred seventy-six per one hundred milliliter.
 - (2) Gas chlorine shall not be used for disinfection of any aquatic device.
 - (3) Free chlorine must be maintained not less than one ppm.
- (C) Documentation.
 - (1) Full body water contact:
 - (a) Record keeping: All aquatic devices shall maintain records of chemical levels and water quality.
 - (b) Records shall report that the disinfectant levels and pH of the aquatic device for each day it is in operation.

- (c) Manual checks, performed with diethyl-p-phenylenediamine (DPD) test kit, shall be recorded at pre opening and each two hours of operation thereafter if the aquatic device does not have automated chemical control.
 - (d) Manual checks, performed with a DPD test kit, shall be recorded at pre opening and each four hours of operation thereafter if the aquatic device is equipped with automatic control. The manual checks shall be used to calibrate the electronic monitoring devices' accuracy.
 - (e) Each four hours of operation after opening, a reading shall be taken from the automatic controller and documented.
 - (f) Water balance test results shall be recorded at least weekly.
- (2) Partial body water contact:
- (a) Record keeping: All aquatic devices shall maintain records of chemical levels and water quality.
 - (b) Records shall report the disinfectant levels for each day it is in operation.
 - (c) Manual checks, performed with a DPD test kit, shall be recorded at pre opening of each day of operation.

Records for both full body water contact and partial body water contact shall be maintained for such a period as dictated by insurance carriers, local legal statutes, and company counselor's advice, or for a minimum of two calendar years.

(D) Procedures for fecal release (full body water contact only):

- (1) If a fecal release occurs in an aquatic device, the following minimum shall be done:
 - (a) Ensure patrons exit the aquatic device and then close the aquatic device.

- (b) Remove as much of the solid fecal matter from the aquatic device as possible. Ensure the fecal matter is handled properly and disposed of in a sanitary sewer (toilet).
 - (c) Ensure the free chlorine residual of the aquatic device is at least two ppm or increase the free bromine residual to at least four ppm.
 - (d) Ensure the pH of the aquatic device is between 7.2 and 7.8.
 - (e) Prior to reopening the aquatic device, manual testing shall be taken at representative regions on the water body to ensure the average water body is at least two ppm free available chlorine, and the pH is between 7.2 and 7.8.
 - (f) If the fecal release is diarrheal in nature, increase the free chlorine residual to at least five ppm or increase the free bromine to at least eight ppm. Prior to reopening the aquatic device, manual testing shall be taken at representative regions on the water body to ensure the average water body is at least five ppm free available chlorine and the pH is between 7.2 and 7.8.
 - (g) Diaper age children and diaper dependent adults shall wear a protective outer wear covering, designed specifically for use in aquatic settings. The protective covering must be made of a material that will not allow water to penetrate and have an elasticity at the legs and waist to prohibit any liquid to pass from outside in or inside out.
- (E) Any person with an obvious infectious wound shall not be permitted to use an aquatic device. No person who is observed passing feces, urine, or blood into an aquatic device shall be permitted to use the aquatic device. Any person who has been refused entry to or removed from an aquatic device under this paragraph because of an infectious wound may be granted entry upon presentation of a written statement from a physician that the condition is not infectious.
- (F) Operation and management:

- (1) Management qualifications. All facilities containing aquatic devices with full body water contact shall have at least one employee properly trained in sanitation, safety, and proper maintenance of the aquatic device, and all physical and mechanical equipment and be trained in accordance with the standards of one of the following agencies:

(This does not apply to aquatic devices where only partial body contact with water exists.)

- (a) National Swimming Pool Foundation's Certified Pool/Spa Operator Course (CPO);
- (b) National Recreation and Parks Association Aquatic Facility Operator Course (AFO);
- (c) YMCA Pool Operator On Location (POOL) Certified Operator.

901:9-1-14.1 ULTRAVIOLET DISINFECTION SYSTEMS FOR FULL BODY CONTACT AQUATIC DEVICES.

Proposed Effective Date: December 15, 2011

- (A) As used in this rule, "third-party" means a registered engineer or pool designer with sufficient appropriate experience.
- (B) 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 250,000 people) by December 31, 2017; and,
 - (3) All other aquatic parks and devices by December 31, 2020.

- (C) After December 31, 2011, 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) 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%) 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) UVDS' must be certified to meet the NSF/ANSI Standard 50 for Pools, Spas, Hot Tubs, and other Recreational Water Facilities.
- (F) All UVDS' must include an automatic alarm to warn of a malfunction or impending shutdown.
- (G) All UVDS' must be installed in an enclosure designed to protect the operator against electrical shock, excessive radiation and protection from sunlight.
- (H) The ultraviolet equipment, electrical components, wiring and installation shall comply with all Local National Electrical Codes and Underwriters Laboratory standards.
- (I) All UVDS must have an accurately calibrated ultraviolet light intensity readout with sensor(s) 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 40 millijoules per square centimeter.
- (J) The UVDS shall be installed per the design of an industry recognized and capable third party.

[901:9-1-15 WATER QUALITY FOR AQUATIC DEVICES USING NON CHEMICALLY TREATED WATER.](#)

- (A) Water quality of an aquatic device shall be maintained to standards listed below:
- (1) The licensee shall ensure that the water in an aquatic device meets at least one of the two bacteriological standards (fecal coliform or E. Coli). The licensee is responsible for ensuring that required water samples are taken and analyzed by a certified or approved testing facility. The licensor is not required to take water samples for bacteriological analysis but may take samples either on a routine basis or when the licensor has reason to believe that the water in an aquatic device does not meet the bacteriological standards. The bacteriological standards are:
- (a) For aquatic devices where fully body contact with water exists, such as, but not limited to wave pools, water slides, lazy rivers, aquatic activity areas:
- (i) “MPN” means most probable number.
- (ii) “MF” means membrane filter.
- (iii) The geometric mean fecal coliform content (either MPN or MF based on not less than four samples within a four week period (once a week) shall not exceed two hundred per one hundred milliliter with no sample exceeding four hundred per one hundred milliliter.
- (iv) The geometric mean E. Coli content (either MPN or MF), based on not less than four samples within a four week period (once a week) shall not exceed one hundred twenty-six per one hundred milliliter with no sample exceeding two hundred thirty-five per one hundred milliliter.
- (b) For aquatic devices where only partial body contact with water exists such as, but not limited to log flume rides, paddle boats, bumper boats:

- (i) The geometric mean fecal coliform content (either MPN or MF) based on not less than four samples within a four week period (once a week) shall not exceed five thousand per one hundred milliliter.
 - (ii) The geometric mean E. Coli content (either MPN or MF), based on not less than four samples within a four week period (once a week) shall not exceed five hundred seventy-six per one hundred milliliter.
- (B) Sampling procedures. To assure consistency in collecting samples for analysis, the following procedures shall be used:
 - (1) Specific sampling location(s) shall be designated by the department.
 - (2) The sample bottle shall be inverted. With a sweeping motion, the sample shall be collected from about one foot below the water surface.
 - (3) Every precaution shall be taken to minimize sediment or debris in the sample. In cases where debris or sediment is present throughout the sample, this information shall be noted on the laboratory form.
 - (4) The sampler shall note such items as water temperature and clarity, and general weather conditions.
 - (5) If a sample does not meet the bacteriological standards, an additional sample must be taken immediately. If the additional sample does not meet the bacteriological standards, the Ohio Department of Agriculture's Amusement Ride Safety Division must be notified and the aquatic device must not operate until the bacteriological standards are met.
- (C) Documentation.
 - (1) All records of the bacterial analysis for aquatic devices shall be maintained by the licensee. The bacterial analysis records shall

include date sample collected, location, bacteria count, and geometric mean. Records shall be maintained for such a period as dictated by insurance carriers, local legal statutes, and company counselor's advice, or for a minimum of two calendar years.

- (D) Procedure for fecal release (full body water contact only):
 - (1) Before the issuance of an amusement ride license, the licensee shall submit a procedure for handling a fecal release in the aquatic devices' water to the Amusement Ride Safety Division for approval.
 - (2) Diaper age children and diaper dependent adults shall wear a protective outer wear covering, designed specifically for use in aquatic settings. The protective covering must be made of a material that will not allow water to penetrate and have an elasticity at the legs and waist to prohibit any liquid to pass from outside in or inside out.
- (E) Any person with an obvious infectious wound shall not be permitted to use an aquatic device. No person who is observed passing feces, urine, or blood into an aquatic device shall be permitted to use the aquatic device. Any person who has been refused entry to or removed from an aquatic device under this paragraph because of an infectious wound may be granted entry upon presentation of a written statement from a physician that the condition is not infectious.
- (F) Portable aquatic devices that set up and operate for ten or more days, must meet all standards as set forth in this rule or must be drained of all water and refilled with fresh water every ten days.

901:9-1-16 GENERAL SAFETY STANDARDS FOR AQUATIC ACTIVITY AREAS.

- (A) On activities that are designed for use by one person at a time, teaming and grouping of participants shall not be allowed. This will assure patron safety and eliminate body-to-body collision.
- (B) All sliding on aquatic devices shall be in a feet-first position unless

manufacturer design specifications specifically permits other safe riding positions. Absolutely no head-first diving from any slide activity shall be permitted.

- (C) Patrons should be required to exit each activity area quickly after entering the water.
- (D) The children's aquatic devices will be restricted to children fifty-two inches or less in height. Children may be accompanied by an adult.

901:9-1-17 SAFETY STANDARDS FOR WATER SLIDES.

- (A) Slide-type attractions which allow a mix of adult and small children riders shall employ a dispatch procedure which will establish spacing between riders to reduce the possibility of collision between riders in the splash pool or while still on the slide.
- (B) A lifeguard/attendant shall be stationed with a clear view and rapid access to any splash pool or run-out.
- (C) Height requirements shall be the manufacturer's recommendation or six inches above static water level and shall apply to all slides with shallow water splash pools.
- (D) Patrons must ride all water slides in a feet-first position unless the manufacturer design specifications specifically permits other safe riding positions.
- (E) Stopping, changing positions and forming chains shall be prohibited.
- (F) Patrons are not permitted to ride slides with small children on their laps.
- (G) Life jackets or other personal flotation devices may not be worn on water slides unless recommended by the manufacturer.
- (H) Patrons must exit splash pools/run-outs immediately upon arrival. It will be the responsibility of the lifeguard/attendant supervising all splash pools/run-outs to require patrons to exit immediately.

- (I) In the absence of manufacturer guidelines, patrons riding speed slides should be instructed to ride lying down in a feet-first position. Patrons should be instructed to keep their legs crossed and to cross their arms and to hold them close to their body for the entire ride.
- (J) An operator shall be stationed at the dispatch point of all rides and shall remain in continual visual or verbal contact with the lifeguard/attendant stationed at the splash pool/run-out.
- (K) When an entry pool at the dispatch point exists, an attendant rather than an operator, shall be present.
- (L) Fencing/acceptable barriers shall be installed around low profile sections of the trough and around the sides and back of the splash pool/run-out. Fencing/acceptable barriers shall comply with American Society for Testing and Materials, Volume 15.07, 2007 Edition, Design and Manufacture of Patron Directed Artificial Climbing Walls, Dry Slides, Coin Operated and Purposeful Water Immersion Amusement Rides and Devices and Air-Supported Structures.
- (M) Splash pool fencing/acceptable barriers along the front and rider exits shall be at a minimum, forty-two inch tall posts with three horizontal cables and designated exit point(s) shall be installed along the front/rider exit side of a splash pool if the location meets the following criteria:
 - (1) Splash pools which due to their proximity to heavy surrounding patron traffic areas pose an attractive opportunity for surrounding patrons to jump or dive into the splash pool from the front/rider exit side of the pool;
 - (2) Splash pool design and lifeguard placement do not allow for control of surrounding patron behavior;
 - (3) The installation of such a barrier does not impede the effective space necessary for emergency extrication and response in an emergency; and
 - (4) The splash pool is not a zero depth entry pool; or

- (5) In the alternative, sufficient space must exist between run-out troughs such that the presence of the fence/barrier does not impede the safety clearance envelope of the rider in the run-out.
- (N) Employee access gates in perimeter fences must be secured with a latch and post a sign stating “authorized personnel only”.

901:9-1-18 SAFETY STANDARDS FOR THE LAZY RIVER.

- (A) Height requirements for all patrons shall comply with manufacturer recommendations or be six inches above static water level. For depths exceeding forty-eight inches, a lifeguard shall be in attendance at all times and coverage shall be such that the entire lazy river is under direct observation by lifeguards, with no area more than two hundred feet from the responsible lifeguard. The use of life jackets for patrons should be strongly encouraged. In the event a patron is under the height requirement, they must either be accompanied by an adult or pass a swimming test. For water depths of forty-eight inches or less, either an attendant or a lifeguard shall be in attendance at all times and coverage shall be such that the entire lazy river is under direct observation by lifeguards or attendants, with no area more than two hundred feet from the responsible lifeguard or attendant.
- (B) The use of life jackets should be strongly encouraged for patrons who do not meet the above stated height requirement.
- (C) Only flotation devices authorized by the waterpark shall be used in the lazy river. Personal flotation devices required for individuals with disabilities may be used only when authorized by the park management.
- (D) Patrons must remain in the lazy river until they reach the designated exit. Patrons should not be permitted to climb in or climb out on the sides of the river.
- (E) Patrons shall be protected from patron-on-surrounding-patron contact hazards that may exist along leading edges of the lazy river through use of fencing/acceptable barriers.
- (F) Fencing/acceptable barriers shall be installed around the perimeter of the

lazy river to prohibit unimpeded access to the trough by surrounding patrons.

- (G) Perimeter fencing/acceptable barriers shall, at a minimum, consist of forty-two inch tall posts with three horizontal cables that have sufficient height and density to discourage surrounding guest access from any non-designated entry points.
- (H) Designated entry and exit access points shall be clearly posted.
- (I) Leading edges of elevated walkways or bridges that cross over or run adjacent to the lazy river troughs must be guarded with fencing material that meets or exceeds the fencing standards utilized in the perimeter fencing requirements.
- (J) Bridges over lazy rivers and elevated walkways adjacent to lazy rivers must be posted with signs indicating “shallow water – do not jump”.
- (K) Employee access gates in perimeter fencing must be secured with a latch and post a sign indicating “authorized personnel only”.

901:9-1-19 SAFETY STANDARDS FOR WATER COASTERS.

- (A) Patrons must be able to carry their own sled.
- (B) Patrons must exit the runout or splash pool quickly after coming to a rest. Operators should not dispatch another sled until the previous sled and patron has been removed from the runout or splash pool.
- (C) The water level in runout or splash pools must meet the manufacturer’s requirements as indicated in their operating manual.

901:9-1-20 REQUIRED WATERPARK SIGNAGE.

- (A) International pictorial signage should be used whenever possible.
- (B) The following signs are required:
 - (1) “Exit only” signs will be placed at all wave pool ladders.

- (2) Depth of water in landing pools will be noted at the entrance to slides and around pool itself.
 - (3) In four-inch lettering (minimum), depth should be noted on both the sides and the top of all pool edges at twenty-five foot intervals.
 - (4) “No diving” signs shall be displayed around the aquatic device.
 - (5) “Prolonged exposure to wave action may result in fatigue. Exercise caution in deep water”, shall be displayed at the entrance to the pool.
 - (6) “No running” signs shall be displayed throughout the water park.
 - (7) Signs indicating “no glass bottles or containers” shall be displayed at the entrance to the park.
 - (8) Healthy swimming signage indicating the following shall be posted at the entrance to the park and in public restrooms:
 - (a) Please don’t swallow the pool water;
 - (b) Please change diapers in the bathroom, not pool side;
 - (c) Please take children on frequent bathroom breaks;
 - (d) Please don’t swim when you have diarrhea;
 - (e) Please wash hands with soap and water after bathroom breaks/diaper changing; and
 - (f) Please wash thoroughly before swimming.
- (C) Signs indicating various height restrictions shall be displayed prior to the entrance to the park.

ADMINISTRATIVE RULES PERTAINING TO BUNGEE JUMPING

901:9-1-21 PURPOSE AND SCOPE.

The purpose of rules [901:9-1-01](#) and [901:9-1-21](#) to [901:9-1-41](#) of the Administrative Code is to set out the standards that must be met for the operation of bungee jumps. In addition to these standards, bungee jumps must also comply with all other applicable rules in Chapter [901:9](#) of the Administrative Code.

901:9-1-22 DEFINITIONS.

- (A) “Air bag” means a device which cradles the body using an air release breather system to dissipate the energy due to a fall.
- (B) “Anti two-blocking device” means a positive acting device which prevents contact between the load block or fall ball and the boom tip of a crane.
- (C) “Two-block damage prevention feature” means a system which deactivates the hoisting mechanism before a load block or fall ball contacts the boom tip of a crane.
- (D) “Binding of cord” means material used to hold the bungee cord threads in place.
- (E) “Bungee catapulting” means the practice of holding the jumper stationary while the bungee cord is stretched and then releasing the jumper.
- (F) “Bungee cord” means the elastic rope to which the jumper is attached to produce a bouncing action.
- (G) “Bungee jumping” means a fall or jump from a height by an individual who is attached to an elastic cord that prevents the individual from hitting the ground, water, or other solid, semi-solid, liquid, or elastic surface.
- (H) “Controlled load lowering” means a system or device on the power train of a crane, other than the load hoist brake, which can be used to regulate the lowering speed of the hoist mechanism.

- (I) “Cord” see bungee cord.
- (J) “Defined area” means the area designated for the bungee jump by either the owner or operator and approved by the department.
- (K) “Dynamic loading” means the load placed on the rigging and attachments by the initial free fall of the jumper.
- (L) “Fence” means a permanent or temporary structure designed and constructed to restrict people, animals and objects from entering the defined area.
- (M) “Incident” means an event that causes personal injury or property damage or causes operation of the bungee jump to be interrupted or stopped.
- (N) “Jump direction” means the direction in which a jumper jumps from the jump point.
- (O) “Jump harness” means an assembly to be worn by a jumper, which is attached to a bungee cord.
- (P) “Jump master” means a person who is responsible for assisting the bungee jumper.
- (Q) “Jump point” means the position from which the jumper leaves the platform.
- (R) “Jump zone” means an imaginary volume which extends downward from the jump point for a distance equal to the maximum stretched length of the bungee cord system. The extent of the volume in the direction of the intended jump is equal to fifty per cent of the maximum stretched length of the bungee cord system. The fifty per cent value applies to both fore and aft directions from the jump point. The extent of the volume at the jump point, perpendicular to the intended jump direction, is equal to ten per cent of the maximum stretched length of the bungee cord system and twenty-five per cent at the bottom of the jump.
- (S) “Jump space” means the area bounded by both the jump zone and the safety space.

- (T) “Jumper weight” means the weight of the jumper and harness.
- (U) “Landing area” means the surface area to which the jumper is lowered after he jumps.
- (V) “Live boom” means a boom in which lowering is controlled only by a brake without aid from other lowering retarding devices.
- (W) “Lowering system” means any manual or mechanical equipment capable of lowering a jumper to the designated landing area.
- (X) “Platform” means the structure from which a jumper launches.
- (Y) “Preparation area” means the location where the jumper is prepared for jumping.
- (Z) “Rigging system” means the bungee cord and any webbing or rope connected to the bungee cord which may be set at variable lengths by the jump master for each jumper.
- (AA) “Recovery area” means a location next to the landing area, where the jumper may recover from the jump before returning to the public area.
- (BB) “Safe working load (swl)” means the maximum rated load as determined by the manufacturer which can be safely handled under specified conditions, by a machine, equipment or the rigging system.
- (CC) “Safety hook” means a hook with a latch to prevent rigging or loads from accidentally slipping off the hook.
- (DD) “Safety lines” means a line used to connect a safety harness or belt to an anchor point.
- (EE) “Safety space” means the space extending beyond the jump zone.
- (FF) “Site operating manual” means the document containing the procedures and forms for the operation of all bungee jumping activities and equipment.

- (GG) “Sandbagging” means the practice of loading excess weight to a jumper intended to be released at the bottom of the jump to gain extra momentum on the rebound.
- (HH) “Site controller/manager” means the person having complete control over the entire bungee jumping facility.
- (II) “Tandem jumping” means the practice of two people jumping while connected together.
- (JJ) “Testing authority” means an organization acceptable to the department, for the purpose of testing equipment used for bungee jumping.
- (KK) “Unloaded length” means the length of the bungee cord without load or stress applied.

901:9-1-23 SITE AND OPERATING APPROVAL.

- (A) Any person who applies to the department for a permit to operate a bungee jump shall include with their application:
 - (1) A site operation manual;
 - (2) Site plans which shall include equipment locations, safety zones, safety space, fences, jumps zones and jump space.
 - (3) Proof of insurance coverage meeting the requirements set out in section [1711.54](#) of the Revised Code.
- (B) The department may also require a registered engineer’s report confirming that the design and construction of the equipment to be used meets engineering standards acceptable to the department and confirming that all applicable local codes have been complied with.

901:9-1-24 SAFETY SPACE.

- (A) Where jumps occur over land, a safety space of thirty feet shall be maintained between the bottom of the jump zone and the ground level.
- (B) Where jumps occur over water, the water over the entire bottom of the jump zone shall be no less than three feet deep with a minimum water depth of no less than twelve feet within a ten foot radius of a point directly beneath the jump point. (See appendix at the end of these rules).
- (C) An additional extension of the jump zone volume shall be maintained as a safety space which will not be less than ten percent of the jump zone dimensions at the jump point and twenty percent of the jump zone dimensions at the bottom of the jump.
- (D) A minimum of ten percent of the height of the jump shall be maintained beneath the jump point as the top safety space.

901:9-1-25 PLATFORM SAFE WORKING LOAD.

- (A) 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 times the maximum designed loaded platform weight.
- (B) 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 over the total load.
- (C) The platform shall have a non slip surface.
- (D) The platform shall have anchor points for safety harnesses, designed and placed to best suit the movements of anyone on the platform.
- (E) There shall be a gate across the jump point which shall remain closed when a jumper is not present.
- (F) The jump master shall stop the jumping operation when wind speeds are in excess of twenty miles per hour and can affect the safe operation on the jump platform and/or the recovery area.

901:9-1-26 LOWERING SYSTEM.

- (A) The system for lowering the jumper to the landing pad shall be operated under the direction of the jump operator, jump master or crane operator.
- (B) An alternative method for jumper recovery shall be specified in the site manual and approved by the director.

901:9-1-27 CRANES.

- (A) All cranes must have a certification of inspection by a testing firm accredited by the U.S. department of labor. This certification must be complete prior to an inspection by the department. This must be done at each location prior to operation and must be re-certified on an annual basis. Re-certification is also required whenever the crane is used for other material lifting purposes.
- (B) Cranes used to elevate personnel platforms for bungee jumping shall be equipped with the following:
 - (1) Boom angle indicators;
 - (2) Boom extension indicators; and
 - (3) Drum rotation indicators.
- (C) A positive acting device shall be used which prevents contact between the load block or overhaul ball and the boom tip (anti two-blocking device). If a positive acting device is not available, a system shall be used which deactivates the hoisting action before damage occurs in the event of a two-blocking situation (two-block damage prevent feature).
- (D) Cranes shall be derated to fifty per cent of its capacity e.g., a rated load of three thousand pounds becomes one thousand five hundred pounds.
- (E) Cranes shall be level, on firm footing and all outriggers fully extended and blocked during operation.
- (F) The load line hoist drum shall have a system or device on the power train,

other than the load hoist brake, which regulates the lowering rate of speed of the hoist mechanism (controlled load lowering). Free fall is prohibited.

- (G) Live boom equipment shall not be used.
- (H) Load lines shall be capable of supporting, without failure, at least seven times the maximum intended load, except that where rotation resistant rope is used, the lines shall be capable of supporting without failure, at least ten times the maximum intended load.
- (I) Load and boom hoist drum brakes, swing brakes, and locking devices such as pawls or dogs shall be engaged when the occupied personnel platform is in a stationary working position.
- (J) A daily log book for operator inspections and repairs will be kept on site.
- (K) The main boom shall be fully extended at all times.
- (L) All cranes that use a jib with cable supported back stays shall have an offset and a positive stop to prevent the jib from flipping over backwards or detaching from its mount point. Cranes with jibs having three or four mounting pins that cannot be offset will not require offsetting.
- (M) The lifting and supporting shall be made under controlled conditions and under the direction of an appointed signal person.
- (N) Cranes shall be operated by a trained operator in accordance with occupational safety and health administration “OSHA” standards and utilize certified hand signals or direct verbal communications. For more information, please visit: <https://www.osha.gov/>.
- (O) Communications between the crane operator, the signal person, and person being lifted shall be maintained at all times during the lift.
- (P) The operator shall remain at the controls when the personnel platform is occupied.
- (Q) Movement of the personnel platform shall be done in a slow, controlled,

continuous manner with no sudden movements of the crane or personnel platform.

- (R) Cranes shall not travel while personnel are on a personnel platform.
- (S) Personnel shall keep all parts of the body inside the personnel platform during raising and lowering to avoid pinch points. Personnel shall not stand on the top rail, midrail or toe board of the personnel platform.
- (T) Personnel platforms shall not be used when winds are in excess of twenty miles per hour, during electrical storms, or other adverse weather conditions which could affect the safety of personnel.

901:9-1-28 SUSPENDED PERSONNEL PLATFORMS.

- (A) Personnel platforms elevated by cranes which are used as bungee jump platforms shall be constructed and rigged according to the requirements of [OSHA Standard 1926.50](#). Where wire rope is used:
 - (1) Each bridle leg shall be connected to a master link or shackle;
 - (2) Wire rope with thimble eyes shall be used;
 - (3) Wire rope shall have a safety factor of five;
 - (4) Locking load hooks shall be used;
 - (5) Gates shall swing inward and shall be equipped with a latching device that prevents accidental opening;
 - (6) The personnel platform and attaching devices shall have a minimum design factor of five;
 - (7) The personnel platform shall have a plate specifying the weight of the empty personnel platform and the maximum number of persons and weight for which the personnel platform is rated; and
 - (8) At each new set-up, and at least annually, prior to hoisting personnel in the suspended personnel platform, the personnel

platform, rigging, and hook block shall be proof tested to one hundred twenty-five percent of the personnel platform's rated capacity by holding it in a suspended position for five minutes with the test load suitably distributed on the personnel platform. After proof testing, any deficiencies revealed by inspection by a qualified person shall be corrected and another proof test shall be conducted. Any modification to personnel platform or rigging shall require retesting of the personnel platform.

- (B) A trial lift with the unoccupied personnel platform loaded at least to the anticipated lightweight shall be made from ground level, or any other location where personnel will enter the platform, to each location at which the personnel platform is to be hoisted and positioned. This trial lift shall be performed immediately prior to placing personnel on the platform. The operator shall determine that all systems, controls and safety devices are activated and functioning properly; that no interferences exist; and that all configurations necessary to reach those work locations will allow the operator to remain under the fifty per cent limit of the hoist's rated capacity. After a trial lift, and just prior to hoisting personnel, the platform shall be hoisted a few inches and inspected to ensure that it is secure and properly balanced. Personnel shall not be hoisted unless the following conditions are determined to exist:
 - (1) Hoist ropes are free of kinks;
 - (2) Multiple part lines are not be twisted around each other;
 - (3) The primary attachment is centered over the platform; and
 - (4) The hoisting system shall be inspected if the load rope is slack to ensure all ropes are properly seated on drums and in sheaves.
- (C) The jump rigging shall be attached to the lifting system.
- (D) The personnel platform shall be limited to a capacity of four persons.
- (E) A grab rail shall be provided around the personnel platform.
- (F) The sides of the personnel platform shall be enclosed from floor to midrail

as defined under OSHA standards with rails.

- (G) An open roof design of the personnel platform is optional for better visibility.
- (H) Nothing shall be added to the personnel platform which affects its stability in the wind.
- (I) A jumper should only jump perpendicular to the boom.
- (J) If the personnel platform is accidentally lowered onto the cords, the cords shall be inspected before jumping is continued.
- (K) In addition, all rules and regulations pertaining to the safe hoisting of personnel as specified by OSHA or other authorities must be complied with.

901:9-1-29 BUNGEE CORD SPECIFICATIONS.

- (A) The performance criteria and system requirements contained in these rules are for both types of bungee cords currently in use in the United States.
- (B) The maximum G-force allowable on a jumper using waist and chest harness is four and one-half G's. The maximum G-force allowable on a jumper using an ankle harness is three and one-half G's.
- (C) The minimum factor of safety (FS) for any cord configuration attached to a jumper whether "Mil. Spec." or "New Zealand" shall be no less than five. This means that the maximum dynamic load possible for a jumper to exert on a bungee cord configuration shall be no greater than twenty percent of the cord configuration's minimum breaking strength.

$$\text{Minimum break strength FS} = \frac{\text{Minimum breaking strength}}{\text{Maximum dynamic load for a jumper}} = \text{five}$$

- (D) Bungee cord design, manufacturing and testing is to be such that it meets the following specifications:
 - (1) In a single cord system, the binding shall hold the cord threads in

the designed positions. The binding shall have the same characteristics as the cord itself. In a multiple cord system, the cord should be bound together in a manner to prevent potential jumper entanglement. The bindings shall not damage or affect the performance of the cords.

- (2) All bungee cords shall be designed and tested to perform within the prescribed limits of the maximum G-force and factor of safety as stated.
- (3) All bungee cord manufacturers must perform conclusive minimum break strength testing on a representative section of all manufactured bungee cords. The bungee cord samples must have been constructed using the manufacturer's standard methods which shall include bungee cord loop end connections that meet the guidelines in this document. All tests shall be performed or supervised by an independent certified testing authority or a independent certified engineer. Test results must be readily available to purchasers of the bungee cords, or regulating authorities, upon request. The testing authority shall determine the ultimate tensile strength of each test specimen and use the lowest failure value recorded as the ultimate tensile strength value for the corresponding lot of bungee cords tested. The ultimate tensile strength is reached when the applied load reaches a maximum before failure.
- (4) A load versus elongation curve resulting from the aforementioned test shall be used to calculate the maximum G-force and factor of safety of the corresponding lot of bungee cords tested. These test results must be readily available to purchasers or users of the bungee cords, or regulating authorities, upon request.
- (5) Operator testing: All commercial operators shall follow the inspection and testing recommendations set forth by the cord manufacturer or distributor. These tests should be completed utilizing the maximum load the cords are designated for.
- (6) All bungee cord manufacturers must provide specifications to

purchasers on maximum allowable usage of bungee cords expressed in number of jumps.

- (7) Bungee cord retirement: Bungee cords shall be retired when the cords exhibit deterioration or damage, do not react according to specifications, or have reached the maximum usage expressed in number of jumps as specified by the manufacturer. All commercial operators must have an auditable system for recording the number of jumps on each individual cord in use. This data must be readily available to the manufacturer and any regulating authority, upon request.
- (8) Bungee cord destruction: Bungee cords retired from use shall be destroyed by cutting the cord into five foot lengths.
- (9) Bungee cords end connections: The end connections shall have a minimum safety factor of five times the maximum dynamic load for that bungee cord configuration. All end connections shall be of a size and shape to allow easy attachment to the jumper harnesses and to the rigging. On multiple cord systems, each cord must meet its own independent end connection. All end attachment points subject to wear are to be retired when the cord is retired. On multiple cord systems, all end attachment points shall be bound together in a protective sheath that allows the individual ends to move with respect to each other. All cord ends shall be inspected every day for wear, slippage, or any other abnormalities, unless the manufacturer specifies more frequent inspections.

901:9-1-30 JUMPER HARNESS AND HARDWARE.

- (A) All harnesses, webbing, bindings, ropes, and hardware shall meet or exceed the standards as set by the International Mountaineering and Climbing Federation (UIAA) or, the requirements of ANSI A10.14-1975. For more information about these standards please visit <http://www.theuiaa.org/> or <http://www.ansi.org/>.
- (B) A jumper harness shall be either a full body harness, a sit harness with shoulder straps, or an ankle harness. Harnesses shall be specifically designed and manufactured for mountaineering or bungee jumping.

- (C) Harnesses shall be available to fit the range of patron sizes accepted for jumping.
- (D) There shall be a redundant connection (backup) between the harness and the cord.
- (E) All load supporting slings or webbing shall be flat tubular mountaineering webbing or its equivalent. Minimum breaking strength shall be six thousand pounds. Slings or webbings shall be formed by sewing, or properly tied with a “water knot” with taped ends.
- (F) Carabineers shall be the steel screw gate type with a minimum breaking strength of six thousand pounds.
- (G) All ropes, pulleys, and shackles used to raise, lower, or hold the jumper shall have a minimum breaking strength of six thousand pounds. All pulleys shall be compatible with the rope.
- (H) All anchors shall meet or exceed the following:
 - (1) Where a single anchor is used to attach the bungee cord to the platform, it shall have a safety factor of twenty;
 - (2) Where two anchors are used to attach the bungee cord to the platform, each shall have a safety factor of five;
 - (3) Where the anchor is made of wire rope, it shall have swagged ends with the thimble eyes; and,
 - (4) Where the anchor is made of “webbing”, it shall be manufactured by a company that normally supplies these anchors to crane and rigging companies.

901:9-1-31 TESTING AND INSPECTION.

- (A) All jump rigging, harness, 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.

- (B) Hardware subject to abnormal loadings, impacts against hard surfaces or having surface damage, shall be replaced immediately.
- (C) All ropes, webbing and bindings shall be inspected visually, and by feel for signs of wear, fraying, or damaged substances in accordance with the site operating manual.

901:9-1-32 REPLACEMENT OF RIGGING AND EQUIPMENT.

- (A) Replacement equipment for the following shall always be available on site:
 - (1) Bungee cords.
 - (2) All rigging ropes.
 - (3) Binding, ankle strapping for jumpers.
 - (4) Jump harness.
 - (5) Life line and clips.
- (B) Items of equipment, rigging or personal protective equipment found to be sub-standard shall be replaced immediately.
- (C) Jumping shall cease immediately when a sub-standard item cannot be replaced.
- (D) This equipment shall be stored in a secure area to prevent tampering and vandalism.

901:9-1-33 IDENTIFICATION OF EQUIPMENT, RIGGING, BUNGEE CORD AND SAFETY EQUIPMENT.

- (A) Each bungee cord shall have its own permanent identification number.
- (B) The form of identification shall not damage or detract from the integrity of the material.

- (C) The identification shall be clearly visible to the operators during daily operations.
- (D) The identification of each piece of equipment shall be recorded in the site operating manual.

901:9-1-34 LANDING/RECOVERY AREA INCLUDING THE AREA IMMEDIATELY UNDER THE JUMP SPACE.

- (A) The following requirements shall apply where the jump space is over land.
 - (1) All jumps require the use of an air bag or net certified by the manufacturer to be capable of absorbing a falling body from the height of the jump point.
 - (2) Sizing of the air bag or net shall be as follows:

Height of jump: Minimum size:

70-100 feet 500 square feet (20 x 25)
100-150 feet 800 square feet (23 x 35)
150-200 feet 1000 square feet (25 x 40)
 - (3) The air bag shall be in position before jumper preparation commences on the platform.
 - (4) Upon completion of a jump, the jumper shall be lowered into a landing area.
 - (5) The landing area shall be free of spectators at all times.
 - (6) The jump zone shall be free of any equipment or staff when a jumper is being prepared on the jump platform and until the jumper lands on the landing pad.
 - (7) A place for the jumper to sit and recover should be provided close to, but outside the landing area.

- (B) The following requirements shall apply where the jump space is over a body of water:
 - (1) A recovery vessel shall be positioned to recover jumpers.
 - (2) The vessel shall be equipped with Coast Guard approved life jackets and rescue equipment. The vessel operators shall wear required life jackets.
 - (3) The jump space shall be free of other vessels, floating objects, submerged objects, the public, and any spectators. When the landing vessel is in open water, it shall be defined by the deployment of buoys. A sign of appropriate size which reads “BUNGEE JUMPING-KEEP CLEAR” shall be displayed.
- (C) Where the landing area is part of a constructed swimming pool complex or is specially constructed for bungee jumping, the following shall apply:
 - (1) The pool size shall meet the requirements for the jump area size.
 - (2) The minimum water depth shall be twelve feet.
 - (3) Rescue equipment shall be available.
 - (4) The jump space and landing area shall be fenced.
 - (5) Only the operators and participants of the bungee jump shall be within the jump space and landing area.
- (D) The defined area shall be enclosed by a fence of adequate height and design as to prevent people, animals and objects from entering the landing area.

901:9-1-35 SITE REQUIREMENTS.

- (A) 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.

- (B) There shall be public address system in operation during all hours of business. There shall be a radio communication link on the permanent platform sites between the platform and the landing/recovery area or vessel.
- (C) All staff shall be easily identifiable.
- (D) Instructions to jumpers shall be placed at the entrance to the site.
- (E) There shall be a means of communication located within two hundred feet of the jump site to local emergency services.
- (F) Jumps shall only be made under the direct control of a jump master.
- (G) Adjustments for the weight of each jumper shall be made by the jump master's selection of either the bungee cord or length of webbing or rope attached to the bungee cord.
- (H) A clearly visible sign shall be erected listing the medical and age restrictions for jumpers.
- (I) Staff shall be briefed for each days operations. This shall include assignment of the designated jump master where more than one jump master is on site.
- (J) Prior to jumping, each jumper shall register with the operator giving the following information: Name, address, city, state, zip code and telephone number; medical factors and exclusions; age and weight.
- (K) Prior to jumping, each jumper shall be provided with information on jumping, landing, lowering, and recovery procedures.

901:9-1-36 JUMPER REQUIREMENTS.

- (A) The minimum age and weight for jumping shall be established by the ride manufacturer.
- (B) Any jumpers who, in the opinion of the operation's staff, represent a danger to themselves or others, shall not be allowed to jump.

- (C) Jumpers visibly under the influence of drugs or alcohol shall not be permitted to jump.

901:9-1-37 STAFF AND DUTIES

- (A) To qualify as a jump master, a person shall:
 - (1) Be not less than eighteen years of age.
 - (2) Have conducted one hundred incident free jumps as jump master under supervision of a qualified jump master.
 - (3) Have complete knowledge of the duties of all personnel operating on the site.
 - (4) Be qualified to train personnel for all duties which are to be performed at a jump site.
 - (5) Have complete knowledge of all aspects of the operation, the site manual and this regulation.
 - (6) Have proof of experience and qualifications available on site at all times.
- (B) The staff of a bungee jumping operation shall include no less than four persons, with the jump master having control over the operation and the responsibility and accountability for the operation of the site, and is responsible for checking selection of the bungee cord and adjusting the rigging at the jump platform.
- (C) Staff training shall be conducted by, or under the direct supervision of a qualified jump master.
- (D) Staff who are in training shall be directly supervised at all times.

901:9-1-38 SITE OPERATING MANUAL.

- (A) The site manual shall describe the system of operation to be used and shall

address, but not be limited to the following elements:

- (1) Site plan showing a plan view of the site with all components in place including fencing, site furniture, the jump zone, safety space, jump area and jump direction defined.
- (2) Site plan showing a profile of the site defining the jump platform and its supporting structure, the jump area, the jump zone, the safety space.
- (3) A complete description of all components in the rigging system which shall include manufacturers specification or a laboratory test certificate of each component.
- (4) A complete description of all operator, jumper and passenger safety equipment.
- (5) A complete description of all rescue equipment.
- (6) 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.
- (7) A complete description of emergency procedures to be taken in all possible scenarios which may occur.
- (8) A complete description of standard operating procedures of every person employed in the processing of the bungee jumper.
- (9) A complete description of the reporting procedures to authorities of incidents resulting in injury.
- (10) A complete description of the reporting procedure for any incidents which do not result in injury but which were not in accordance with normal operational procedures.
- (11) A complete description of equipment inspection procedures and the logging of those inspections.

- (12) A complete description of maintenance procedures.
- (13) A complete description of the qualifications of jump masters employed on the site.
- (B) Each member of the operating staff shall have a thorough knowledge of the site operating manual.
- (C) Non-compliance with any of the criteria contained in the site manual may result in suspension or cancellation of the permit.

901:9-1-39 EMERGENCY PROVISIONS AND PROCEDURES.

- (A) Each site shall have an emergency plan. This plan shall be reviewed and approved in writing by the local emergency service responsible for providing emergency rescue service.
- (B) Each bungee jumping site shall have in attendance at all times during operation one staff member who shall have a current first aid certificate and has completed an annual refresher course from one of the following entities:
 - (1) American Red Cross - Standard First aid or Advanced First Aid.
 - (2) Ohio Department of Education - Emergency Medical Technician - Basic.
 - (3) Any other person, agency, or organization whose training the licensor determines is comparable.
- (C) At sites where the jump is over water, one of the landing/recovery staff shall be a holder of a current life saving certificate from one of the following entities:
 - (1) American Red Cross - Lifeguard Training or Advanced Lifesaving.
 - (2) YMCA - National YMCA Lifeguard.
 - (3) Boy Scouts of America - BSA, Lifeguard (within the previous

three years) or BSA, Aquatic Instructor (within the previous three years).

- (4) Ellis and Associates - National Pool and Waterpark Lifeguard Training.
 - (5) Any other person, agency, or organization whose training the licenser determines is comparable.
- (D) 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 site.
 - (E) Emergency lighting shall be provided at all jump sites that operate one-half hour prior to sunset until one-half hour after sunrise. The emergency lighting system shall light the jump platform, the jump space and the landing area. The emergency lighting system shall have its own power source.
 - (F) A backup means of communication shall be available in case of a power failure.

901:9-1-40 PROHIBITED ACTIVITIES.

The following practices are prohibited:

- (A) Bungee catapulting when the jumper has the potential of coming in contact with overhead structures.
- (B) Sandbagging.
- (C) Tandem jumping.
- (D) Bungee jumping from hot air balloons.

901:9-1-41 NETS.

- (A) All safety nets shall comply with ANSI requirements for safety nets, ANSI

A10.11-1989. For more information regarding this standard, please visit:
<http://www.ansi.org/>.

- (B) Support poles of the safety net shall be located outside of the jump space.
- (C) The safety net shall be of sufficient tension and height above the ground to be able to restrain a jumper in the event of any equipment malfunction.

ADMINISTRATIVE RULES PERTAINING TO GO-KARTS

901:9-1-42 TERMINOLOGY.

As used in rules [901:9-1-42](#) to [901:9-1-47](#) of the Administrative Code:

- (A) “Attendant” means a person who assists the track operator with guest direction and control but is not responsible for instructing and dispatching the concession go karts.
- (B) “Barrier” means a device or a system of devices used to ensure go karts remain within the confines of a specified area.
- (C) “Concession go kart” and “go kart” or “kart” mean an amusement ride or device, other than a race kart, which meets all of the following specifications:
 - (1) The device is a single vehicle, unattached to other vehicles or a common frame system;
 - (2) Is self powered without connection to a common energy source;
 - (3) Is driver controlled with respect to acceleration, speed, braking, and steering;
 - (4) Operates within the range of a defined track, which is intended to replicate competitive motor sports;
 - (5) Is used by members of the general public;
 - (6) Has a maximum capacity of two persons; and
 - (7) Has no cargo capacity.
- (D) “Containment system” means a device installed on the concession go kart track which defines the boundaries of the track and whose primary purpose is to contain the vehicles within the defined boundary.

- (E) “Driver” means the person who manipulates and controls the direction of travel, braking, and speed control(S) on a concession go kart.
- (F) “Open wheel/scaled racer concession go kart” means a concession go kart raced alone against a clock or for time with the maximum speed permitted governed by the track design and manufacturer’s requirements and specifications.
- (G) “Passenger” means the person who is transported aboard a concession go kart without having control of the direction of travel, braking, and speed of the vehicle.
- (H) “Pit” means a defined station for the purpose of loading and unloading drivers and passengers during the initiation and conclusion of the ride cycle.
- (I) “Race kart” means go karts purposefully built by the manufacturer for racing on tracks, streets, or other areas in competition.
- (J) “Track” means a defined path intended to be used for the purpose of operation of concession go karts which is hard surfaced, and is fitted with a containment system to define the path of and retain the travel of vehicles.

901:9-1-43 DESIGN AND MANUFACTURE.

- (A) Concession go karts shall either:
 - (1) Be constructed in such a manner that the wheels from one kart cannot, within reasonably foreseeable circumstances, override or engage the wheels of another kart; or,
 - (2) Be operated only on a concession go kart track with a containment system which prevents the karts from coming in contact with each other.
- (B) Concession go kart operators shall have on hand for concession go karts one or more operational, maintenance and repair manuals which meet

American society for testing and materials (“ASTM”) F 853-93 standard for maintenance procedures. For more information regarding this standard, please visit: <http://www.astm.org/>.

- (C) Concession go karts shall be equipped with a fuel tank and cap which will not leak more than one ounce of fuel in five minutes when the go kart is in the upright position, on its side, or upside down.
- (D) Concession go kart fuel tanks shall be installed in such a manner to minimize the potential for rupture or damage in the event of a rollover collision with another kart or a track obstacle.
- (E) The speed control and brake actuator locations of concession go karts shall be clearly identified with signage, or by coloring the speed control green and the brake actuator red.
- (F) Concession go karts shall be equipped with occupant compartment padding. Padding shall be provided for the steering hub, headrest, steering wheel support post, and any other vehicle parts occupants are likely to come in contact with during a collision or rollover.
- (G) Concession go karts shall have protective covers for moving or heated components to prevent driver and passenger contact with these components while seated in the normal position in the kart.
- (H) Concession go karts shall be equipped with restraints to help prevent occupants from being ejected in a collision.
- (I) Concession go kart braking systems shall have sufficient braking capacity to override the full power of the engine.

901:9-1-44 TRACK DESIGN AND CONSTRUCTION.

- (A) Concession go kart tracks shall have a containment system which meets or exceeds manufacturer’s recommendations. Karts that are designated open wheel/scaled racer concession go karts are not required to have a track containment system, but may be required to have barrier systems installed at specific location.

Tire containment systems, if used, shall have a track side banding system sufficient to keep karts on the track when tires are used as support components for a containment system, the tires shall be placed to help prevent the tires from raising the band upon being impacted by a kart.

- (B) Concession go kart track surfaces shall be free of vertical misalignment which affects operational design and made of a material which cannot be moved or displaced by tire action.

Variances of the track surfaces for open wheel/scaled racer concession go kart operations may be granted upon the recommendation of the go kart manufacturer and the approval of the department.

- (C) Concession go kart track bridges shall have a barrier system behind the containment system and on either side of approach and egress of a bridge which is adequate to retain a kart on the track or perimeter surface without allowing kart rollover.

- (D) Tires used for a containment system on a concession go kart track shall be free of rims or wheels. Tires used for other purposes, such as pit entry “safety spinners”, shall be mounted on rims/wheels, inflated and the wheels shall be installed on a rigidly mounted spindle.

- (1) Spinner tires shall be inflated to a maximum pressure of five PSI; and

- (2) Spinner tire wheels shall be designed and marked as “no step” for employee and guest safety.

- (E) A fence or physical device at least forty-two inches high shall enclose the entire concession go kart track, driveways and pit and fuel storage areas in order to provide a separation between those areas and areas generally accessible by the public. Fences and gates shall have no opening through which a four inch ball could pass. Fence gates shall be equipped with a positive latching device. Gates shall not open towards the track if doing so poses a hazard. There shall be a fence between the queue area and the pit area.

- (F) There shall be no intersections in the kart track which allow or enable go karts on a concession go kart track to cross one another in opposite directions, on the same track plane.
- (G) Obstructions which could be struck by go karts during operation on a concession go kart track shall be protected by a material which will reduce or minimize the impact.
- (H) Concession go kart tracks operating at night shall have appropriate illumination to allow for visual observation of the track by attendants and drivers.
- (I) A ten pound or heavier b-c rated fire extinguisher shall be accessible within a maximum of seventy feet of any point of the concession go kart track. Fire extinguisher locations should be properly marked in accordance with local, state, or federal regulations. Locations shall be, but are not limited to pit, maintenance and fuel storage areas.
- (J) Concession go kart track pit areas shall be free of permanent obstructions other than those protected by material which will reduce or minimize impact. Impact safety systems may include but not be limited to safety spinners, traffic guidance or remote control devices.
- (K) Markings or signs indicating direction of kart travel and to identify pit lanes shall be provided in a manner that is clearly visible to kart drivers.
- (L) The entry and/or pit area of a concession go kart track shall include instructions and rules signs visible from the main entrance to the queue line and other appropriate locations to enable all patrons to read rules and procedures of safe track operation. The sign(s) shall meet other signage guidelines. The instructions and rules shall include, but not be limited to, the following:
 - (1) Keep hands and feet inside the kart at all times;
 - (2) Height and/or age restrictions;
 - (3) All loose clothing and hair longer than shoulder length must be secured;

- (4) No smoking in karts or in pit areas;
 - (5) Starting and stopping instructions;
 - (6) Drivers and passengers shall remain seated with seat belts fastened at all times, unless instructed otherwise by attendant;
 - (7) Obey verbal instructions by track attendant; and,
 - (8) No bumping with karts.
- (M) A conspicuous warning sign shall be posted which shall convey at least the following:
- (1) “You should not ride this ride if you have a heart condition, are pregnant, have had a recent illness or have a history of head, back, or neck ailments.”
 - (2) “Persons under the influence of intoxicants will not be allowed to operate or to be a passenger in any concession go kart.”
 - (3) Any other manufacturer requirements or specifications.

901:9-1-45 CONCESSION GO KART FACILITY OPERATIONS.

- (A) The owner of a concession go kart track shall provide training for each operator and attendant of the go kart track. This training shall include but not be limited to the following:
- (1) Instruction on concession go kart track operating procedures;
 - (2) Instructions on specific duties of the assigned position;
 - (3) Instructions on general safety procedures;
 - (4) Instructions on emergency procedures;

- (5) Demonstration of the physical ride or device operation;
 - (6) Supervised observation of the ride or device operator's physical operation of the ride or device;
 - (7) Instruction in basic fire safety and/or equipment training in accordance with local, state, or federal codes;
 - (8) Instructions on fueling procedures; and,
 - (9) Additional instructions deemed necessary by the owner.
- (B) The track owner shall develop a written training outline/checklist which shall be used in all training programs to ensure uniformity of training.
- (C) Concession go kart fueling operations shall be performed a distance from any person not directly involved in the procedure in accordance with local, state, or federal regulations.
- (D) Concession go kart track personnel shall conduct a daily pre-opening inspection of karts in accordance with the go kart manufacturer's recommendation. Pre-opening inspections should include but not be limited to go kart track safety equipment, the pit area, and track facilities.
- (1) The facility shall maintain a written record of daily inspections including items checked, identity of discrepant items, disposition of the discrepant items, identity of the inspector, and sign-off by authorized personnel. Records shall be maintained for such a period as dictated by insurance carriers, local legal statutes, and company counselor's advice or for a minimum of two calendar years.
 - (2) In the absence of specific manufacturer's recommendations for pre opening inspections, the daily pre opening inspections shall include criteria approved by the department.
- (E) Owner shall maintain brake and throttle markings so they are clearly visible, and in the event markings are not provided by the manufacturer, shall provide such markings.

- (F) Concession go kart track owners shall maintain written maintenance and repair records for each go kart.
 - (1) Maintenance records shall contain information as specified by the go kart manufacturer but shall contain at least the serial number of the kart, date of repair, nature of repair or adjustment, and the identity of the person making the repair or adjustment; and
 - (2) Records of vehicle maintenance and staff training shall be maintained for such a period as dictated by insurance carriers, local legal statutes, or for a minimum of two calendar years.
- (G) Concession go kart track attendants shall be positioned so that they can identify and reach any section of the concession go kart track within twenty seconds during track operation in order to render assistance.
- (H) Concession go kart personnel shall verify that drivers and passengers are properly secured in provided restraint devices in accordance with go kart manufacturer's specifications prior to the beginning of each ride cycle.
- (I) A signaling system or procedure shall be provided by the owner for track staff to warn drivers of hazardous or caution situations while go karts are operating on the concession go kart track.
- (J) Audible verbal instructions, concerning go kart ride rules shall be announced to all guest drivers/passengers prior to each ride cycle. Pre-ride instructions shall include, but not be limited to:
 - (1) Directions to ask for assistance prior to riding should the instructions not be understood;
 - (2) Directions for identifying the brake and fuel actuator markings shall be included in driver and passenger instruction signs; and
 - (3) Directions to remain seated with seat belt fastened until instructed otherwise by the attendant.

- (K) Child passengers in two seat concession go karts shall be accompanied by a driver meeting the minimum specifications for driver height or age established by the go kart manufacturer.
- (L) Concession go kart track employees shall be readily identifiable to patrons.
- (M) Multiple passengers shall not be permitted to occupy the same seat or to use a single set of restraints.
- (N) Concession go kart track surface shall be maintained in good repair, and free of cracks, obstructions, and pot holes which could either damage the kart or cause the driver to lose control of the vehicle.
- (O) Only go karts in operation shall be permitted on track during operation. No concession go karts shall be on the track at any time unless the kart is in operation under the control of a driver.

901:9-1-46 GO KART TRACK PLAN REVIEW.

- (A) No person shall construct a new go kart track or construct, install, or make major modifications to an existing go kart track until plans have been submitted to, reviewed, and approved by the department.

ADMINISTRATIVE RULES EXEMPTIONS

901:9-1-47 EXEMPTIONS.

- (A) Section [1711.531](#)(B) of the Revised Code does not apply to:
- (1) A ride powered solely through a three prong plug connected to an existing and permanent one hundred ten volt, three prong outlet.

**ADMINISTRATIVE RULES PERTAINING TO THE
ADVISORY COUNCIL ON AMUSEMENT RIDE SAFETY**

**901:9-1-48 MEETING OF THE ADVISORY COUNCIL ON AMUSEMENT
RIDE SAFETY.**

(A) Council meetings Regular meetings of the advisory council shall be held in the first week of January at the Ohio fair managers association annual meeting and, any other time during the calendar year, when a meeting is called by the council's chairperson.

(B) Notice of meetings

Adequate notice of each meeting shall be given to each member of the council. Notice of the council meeting date, starting time and location will be posted on the Ohio department of agriculture's web site.

(C) Notice of special and emergency meetings

Notice of date, time, place, and purpose of special meetings shall be placed on the department's website, and sent to media outlets that requested such information, at least twenty-four hours prior to said meeting. Notice of date, time, location, and purpose of all emergency meetings shall be given to all news media who requested prior notification and the meeting notice shall be published on the department's website.

Any person may obtain prior notice of the date, time, and location of any regularly scheduled, emergency, or any of the aforementioned meetings when a particular type of business is to be discussed by requesting prior notification in writing from the "Ohio Department of Agriculture, Amusement Ride Safety Division, 8995 East Main Street, Reynoldsburg, Ohio 43068; or by calling the Amusement Ride Safety Division at (614) 728-6280."

ADMINISTRATIVE RULES PERTAINING TO MULTIPLE VEHICLE SAFETY SYSTEMS

901:9-1-51 MULTIPLE VEHICLE SAFETY SYSTEM.

This rule applies to all permanent coasters, portable coasters and all water coasters utilizing a multiple vehicle safety system.

- (A) All amusement rides have modes of operation. These modes can change. Switching from one mode to another shall not initiate operation of the ride. A separate action by the operator shall be required to initiate operation. Proper safeguards shall remain effective for all operating and non-operating modes.
- (B) Safety related parameters: when the ride manufacturer defines specific safety related parameters, the safety related control system shall not allow the amusement ride or device to exceed the specific manufacturer's safety performance, such as inadvertent contact of vehicles.
- (C) Each amusement ride or device shall be permitted to have one or more operating modes (for example: automatic, manual) that are determined by the type of ride and its operation.
- (D) When a safety related control system has more than one mode of operation, the selected mode of operation must be visibly indicated. Any change of mode shall require deliberate operator action.
- (E) When hazardous conditions can arise from mode selection such operation shall be protected by suitable means (for example: key operated switch, access code).
- (F) Mode selection by itself shall not initiate operation. A separate action by the operator shall be required.
- (G) Safeguards shall remain effective for all operating modes.
- (H) Where it is necessary to temporarily override one or more safeguards, a mode selection device or means capable of being secured in the desired mode shall be provided to prevent automatic operation.

- (I) Initiation of motion by a hold-to-run or other control device is required.

