

DEPARTMENT OF LABOR AND EMPLOYMENT

Division of Oil and Public Safety

AMUSEMENT RIDES AND DEVICES

7 CCR 1101-12

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1.0 General

1.1 Statutory authority.

C.R.S. 8-20-1002 and 8-20-1004

1.2 Purpose.

This regulation is promulgated to establish reasonable standards for the construction, repair, maintenance and operation of amusement rides and devices within Colorado in the interest and safety of the general public, to establish financial standards for the operation of amusement rides and devices and to provide for a registration process for amusement rides and devices.

1.3 Scope.

All of the codes and standards of the ASTM (American Society for Testing and Materials) Standards F 24 Committee on Amusement Rides and Devices are adopted in these rules and regulations including but not limited to the following:

Standard Practice for Design and Manufacture of Amusement Rides or Devices

Designation: F 1159- 03a

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for Maintenance Procedures for Amusement Rides and Devices

Designation: F 853- 05

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for the Dynamic Characteristics of Amusement Rides and Devices

Designation: F 2137- 04

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Specification for Physical Information to be Provided for Amusement Rides and Devices

Designation: F 698-94 (Reapproved 2000)

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Guide for Inspection of Amusement Rides and Devices

Designation: F 893- 05a

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for Operation Procedures for Amusement Rides and Devices

Designation: F 770- 06a

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Guide for Classification of Amusement Ride and Device Related Injuries and Illnesses

Designation: F 1305-94 (Reapproved 2002)

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Guide for Testing Performance of Amusement Rides and Devices

Designation: F 846-92 (reapproved 2009)

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for Design of Amusement Rides and Devices

Designation F 2291-09a

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for Quality, Manufacture, and Construction of Amusement Rides and Devices

Designation: F 1193-06

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for Classification, Design, Manufacture, and Operation of Concession Go-Karts and Facilities

Designation: F 2007-07a

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for Special Requirements for Bumper Boats

Designation: F 2460-07

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Standard Practice for Special Classification, Design, Manufacture, Construction, and Operation of Water Slide Systems

Designation: F 2376-08

ASTM International

100 Barr Harbor Drive

West Conshohocken, PA 19428-2959

Interested parties may inspect the referenced incorporated materials by contacting the Program Manager, Amusement Rides and Devices, 633 17th Street, Suite 500, Denver, CO 80202 and/or The State Depository Libraries.

This rule does not include later amendments to or editions of the incorporated material.

1.4 Definitions.

Amusement Ride or Device: shall mean any mechanized device or combination of devices which carries or conveys persons along, around or over a fixed or restricted course for the purpose of giving its passengers amusement, pleasure, thrills or excitement. "Amusement ride" includes the business of operating bungee jumping services or providing services to facilitate bungee jumping, but does not include playground equipment, mechanical horse or bull rides, or coin-operated devices.

Certificate of Inspection: The documentation of the annual amusement ride inspection conducted by an inspector.

Class A amusement ride: an amusement ride with a fixed location and designed primarily for use by children 12 years of age or younger.

Class B amusement ride: Any amusement ride not defined as a Class A amusement ride.

Director: shall mean the director of the Division of Oil and Public Safety or his designee.

Division: shall mean the Division of Oil and Public Safety of the Department of Labor and Employment.

Injury: shall mean an injury that results in death or requires medical treatment (other than first aid) administered by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first aid treatment for one time treatment and subsequent observation of minor scratches, cuts, burns, splinters, and any other minor injuries that do not ordinarily require medical care even though treatment is provided by a physician or by registered professional personnel.

Inspector: A person qualified by training, education, or experience to conduct safety inspections of amusement rides or devices in accordance with the ASTM standards, the manufacturer's standards and criteria, or standards established by the insurance company.

Inspection: A procedure to be conducted by an inspector to determine whether an amusement ride or device is being constructed, assembled, maintained, tested, operated, and inspected in accordance with the ASTM standards, the manufacturer's, or insurer's standards, whichever is the most stringent, and that determines the current operational safety of the ride or device.

Operator: shall mean a person or the agent of a person, corporation or company who owns or controls or has the duty to control the operation of an amusement park or carnival or the carnival-amusement rides and devices used thereon.

Registration: shall mean the filing of a properly completed application with the Division and approval of the application by the Director.

Ride Operator: shall mean the person that has control of the carnival-amusement ride or device at all times that it is being operated for the public's use.

1.5 Exemptions.

The following rides and devices are exempt from the provisions of these rules and regulations:

- (a) Coin operated model horse and model rocket rides, mechanical horse or bull rides, and other coin activated devices.
- (b) Non-mechanized playground equipment including but not limited to swings, seesaws, stationary spring mounted animal features, rider propelled merry-go-rounds, climbers, slides, trampolines,

swinging gates and physical fitness devices.

- (c) Pony rides where the animal is under control of the person with an attached lead line or where the animal is within a fixed or restricted route or course in full view of the operator at all times.
- (d) Any device or ride otherwise covered by these rules but regulated by any other state agency.
- (e) Any carnival or amusement park who notifies the Director of the Division of Oil and Public Safety in writing that is inspected and licensed or issued a permit by a home rule municipality for operation within that jurisdiction shall be exempt from the requirements of this subsection.

2.0 Standards.

Amusement rides and devices may not operate within the State of Colorado unless the owner/ operator has registered with the Division of Oil and Public Safety and has satisfied and is continuing to satisfy the following standards.

2.1 Financial standards.

Any person who operates an amusement ride must have currently in force an insurance policy written by an insurance company authorized to do business in this state or by a surplus lines insurer, in an amount of not less than \$100,000 per occurrence with a \$300,000 annual aggregate for Class A amusement rides and an amount of not less than \$1 million per occurrence for Class B amusement rides insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride.

2.2 Safety and health standards.

Amusement rides shall be constructed, maintained and repaired subject to the following standards:

- (a) Amusement rides or devices or any part thereof shall be constructed, maintained, repaired, and operated in accordance with the applicable ASTM standards or the manufacturer's standards, whichever is the most stringent, in order to provide for an operation free from recognized safety hazards likely to cause death or serious bodily harm.
- (b) Amusement rides shall be constructed, maintained and repaired in accord with all otherwise applicable federal, state and local safety, fire, health or building codes or standards.
- (c) An annual inspection must be conducted on each amusement ride and shall include a method to test the stress and wear related damage of critical parts of a ride that the manufacturer of the amusement ride determines are reasonably subject to failure as the result of stress and wear and could cause injury to a member of the general public as a result of a failure. The inspection shall also include a review of the owner/operator's daily inspection records and inspection and maintenance program in accordance with ASTM Standards or the manufacturer's guidelines/inspection criteria. The inspection shall be conducted with the amusement ride or device in an operable state and include an evaluation of the device for a minimum of one complete operating cycle.
- (d) A separate certificate of inspection shall be completed and signed by the inspector for each amusement ride or device and shall be submitted with the operator's application for registration.
- (e) The inspection certificate shall not be submitted to the Division of Oil and Public Safety until all discrepancies have been resolved and all necessary repair(s) or replacement(s) required IN ACCORDANCE WITH the standards of 2.2.1 have been made.
- (f) If the amusement ride or device does not meet the standards of 2.2.1, the amusement ride shall not

be operated until all necessary repair(s) and/or replacement(s) have been made and the ride re-inspected and a certificate of inspection/re-inspection has been issued.

- (g) In addition to the annual inspection required under this section, the owner/operator who operates a mobile amusement ride must perform and record daily inspections of the mobile amusement ride including safety restraints on each mobile amusement ride.
- (h) Records of the daily inspections must be available for inspection at the location at which the amusement ride is operated, and the records must be maintained with the amusement ride for a period of one year.
- (i) The daily inspection record must include an inspection of the following:
 - (1) safety belts, bars, locks and other passenger restraints;
 - (2) all automatic and manual safety devices;
 - (3) signal systems, brakes and control devices;
 - (4) safety pins and keys;
 - (5) fencing, guards, barricades, stairways and ramps;
 - (6) ride structure and moving parts;
 - (7) tightness of bolts and nuts;
 - (8) blocking, support braces and jackstands;
 - (9) electrical equipment;
 - (10) lubrication as per manufacturer's instructions;
 - (11) hydraulic and/or pneumatic equipment;
 - (12) check communication equipment necessary for operation (if applicable);
 - (13) prior to opening, operate ride through one complete cycle of proper functioning; and
 - (14) any other component that is included in the manufacturer's specific ride maintenance and safety checks or ASTM standards, or that the operator or person performing the daily inspection deems necessary for inspection.

3.0 Registration.

An amusement ride or device shall not be operated within the State of Colorado without first becoming permitted as provided herein. Each operator of an amusement ride or device must register prior to operation within the State of Colorado by filing an application with the Division of Oil and Public Safety and obtain a permit for operation.

No person shall allow the construction, assembly, or operation of any amusement ride or device on property owned or leased by such person until the operator of the amusement ride or device has obtained a permit for operation from the Division of Oil and Public Safety.

The application shall be on the form prescribed by the director and shall include the following registration

requirements.

3.1 Fees

Annual registration fees as identified in the accompanying table:

	Registration fee for amusement ride operator	Registration fee for class A rides	Registration fee for B rides
Amusement Rides and Devices	\$500	\$100 per ride	\$135 per ride

3.2 Registration Requirements

- (a) The name and address of the operator.
- (b) The trade name of the manufacturer, and the serial number of all rides and devices.
- (c) A report of any injury occurring in any state caused by an amusement ride which results in death or requires medical treatment. An injury is caused by the ride if the injury occurs on the ride or is in any way associated with the ride.
- (d) A list of the dates and locations of operation of the carnival or amusement park within the state, including the dates at each location.
- (e) The name of all liability insurance carriers and the insurance policy numbers.
- (f) An original amusement ride certificate of inspection for each amusement ride showing the name, serial number, manufacturer of the ride, the inspector's name, the owner/operator, and other information as required by 2.2.4 of these rules.
- (g) Any other information reasonably related to the standards set forth above in section 2.0.
- (h) A certificate of a liability insurance for the registration period in an amount of not less than \$100,000 per occurrence with a \$300,000 annual aggregate for Class A amusement rides and an amount of not less than \$1 million per occurrence for Class B amusement rides insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride. The operator shall cause the operator's insurance carrier to submit directly to the division the certificate of insurance stating that the operator has complied with the insurance section of this regulation.

3.3

Upon receipt of an application, the director shall review the application, and upon determining that the provisions of these rules have been met, shall approve the application and register the carnival or amusement park.

3.4

If, upon review of the application, the director determines that the provisions of this section 3 have not been met, the director shall reject the application until such time as the requirements of these rules are met.

3.5 Bungee Jumping - Documentation of:

- (a) A system review (structures, cords, harnesses, attachment components, etc.) that includes evaluation and inspection by a Colorado Registered Mechanical Engineer, with his certification /stamp that the system design is adequate for the intended application, shall be provided to the Public Safety Section.
- (b) All elements of the American Society for Testing and Materials – Standards on Amusement Rides and Devices (Fourth Edition – August 1992), excluding the subsequent addenda incorporated by the code forward, and the North American Bungee Association (NABA) Guidelines – 1992, excluding the subsequent addenda, are to be conformed to as a minimum standard. Documentation of this conformity shall be provided to the Public Safety Section.
- (c) Where the facility incorporates a crane structure for hoisting customers and/or staff members, the mechanism must conform to national standards. These standards include both the Occupation Safety and Health Administration Standards (OSHA) – 1926.550 – April 18, 1989, excluding the subsequent addenda incorporated by the code forward, and the American Society of Mechanical Engineers (ASME) B30.5 – 1989 including addenda A-1990 and addenda B-1991, excluding the subsequent addenda incorporated by the code forward. Documentation of this conformity shall be provided to the Public Safety Section.
- (d) Where the facility incorporates a hot air balloon for elevation purposes, copies of the current, valid Standard Airworthiness Certificate and Special Airworthiness Certificate issued by the Federal Aviation Administration (FAA), and records showing that all maintenance and alterations have been performed in accordance with Parts 21, 43, and 91 of the Federal Aviation Regulations excluding the subsequent addenda, shall be provided to the Public Safety Section.

4.0 Records.

Every carnival or amusement park operator shall maintain detailed records relating to the construction, repair and maintenance of its operation including safety, inspection and ride operator training activities. Such records shall be made available to the director or his agent and inspectors, at reasonable times, including during an inspection upon the inspector's request.

5.0 Enforcement.

- 5.1 Division staff may inspect the premises and operation of any amusement ride or device to insure that the financial and safety standards in this regulation have been met.
- 5.2 If the director determines that an operator of an amusement ride or device fails to meet the standards set forth in section 2.1 or 2.2, or that an amusement ride or device, or any part thereof is being repaired, constructed, maintained or operated in violation of any other section of this regulation, the director may give notice of the violation of these regulations to the operator and order any such changes that are necessary to render such amusement ride or device in compliance with the standards set forth in Sections 2.1 or 2.2 or with the other provisions of this regulation.
- 5.3 Violations of these regulations by any operator of an amusement ride or device, or any part thereof, shall be enforced, after notice is given pursuant to section 5.2 above, in accordance with C.R.S. 8-20-104 by the director.

6.0 Effective date.

This regulation shall be effective July 7, 2010.

Editor's Notes

History

Entire rule effective 12/1/2008.

Entire Rule emer. rule eff. 07/07/2010.