

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 the 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.
- (H) The department shall, within thirty days of the date of receipt of the application, determine whether a permit will be issued. If the owner/operator meets all requirements for a permit, such permit will be issued. If the owner fails to meet these requirements, the department will inform the owner in writing that the permit is being denied. In the event of a denial, the owner shall be afforded a hearing in accordance with Chapter 119. of the Revised Code.
- (I) To assure continued safety of all amusement rides or devices licensed under section 1711.53 of the Revised Code and in addition to both the initial and midseason operational inspection provided for in paragraph (A) of this rule, periodic safety inspections may be conducted at various times throughout the term of the permit. These inspections will bear no cost to the owner.

(J) Rides or conveyances not subject to a permit or inspection include, but are not limited to, the following: canoe livery rides, riding stables, hay rides, untethered balloon rides, pressure boilers used for locomotion on train or trolley rides used in the portable or permanent amusement industry, spa-type fitness devices, hand-held animal rides, airplane or helicopter flights and single or multiple passenger coin-operated rides customarily found in public locations outside the amusement industry.

R.C. 119.032 review dates: 10/23/2012 and 10/23/2017

CERTIFIED ELECTRONICALLY

Certification

10/23/2012

Date

Promulgated Under: 119.03
Statutory Authority: 1711.53
Rule Amplifies: 1711.53
Prior Effective Dates: 03/20/86; 06/20/88; 12/28/92; 08/01/93; 01/03/00;
08/25/03