

901:9-1-01

Amusement ride or device permit.

(A) No person shall operate an amusement ride, as defined in section ~~1711.50~~993.01 of the Revised Code, without a permit issued pursuant section ~~1711.53~~993.04 of the Revised Code and this rule.

(B) Issuance.

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

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

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

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

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

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

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

(C) Term and transfer.

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

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

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

(D) Application.

- (1) At least thirty days prior to the operation of any amusement ride or device, the owner shall submit to the director all of the following for all rides that the owner intends to operate in Ohio:
- (a) A completed application for all rides the owner wishes to permit. Applications may be found on the department's website www.agri.ohio.gov;
 - (b) The permit fee, as outlined in section ~~1711.53~~993.04 of the Revised Code; and
 - (c) The appropriate initial inspection fees:
 - (i) For inflatable rides, the annual inspection and reinspection fee shall be one hundred four dollars.
 - (ii) For all other rides, the annual inspection and reinspection fee shall be in accordance with division (E)(1) of section ~~1711.53~~993.04 of the Revised Code.
 - (d) A list of all locations and dates where the portable ride was either stored for a period longer than thirty days or operated outside of the state of Ohio. Owners of portable rides shall submit these records for the following periods of time:
 - (i) Effective January 1, 2021: submit to the department the locations and dates as described in paragraph (D)(1)(d) of this rule that took place between January 1, 2020 and December 31, 2020.
 - (ii) Effective January 1, 2022: submit to the department the locations and dates as described in paragraph (D)(1)(d) of this rule that took place between January 1, 2021 and December 31, 2021.
 - (iii) Effective January 1, 2023: submit to the department the locations and dates as described in paragraph (D)(1)(d) of this rule that took place during the last three years.

- (2) Upon review of the information provided in paragraphs (D)(1)(d)(i) to (D)(1)(d)(iii) of this rule, the department may require additional testing, inspections, and documentation to be completed prior to issuing a permit.
- (3) All coin-operated rides located at a specific park or with a given show may be included on a single permit application.

(E) Insurance.

- (1) Each owner is required to have insurance coverage and provide proof of such coverage to the department.
- (2) Acceptable forms of proof of insurance are:
 - (a) A copy of the executed policy;
 - (b) A certified statement issued by the insurer attesting to the requirements set forth in section ~~1711.54~~993.06 of the Revised Code; or
 - (c) Other evidence which is deemed satisfactory to the director.
- (3) Proof of insurance shall include the amount and duration of the coverage and either:
 - (a) A listing of the rides and devices covered by manufacturer, make and model number, and either a serial number or unique identifying number; or
 - (b) A statement to the effect that all rides or devices operated under the control of the insured are covered. In this case, any and all exclusions from the coverage must be explicitly documented by the insurance company.

(F) Itinerary.

- (1) All owners of portable amusement rides shall submit with their ride permit application their yearly itinerary as known.
- (2) The itinerary shall include:
 - (a) The dates of operation with opening time;
 - (b) The date and time the operator will be ready for inspection;
 - (c) The location of operation, including street and address when within an incorporated or unincorporated city or village;

- (d) The local contact information, if available;
 - (e) The approximate number of adult and kiddie rides which shall be operated;
and
 - (f) The number of adult and kiddie rides which have not yet been licensed in
the current calendar year.
- (3) The permit holder shall report to the amusement ride safety division any changes, additions, or deletions to the itinerary at least ten days prior to the date the changes, additions, or deletions are scheduled to occur. Failure to report these changes to the amusement ride safety division prior to the ten day restriction is a violation of this rule unless supporting documentation can be provided to show that an itinerary change or cancellation prior to the start of the event was not practical.

(G) Initial inspection.

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

(H) Midseason operational inspection.

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

- (4) All midseason operational inspections shall be recorded on a form developed by the department, and a copy shall be given to the owner after completion by the inspector.

(I) Safety inspection.

To assure continued safety of all amusement rides or devices licensed under section ~~1711.53~~993.04 of the Revised Code periodic safety inspections may be conducted at various times throughout the term of the permit. These inspections are in addition to both the initial and midseason operational inspection and are provided to the owner at no cost. Any violations that are discovered during these inspections shall be enforced in the same manner of those violations discovered in the initial and midseason inspections.

(J) Plate and decal.

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

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

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

- (1) Canoe livery rides,
- (2) Riding stables;
- (3) Hay rides;
- (4) Untethered balloon rides;
- (5) Pressure boilers used for locomotion on train or trolley rides used in the portable or permanent amusement industry;
- (6) Spa-type fitness devices;
- (7) Hand-held animal rides;
- (8) Airplane or helicopter flights, and

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

Effective:

Five Year Review (FYR) Dates: 3/25/2022

Certification

Date

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