

**TITLE 380. DEPARTMENT OF LABOR  
CHAPTER 55. AMUSEMENT RIDE SAFETY RULES**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**380:55-1-2. Definitions**

The following words and terms, when used in this Chapter shall have the following meaning, unless the context clearly indicates otherwise.

**"Act"** means the Amusement Ride Safety Act, 40 O.S. § 460 *et seq.*

**"Actual inspection time"** means the time the inspector is at the amusement area ~~include~~ including: unloading, erection, relocating, set up, testing, observation, repair maintenance and delays incident hereto.

**"Alteration"** means any change in either the structural or operational characteristics of the amusement ride which will alter its performance from that specified in the design criteria of the manufacturer. [40 O.S. 460.1]

**"Amusement area"** means that which is commonly referred to as the midway. An area occupied by an activity, exposition show or amusement ride or rides. It is principally devoted to offering amusement exhibits, or entertainment to the public. All structures that receive electrical power from an independent source, which also serves amusement rides and attractions, are included within the amusement area.

**"Certificate"** means the document issued to an applicant upon successful examination.

**"Certification"** means the testimony of qualification.

**"Competent"** means having the requisite or adequate ability or quality to perform the functions necessary to operate an amusement ride in accordance with the Manufacturer's and ASTM standards.

**"Fees"** mean those fees provided for in the Amusement Ride Safety Act and further defined in Subchapter 5 of this Chapter.

**"General public"** means a gathering of two (2) or more persons, regardless of whether an admission fee is charged, but does not include a gathering of two (2) or more persons where every person in attendance is related by blood, marriage, or adoption to every other person in attendance.

**"Inflatable amusement device"** means an amusement ride or device, consisting of air-filled structures designed for use, as specified by the manufacturer, that may include but not be limited to bounce, climb, slide or interactive play. They are made of flexible fabric, kept inflated by continuous air flow by one or more blowers, and rely upon air pressure to maintain their shape.

**"Inspection"** means the process by which inspectors determine the safety status of an amusement ride at the scheduled inspection site. It also means attempted inspections of rides registered with the owner that would have been inspected had the show arrived at the site as scheduled.

**"Inspector"** means an individual determined qualified by the Commissioner of Labor based upon the ~~inspectors~~ inspector's background, training and experience who inspects amusement rides covered by the Act. Inspectors so qualified may be issued an appropriate identification card by the Commissioner of Labor.

**"Large inflatable amusement device"** means an inflatable amusement device that has a surface that is designed to enable patrons to stand, sit or climb to a height of fifteen (15) feet or higher.

**"Operator"** means the person who is physically operating the ride during that period of time when it is open to the public.

**"Owner"** includes the term "operator" as that term is defined in the Act.

**"Red tag"** means a red colored tag affixed to a ride or a part thereof, by an inspector indicating to the public and the owner that the ride is in violation of the Act and therefore shall not be operated.

**"Reassembled"** means the fitting together of manufactured parts into a machine, structure or unit of a machine or structure.

**"Registration number"** means a number permanently assigned to each amusement ride. The number tag is to be permanently affixed for identification ~~purpose~~purposes to a main structural member of the ride and shall not be removed unless so directed by an inspector.

**"Scope of inspection"** includes: access and egress ramps, steps, walkways, the mechanical or physical ride itself to include foundation, supports, and blocking. Also included within the scope are power sources and amusement area or midways which may become hazardous to the public.

**"Show"** means a group of rides, the property of one or more owners.

**"Small inflatable amusement device"** means an inflatable amusement device that has a surface that is designed to enable patrons to stand, sit or climb to a height of less than fifteen (15) feet.

**"Written order for the temporary cessation of operation"** means a written order will be provided to the ~~onside~~onsite owner, manager, or operator. It shall be signed by the inspector, identify the safety violation and the correction necessary. It shall be countersigned by the onsite owner, manager, or operator.

## SUBCHAPTER 5. FEES

### 380:55-5-5. Criteria for type determination

Criteria for type determination of amusement rides are as follows:

(1) KIDDIE RIDES: Primarily designed and/or engineered for children although adults may or may not fit into carriers or tubs. Inflatable rides are kiddie rides.

(2) MAJOR RIDES: Primarily designed and/or engineered for adults and families. Children usually fit into the carriers or tubs. Water park rides are major rides.

(3) OTHER RIDES:

(A) SIZE:

(I) When erected are large.

(ii) May be transported on several tractor-trailer rigs.

(iii) Encompass large amounts of ground space.

(iv) Usually are exceptionally tall, wide or deep.

(B) COMPLEXITY:

(I) May have independent self-propelled carriers.

(ii) May require several pre-setup inspections at various stages of erection due to many parts or sub-assemblies.

(iii) Requires many temporary or permanent fasteners of different types.

(iv) Generally have large or many integrated systems involving electronic, hydraulic, mechanical or pneumatic devices.

(v) Drive systems usually involve two or more belt, cable, chain, rod or shaft devices.

(C) The water quality of water park rides shall be included in this category.

## SUBCHAPTER 13. MISCELLANEOUS

### **380:55-13-1. Competent operator**

(a) All amusement rides or devices must be under the control of a competent operator at all times when the ride or device is in operation. Operators shall be trained in the safe operation of the ride. The minimum requirement for training shall be that contained in the most current edition of the American Society for Testing of Materials (ASTM) standards, entitled "~~Standard Practice for Operation Procedures for Amusement Rides and Devices~~," ASTM Standards for Amusement Rides and Devices".

(b) Owners/operators must be able to communicate meaningfully with an inspector, owner, patron or emergency personnel.

(c) Owners shall, upon request, provide the Department of Labor inspector with the necessary documentation setting forth the qualifications of each operator as required by (a) of this Section.

(d) The following categories of certificates may be issued by the Department:

(1) Supervisors: An applicant with a minimum of five (5) years experience in the amusement ride industry and a National Association of Amusement Ride Safety Officials (NAARSO) Level 1 Certification or Amusement Industry Manufacturers and Suppliers International (AIMS) Level 1 Certification in maintenance or operation of amusement rides may be issued a supervisor certificate which allows the certificate holder to operate all amusement rides for which the operator/applicant provides documentation showing the operator/applicant has been trained thereon.

(2) Certified Trainers:

(A) Upon written request, qualified personnel may be permitted to test and certify operators in lieu of testing performed by the Department of Labor. The request shall be on company letterhead, along with all required documentation and shall be received by the Department of Labor thirty (30) days prior to certification in Oklahoma. All certified trainers shall be required to re-apply for certified trainer status on a yearly basis.

(B) All certified trainers shall train operators to a level complying with the requirements contained in the most current edition of the American Society for Testing of Material (ASTM) standards entitled F-24, Standard Practice for Ownership and Operations of Amusement Rides and Devices F770-06.

(C) All certified trainers shall be subject to a yearly and/or unannounced audits of all training documentation and on-site training. This audit may include testing of operators.

(D) Training material shall include a documented training program outlining the amount and type of training required for each amusement device, to include the following: fact sheets, operator's test, answer sheets and operator documentation. This material shall be provided to the Department of Labor thirty (30) days prior to trainer status being granted. All training shall also be maintained on-site at all times and subject to review by Department of Labor personnel during normal business hours. Failure to provide this material upon request may result in all operators being re-tested by Department of Labor personnel and loss of trainer status.

(E) Minimum requirements for Certified Trainers are as follows:

(i) For certified trainers training operators of complex rides, a minimum of five (5) years documented experience in the amusement industry and a current National Association of Amusement Ride Safety Officials (NAARSO) level 1 Certification or current Amusement Industry Manufacturer and Suppliers International (AIMS) Level 1 in

operation and/or maintenance.

(ii) For certified trainers training operators of non-complex rides, a minimum of two (2) years documented experience in the amusement industry and a current National Association of Amusement Ride Safety Officials (NAARSO) Limited Specialty Certification or documented completion of a class in Train the Trainer or other verifiable equivalent training.

(3) Operators:

(A) Operators who have not been trained by a certified trainer will be required to pass a test administered by a Department inspector on each ride the applicant intends to operate. The test will be conducted in accordance with the standards contained in the most current edition of the ASTM Standards for Amusement Rides and Devices. A passing score of no less than seventy percent (70%) will be acceptable. Failure to pass this test will prevent the applicant from being issued a certificate for that ride. An applicant who fails a test may not be retested until the earlier of five (5) days or the next setup. All testing should be completed prior to operation. If testing cannot be completed prior to operation, the operator may continue to operate the ride until the Department verifies the qualifications and certifies the operator.

(B) Operators who have been trained by a certified trainer may be issued a certificate which allows the operator to operate any amusement ride for which the operator has been trained to operate by a certified trainer.

(C) Applications for an operator certificate shall be submitted on forms provided by the Department of Labor.

(e) Certificates must be carried on the certificate holder's person while operating the ride, or in the case of a permanent park, may be displayed or kept on file on the premises. The certificate will indicate the applicant's name, address, date of birth, and type of ride approved to operate. Should the applicant have the required training and pass a test for additional rides or submit documentation of additional training by a certified trainer, the certificate will be revised to indicate the new ride or rides for which the applicant was approved.

(f) Lost or mutilated certificates may be replaced with a duplicate certificate at no cost.

(g) All certificates, except temporary, shall be issued with an expiration date of the last day of March of the following year. All certificates shall be renewed prior to the first day of April each year. Renewal applications may be in person or by mail. Failure to renew prior to the first day of April shall require recertification.

(h) Any certificate issued in accordance with this Section may be suspended or revoked by the Department after due investigation of the competence of the certificate holder, or for the willful falsification of any matter or statement contained in his/her application or in a report of any inspection made by him/her. Written notice of any such suspension or revocation and the grounds therefore shall be transmitted by the Department to the licensee and his/her employer within ten (10) days following the suspension or revocation.

(i) All operators/applicants may be subject to a background check by the Department. Completion thereof will not delay an operator's receipt of a temporary certificate. If there is reason to believe the operator/applicant may be in violation of 57 O.S. § 589(A) and/or (B), the operator/applicant may not be granted a certificate.

(j) Any operator/applicant for which there is reason to believe is under the influence of drugs or alcohol may be subject to the following:

(1) A request for a voluntary drug/alcohol test by competent/qualified facility.

(2) Failure to submit to a voluntary drug/alcohol test may result in the loss of the operator's

certificate to operate a ride.

(3) A positive drug/alcohol test result will result in loss of the certificate to operate a ride for a minimum of thirty (30) days but no more than ninety (90) days.

(4) Any test will be at the expense of the individual taking the test.

(k) Amusement rides owned by a non profit corporation and operated by a member of the organization or under the control of the organization may be granted a temporary certificate for a specific date or function, provided each operator passes a test administered by the Oklahoma Department of Labor to assure the operator is competent to operate a specific ride.

(l) In the event an operator who has been previously certified for a specific ride is either terminated or quits after the show has been inspected, the owner may train new operators to operate a specific ride or rides. In this event, the owner must notify the inspector who last inspected the rides or his/her designee within two (2) hours after the new operator or operators are trained and qualified. The new operator may continue to operate the ride until the Department verifies the qualifications and certifies the new operator or operators.

(m) Any operator of a large inflatable amusement device who is under the direction and control of the owner of the device shall be certified in accordance with this Section. In the event a large inflatable amusement device is rented to an operator/responsible party who is not under the direction and control of the owner, the owner must either provide an operator who has been certified or provide training to the operator/responsible party in accordance with (a). In this event, the owner must notify the Department within two (2) hours of the completion of the training (if during normal business hours of 8 a.m. to 5 p.m., otherwise the next working day) and provide the Department with the location of the device, name of the operator/responsible party, expected duration of use, and documentation confirming the required training has been completed. This Section shall not apply to small inflatable rides.

(n) Any person whose certificate has been suspended or revoked shall be entitled to a hearing as provided by the Oklahoma Administrative Procedures Act, if written request for such hearing is received by the Department within fifteen (15) days of the date of suspension/revocation letter.

### **380:55-13-2. Rides kept clean Sanitation and water quality of rides**

(a) Rides shall be kept clean and trash removed to prevent accidents or injury.

(b) Water quality shall be tested by the Department of Labor personnel in accordance with standards developed by the Oklahoma Department of Health, OAC 310:320.

(c) Water parks shall maintain the water quality in accordance with standards developed by the Oklahoma Department of Health, OAC 310:320.