

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

**380:55-15-2. Waiver requirements**

(a) Waiver self-inspection requirements are as follows:

(1) Owners/Operators must retain, on each site, manufacturers' ride manuals with all bulletins and changes updated and Department of Labor approved ride inspection checklists. The ride manuals and ride inspection checklists shall be under control of the waiver inspector. Current copies of the ride inspection checklists shall be provided to the Department of Labor to be retained on file. Owners/Operators must also retain, on each site, a current copy of the Oklahoma Amusement Ride Safety Act.

(2) For homemade or out-of-production rides, the owner/operator shall develop an inspection checklist, to be approved by the Department of Labor. The inspection checklist shall be retained on site, under the control of the waiver inspector. Current copies of the ride inspection checklist shall be provided to the Department of Labor to be retained on file.

(3) After the initial Department of Labor inspection and waiver approval, the ride owner/operator shall cause the initial pre-opening inspections of all amusement rides at each site, including the generator(s), electrical systems, and general midway safety by the approved waiver inspector. The waiver inspector shall be responsible for inspecting all rides on the midway including booked in rides. Inspection documents shall be provided by the owner/operator. The waiver inspector shall also monitor that all rides are being operated in a safe manner on a daily basis. In the event of an unforeseeable emergency or illness, the approved waiver inspector may appoint a substitute waiver inspector who must be approved by the Commissioner of Labor or the Commissioner's designee prior to the inspection.

(4) The ride owner/operator shall cause the daily pre-opening inspection of each ride, by the operator. Inspection documents shall be maintained by the owner/operator.

(5) The waiver inspector shall review the operators' daily pre-opening inspection documents on a daily basis. The waiver inspector shall supervise the operators performing daily pre-opening inspections.

(6) Waiver inspection reports shall be maintained at each site and held for the remainder of the current operating season or calendar year. They shall then be maintained at winter quarters location for not less than 3 (three) years. The Department of Labor may request copies of waiver inspection reports at no charge.

(7) Waiver self-inspections shall not apply to the Oklahoma State Fair, the Tulsa State Fair, and any midway sites with over 25 (twenty-five) rides.

(8) The Department of Labor shall be informed of all show dates and locations within Oklahoma. The ride owner/operator must provide the Department with itinerary updates with new additions, cancellations, or other changes. The Department will also be provided a complete list of all rides owned/operated. The list will include ride name, manufacturer, serial number, and Oklahoma registration number, where possible.

(9) Waiver requests will be granted on an annual basis.

(10) Department of Labor inspectors may spot check rides and self-inspection documentation at any time, without prior notification.

(11) If the approved waiver inspector is not the actual ride/show owner, he must have on file with the Department of Labor a formal letter from the ride/show owner that said waiver

inspector is empowered to order cessation of ride operation due to unsafe conditions (mechanical or operational) to include booked in rides.

(12) Non-compliance with waiver requirements, or public safety violations found at the time of the spot checks may result in any or all of the following:

(A) Shut down of the ride(s).

(B) Department of Labor inspection(s) at next set-up(s).

(C) Formal Department of Labor hearing regarding the cancellation of the waiver request for the remainder of the Oklahoma operating season or a period to be determined by the hearing officer.

(D) Issuance of an administrative penalty.

(13) Only approved Department of Labor waiver inspectors may conduct waiver inspections.

The Department shall maintain a list of persons who are approved to act as a waiver inspector. No other person may act as, or perform any part of, the waiver inspection.

(b) In addition to the requirements contained in subsection (a), complex temporary amusement device waiver inspections must meet the following requirements:

(1) All complex temporary amusement devices shall have the initial inspection completed by the Department of Labor prior to final waiver approval or operation. After the Oklahoma Department of Labor completes initial inspection, the Department will conduct one mid-season inspection and an annual safety compliance audit. The dates of state inspections are at the discretion of the Department of Labor. The designated waiver inspector for an owner/operator of complex temporary amusement devices shall be required to perform waiver self-inspections on rides that are included in the initial inspection conducted by Department of Labor.

(2) Owners may add new devices to their current waiver cycle only after they have submitted a revised ride list and have been inspected by the Department of Labor.

(3) Complex temporary amusement device waiver self-inspections are subject to NAARSO inspector certification requirements.

(c) In addition to the requirements contained in subsection (a), non-complex temporary amusement device waiver inspections must meet the following requirements:

(1) Non-complex temporary amusement devices shall have the initial inspection completed by the Department of Labor prior to final waiver approval or operation. After the Department of Labor completes the initial inspection, rides requiring less than one (1) man-hour setup time shall receive one Department of Labor mid-season inspection and a Department of Labor annual safety compliance audit.

(2) Owners may add new devices to their current waiver cycle only after they have submitted a revised ride list and have been inspected by the Department of Labor.

(3) Non-complex temporary amusement device self-inspections are exempt from NAARSO inspector certification requirements and may be inspected by the business owner designee who must maintain all inspection records and make said records available to the Department of Labor.

(d) Inflatable amusement devices must meet the following requirements:

(1) At the beginning of each year, and any time an owner or operator of inflatable amusement devices adds a new inflatable device for operation, the owner or operator shall provide an inventory to the Department of Labor and shall pay the registration fee for each inflatable. If the inflatable device is set up with temporary amusement devices or permanent amusement

devices, the inspection schedule will coincide with the temporary and/or permanent amusement devices.

(2) The Department of Labor shall inspect any and all inflatable devices at least annually.

The Department of Labor may inspect any and all inflatable devices at any time upon complaint, or at the request of the owner/operator or the public, or if the Commissioner of Labor determines inspection is necessary for the safety of the public.

(3) An inflatable amusement device is subject to all the other provisions regarding amusement devices included in these rules and the Oklahoma Statutes including requirements for maintaining liability insurance and reporting injuries.