

§472. Amusement rides

1. Inspection required. An amusement ride must be inspected at least once annually by an amusement ride inspector.

A. In order to be operated in this State, an amusement ride must comply with the applicable ASTM standards for that amusement ride. [PL 2015, c. 148, §1 (NEW).]

B. An amusement ride that is not operated in the State on a year-round basis must be inspected in the same calendar year in which the amusement ride is operated in the State, prior to either July 1st or the first operation of the amusement ride in the State, whichever is sooner. [PL 2015, c. 148, §1 (NEW).]

C. If an inspection reveals that an amusement ride does not meet the applicable ASTM standards, an amusement ride inspector shall notify the owner of all defects. [PL 2015, c. 148, §1 (NEW).]

D. An operator may not operate an amusement ride unless the amusement ride passed the most recent annual inspection required by this section. [PL 2015, c. 148, §1 (NEW).]

E. Before an amusement ride may be operated, an amusement ride inspector must affix to the amusement ride an inspection decal that contains the date the amusement ride passed inspection and an identifying number of the inspection decal. [PL 2015, c. 148, §1 (NEW).]

F. An amusement ride that has been modified or altered in a manner that changes its dynamics or control system from that of the original manufacturer's design or specification since its most recent annual inspection must be inspected by an amusement ride inspector before it may be operated in the State. [PL 2015, c. 148, §1 (NEW).]

G. Following a serious injury or illness involving an amusement ride, the amusement ride must be inspected by an amusement ride inspector and approved by the commissioner before it may be operated in the State. As used in this paragraph, "serious injury or illness" means an injury or illness that results in death, dismemberment, disfigurement, compound fracture of a body part or permanent loss of the use of a body part or organ, function or system or that requires hospital admission within 24 hours of the occurrence of the injury or illness involving the amusement ride. [PL 2015, c. 148, §1 (NEW).]

H. An owner or operator shall make an amusement ride available for inspection at all reasonable times and places upon request of an amusement ride inspector. [PL 2015, c. 148, §1 (NEW).]
[PL 2015, c. 148, §1 (NEW).]

2. Insurance requirements. An owner shall provide an amusement ride inspector with a copy of a certificate of public liability insurance in a minimum amount of \$1,000,000 at the time of inspection. [PL 2015, c. 148, §1 (NEW).]

3. Operator requirements. An owner must have a documented training policy for the operation of each amusement ride owned by the owner. The owner shall maintain a written certification for each operator, providing documented proof that the operator has received the training required by the training policy for the amusement ride. [PL 2015, c. 148, §1 (NEW).]

4. Recording and reporting. An owner shall maintain a first aid incident report log for all rider injuries or illnesses, other than minor injuries or illnesses, resulting from the operation of an amusement ride. The report log must include the following:

A. The date the injury or illness occurred; [PL 2015, c. 148, §1 (NEW).]

B. The name, address and telephone number of the rider who received first aid service or treatment; [PL 2015, c. 148, §1 (NEW).]

- C. The age of the rider; [PL 2015, c. 148, §1 (NEW).]
- D. The manufacturer and serial number of the amusement ride involved in the injury or illness; [PL 2015, c. 148, §1 (NEW).]
- E. A description of the injury or illness; [PL 2015, c. 148, §1 (NEW).]
- F. A description of any first aid service or treatment administered; and [PL 2015, c. 148, §1 (NEW).]
- G. Any other information considered pertinent by the owner. [PL 2015, c. 148, §1 (NEW).]
[PL 2015, c. 148, §1 (NEW).]

5. Violation. A person who operates an amusement ride in violation of this section commits a civil violation for which a fine of not more than \$1,000 may be assessed upon the owner of the amusement ride.
[PL 2015, c. 148, §1 (NEW).]

6. Application and inspection required. A person may not operate an amusement ride prior to filing an application with the Office of the State Fire Marshal and before the amusement ride passes inspection as required in this section. An application must include the following:

- A. The name of the person or corporation operating the amusement ride; [PL 2015, c. 148, §1 (NEW).]
- B. A statement of proposed territory within the limits of the State, including the names of the cities and towns, in which the amusement ride is to operate; and [PL 2015, c. 148, §1 (NEW).]
- C. A certificate of public liability insurance from an insurer approved by the commissioner in accordance with subsection 2. [PL 2015, c. 148, §1 (NEW).]
[PL 2015, c. 421, §2 (AMD).]

SECTION HISTORY

PL 2015, c. 148, §1 (NEW). PL 2015, c. 421, §2 (AMD).

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