

ILLINOIS REGISTER

DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER XIII: CARNIVAL-AMUSEMENT SAFETY BOARD

PART 6000
CARNIVAL AND AMUSEMENT RIDE SAFETY ACT

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AUTHORITY: Implementing and authorized by the Carnival and Amusement Rides Safety Act [430 ILCS 85].

SOURCE: Emergency Rules adopted at 9 Ill. Reg. 7176, effective May 3, 1985, for a maximum of 150 days; emergency expired September 30, 1985; adopted at 10 Ill. Reg. 7685, effective April 29, 1986; emergency amendment at 10 Ill. Reg. 19117, effective October 27, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 5896, effective March 24, 1987; amended at 11 Ill. Reg. 19650, effective November 18, 1987; amended at 12 Ill. Reg. 11186, effective June 20, 1988; emergency amendment at 13 Ill. Reg. 8025, effective May 15, 1989, for a maximum of 150 days; emergency expired October 12, 1989; amended at 13 Ill. Reg. 20309, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 3235, effective February 9, 1990, for a maximum of 150 days; emergency expired July 9, 1990; amended at 15 Ill. Reg. 4109, effective February 28, 1991; emergency amendment at 16 Ill. Reg. 7716, effective May 11, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12436, effective August 1, 1992; amended at 16 Ill. Reg. 15415, effective September 28, 1992; amended at 17 Ill. Reg. 14910, effective September 1, 1993; amended at 18 Ill. Reg. 13384, effective September 1, 1994; amended at 21 Ill. Reg. 5135, effective April 15, 1997; amended at 21 Ill. Reg. 14954, effective December 1, 1997; amended at 24 Ill. Reg. 490, effective January 1, 2000; amended at 26 Ill. Reg. 871, effective January 9, 2002; amended at 27 Ill. Reg. 17992, effective November 14, 2003; amended at 28 Ill. Reg. 10569, effective July 19, 2004; amended at 30 Ill. Reg. 12093, effective June 30, 2006; amended at 34 Ill. Reg. 763, effective December 29, 2009; emergency amendment at 34 Ill. Reg. _____, effective _____, for a maximum of 150 days; amended at 34 Ill. Reg. _____, effective _____.

Section 6000.10 Definitions

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In addition to those definitions found in Section 2-2 of the Carnival and Amusement Rides Safety Act (the Act) [430 ILCS 85/2-2], the following definitions shall apply for the purposes of this Part:

"Act" means the Carnival and Amusement Rides Safety Act [430 ILCS 85].

"Administrative Hearing Fee" means a fee assessed by the Department upon an operator when the Department issues a notice for an administrative hearing to suspend the Permit to Operate and/or collect past due fees.

"All-Terrain Vehicle" or "ATV" means any vehicle designed and manufactured for off-road use.

"A.M. Best" or "Best" is the abbreviation for A.M. Best Company, Ambest Road, Oldwick ~~NJ, New Jersey~~ 08858.

"Annual Inspection" is the official inspection of an amusement ride or amusement attraction performed by the Director or the Director's designee.

"ANSI" is the abbreviation for the American National Standards Institute, Inc., 1430 Broadway, New York ~~NY, New York~~ 10018.

"ASNT" is the abbreviation for the American Society for Nondestructive Testing, Inc., 1711 Arlingate Plaza, P.O. Box #28518, Columbus ~~OH, Ohio~~ 43228-0518.

"ASTM" means ASTM International, 100 Barr Harbor Drive, West Conshohocken ~~PA, Pennsylvania~~ 19428-2959.

"Board" means the Carnival-Amusement Safety Board as defined in Section 2-3 of the Act.

"Carnival" means an enterprise which offers amusement or entertainment to the public by means of one or more amusement attractions or amusement rides. (Section 2-2(5) of the Act)

"Carnival Worker" means a person who is employed (and is therefore not a volunteer) by a carnival or fair to manage, physically operate, or assist in the operation of an amusement ride or amusement attraction when it is open to the public. (Section 2-2(8) of the Act)

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"Coaster – Intermediate" means any coaster that is more than 25 feet but less than 50 feet in height at the highest point of the track above grade.

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"Coaster – Large" means any coaster that is 50 feet or more at the highest point of the track above grade.

"Concession Go-kart" means a go-kart specifically designed and manufactured for indoor and/or outdoor use for up to 15 mph.

"Department" means Illinois Department of Labor. (Section 2-2(2) of the Act)

"Director" means the Director of the Illinois Department of Labor or the Director's designee. (Section 2-2(1) of the Act)

"Dry Slides" means an inclined surface with a change in elevation of 20 feet or more upon which people slide or are conveyed.

"Dune Buggy" means a small vehicle generally made from standard compact rear engine chassis and prefabricated, often fiberglass body, originally equipped with wide low-pressure tires for driving on sand.

"Employee", for purposes of this Part, means an individual who is performing services for pay or lodging as an attendant or assistant on an amusement ride or amusement attraction.

"Employed" means to perform services for pay or lodging as an attendant or assistant on an amusement ride or amusement attraction.

"Fair" means an enterprise principally devoted to the exhibition of products of agriculture or industry in connection with which amusement rides or amusement attractions are operated. (Section 2-2(6) of the Act)

"Inflatable Amusement Attraction" means a device consisting of air-filled structures designed for use, as specified by the manufacturer, that may include but is not 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. This definition shall not include inflatable devices that are used for professional exhibition or stunt work, safety

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and rescue activities, aerial or aviation structures or devices, exhibit floats or similar inflatable devices.

"In-line Riding" means one person in front of the other.

"Kiddie Kart" means karts that are designed for 75 pounds or less per passenger and go less than 10 mph.

"Kiddie Rides" are those amusement rides or amusement attractions that are designed for 75 pounds or less per passenger.

"Major Alteration" means a change in the type or capacity of an amusement ride or amusement attraction or a change in the structure or mechanism that materially affects its functions or operation. This includes, but is not limited to changing its mode of transportation from non-wheeled to a truck or flat-bed mount, and changing its mode of assembly or other operational functions from manual to mechanical or hydraulic.

"Major Breakdown" means a stoppage of operation of an amusement ride or amusement attraction occurring from damage of a structural component.

"Major Rides" are those amusement rides or amusement attractions that are designed for more than 75 pounds per passenger unit. [The term includes any coaster that is 25 feet or less at the highest point of the track above grade.](#)

"NFPA" is the abbreviation for National Fire Protection Association, Batterymarch Park, Quincy [MA, Massachusetts](#) 02269.

"Operator" means a person, or agent of a person, who owns or controls or has the duty to control the operation of an amusement ride or amusement attraction at a carnival or fair. "Operator" includes an agency of the State or any of its political subdivisions. (Section 2-2(7) of the Act) For the purpose of this Part:

Owner means the person, partnership, company, corporation, or any other entity, or agency of the State or any of its political subdivisions, that owns an amusement ride or amusement attraction.

Agent means a person employed by the Owner to carry out the responsibilities of management on the Owner's behalf.

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Manager means a person employed by the Owner and who is responsible to the Agent or the Owner for the day-to-day on-site management of the amusement rides or amusement attractions.

Attendant means a person employed by the Owner to physically operate an amusement ride or amusement attraction when it is open to the public.

Assistant means a person employed by the Owner to assist the Attendant in operating an amusement ride or amusement attraction when it is open to the public.

"Payment of Fees" **as used in this Part** shall be deemed made when the Department receives in the Springfield office all fees due as calculated on the application in the form of a check or money order made payable to "Illinois Department of Labor". All fees shall be paid before a permit to operate an amusement ride or amusement attraction is issued.

"Permit" means a permit issued annually by the Department allowing an amusement ride or amusement attraction unit to be operated in the State of Illinois.

"Public Use" means an operator of an amusement ride or amusement attraction does not prohibit or restrict access to the amusement ride or amusement attraction by members of the community, except as permitted under Section 2-19 of the Act and Section 6000.130 of this Part.

"Racing Go-Kart" means a go-kart specifically designed and manufactured for racing at 15 mph or more, for indoor or outdoor use.

"Roll Over Protection System" means a system that supports the combined driver and/or passenger weight capacity, as specified by the manufacturer, and the weight of the vehicle.

"Reinspection" is an inspection, other than the annual inspection made during the year, as a result of any necessary repairs not being completed while the inspector is on site.

"SAE" means the Society of Automotive Engineers, 400 Commonwealth Drive,

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Warrendale PA 15096-0001.

"Serious Injury" means an injury for which treatment by a licensed physician is required.

"Snell Foundation" means Snell Memorial Foundation, 3628 Madison Avenue, North Highlands CA 95660.

"Tram" means *any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device which is not licensed by the Secretary of State, which may, but does not necessarily follow a fixed or restricted course, and is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted with the exception of hayrack rides.* (Section 2-2(4) of the Act)

"Volunteer" means *a person who operates or assists in the operation of an amusement ride or amusement attraction for an owner or operator without pay or lodging. An individual shall not be considered a volunteer if the individual is otherwise employed by the same owner or operator to perform the same type of service as those for which the individual proposes to volunteer.* (Section 2-2(9) of the Act)

(Source: Amended by emergency rulemaking at 34 Ill. Reg. _____, effective _____, for a maximum of 150 days)

Section 6000.50 Permit, Inspection and Associated Fees

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Fees assessed under the Act will be:

a) Effective Through December 31, 2010:

1) Permit Fees

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A)➔ Kiddie Rides: \$10 each

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B)➔ Major Rides: \$25 each

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C)➔ Amusement Attractions: \$25 each

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~~D)4~~ Ski Lifts, Aerial Tramways, and Rope Tows: \$25 each

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~~E)5~~ Inflatable Amusement Attractions: \$10 each

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~~F)6~~ Permit ~~Issued~~issued upon ~~Resolution~~resolution of a Stop Operation Order: \$10 each

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~~2)b~~ Inspection Fees

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~~A)4~~ Kiddie Rides: \$25 each

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~~B)2~~ Major Rides: \$60 each

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~~C)3~~ Amusement Attractions: \$60 each

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~~D)4~~ Ski Lifts, Aerial Tramways, and Rope Tows: \$60 each

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~~E)5~~ Inflatable Amusement Attractions: \$25 each

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~~F)6~~ Reinspection to resolve a Stop Operation Order: \$250 each

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~~G)7~~ Reinspection: \$30 each

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b) Beginning January 1, 2011:

1) Permit Fees

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A) Kiddie Rides: \$10 each

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B) Major Rides: \$25 each

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C) Amusement Attractions: \$25 each

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D) Ski Lifts and Aerial Tramways: \$25 each

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E) Inflatable Amusement Attractions: \$10 each

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F) Permit Issued upon Resolution of a Stop Operation Order: \$10

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each

G) Rope Tows, Conveyors and Surface Lifts: \$25 each

H) Coasters – Intermediate: \$25 each

D) Coasters – Large: \$25 each

2) Inspection Fees

A) Kiddie Rides: \$45 each

B) Major Rides: \$105 each

C) Amusement Attractions: \$105 each

D) Ski Lifts and Aerial Tramways: \$365 each

E) Inflatable Amusement Attractions: \$45 each

F) Reinspection to Resolve a Stop Operation Order: \$250 each

G) Reinspection: \$30 each

H) Rope Tows, Conveyors and Surface Lifts: \$105 each

I) Coasters – Intermediate: \$235 each

J) Coasters – Large: \$365 each

c) Administrative Hearing Fee: \$250 per hearing.

d) ~~The fee increases are effective January 1, 2007.~~

(Source: Amended by emergency rulemaking at 34 Ill. Reg. _____, effective _____, for a maximum of 150 days)

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