

DECLARATION OF EMERGENCY

Department of Public Safety and Corrections

Office of State Fire Marshal

(LAC 55:V:2501-2593)

In accordance with the provisions of R.S. 40:1484.2(B) et seq., relative to the authority of the Office of State Fire Marshal regarding the regulation of inflatable amusement devices, amusement attractions, and amusement rides, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Office of State Fire Marshal finds that an imminent peril to the public safety and welfare requires adoption of a Rule upon shorter notice than that provided in R.S. 49:953(A), as provided in R.S. 49:953(B)(1)(a), as rule is in response to the newly enacted Act No. 462, Regulation of Amusement Attractions and Rides, 2016 Regular Session, that provides the guidelines for maintaining the inflatable amusement devices, amusement attractions, and amusement rides for operational and safety purposes; provides the procedures for reporting death and injury; provides the inspection process to ensure the devices, attractions, and rides are operating safely and properly; provides for the set-up inspection process that ensures that the device, attraction, or ride is set-up safely in a particular location; provides for the notification to the OSFM in the event the ride or attraction is significantly modified; etc., it is necessary to adopt this Emergency Rule in place until the corresponding permanent rules can be adopted. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and is adopted on the date signed by the Undersecretary for the Department, and shall take effect February 22, 2018, and be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

Title 55

PUBLIC SAFETY

Part V. Fire Protection

Chapter 25. Amusement Attractions and Rides

§2501. Purpose

A. The purpose of these rules is to regulate the activity of firms, employees of firms, and individuals who own, operate, set-up, and/or inspect inflatable amusement devices, amusement attractions, or amusement rides in the interest of protecting and preserving human lives pursuant to the authority of R.S. 40:1484.1, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2503. Administration

A. The Office of State Fire Marshal, which administers the provisions of R.S. 40:1484.1 et seq., relating to the Amusement Rides Safety Law, is located at 8181 Independence Blvd., Baton Rouge, LA 70806.

B. The following nationally recognized standards are to be used in the formulation and enforcement of these rules and regulations. Should there arise a conflict between these standards and R.S. 40:1484.1 et seq., or the rules and regulations, the provisions of R.S. 40:1484.1, et seq., and/or these rules shall apply:

1. ASTM F2374–10 *Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices*; (approved Feb. 1, 2010; published March 2010);

2. ASTM F1159–15b *Standard Practice for Design of Amusement Rides and Devices that are Outside the Purview of Other F24 Design Standards*; (approved Nov. 1, 2015; published November 2015);

3. ASTM F1193–16 *Standard Practice for Quality, Manufacture, and Construction of Amusement Rides and Devices*; (approved Feb. 15, 2016; published March 2016);
4. ASTM F2959–16 *Standard Practice for Aerial Adventure Courses*; (approved May 1, 2016; published May 2016);
5. ASTM F2970–15 *Standard Practice for Design, Manufacture, Installation, Operation, Maintenance, Inspection and Major Modification of Trampoline Courts*; (approved Feb. 15, 2015; published April 2015);
6. ASTM F2291–15 *Standard Practice for Design of Amusement Rides and Devices*; (approved Aug. 1, 2015; published October 2015);
7. ASTM F2375–09 *Standard Practice for Design, Manufacture, Installation and Testing of Climbing Nets and Netting/Mesh used in Amusement Rides, Devices, Play Areas and Attractions*; (approved March 1, 2009; published April 2009);
8. ASTM F2974–15 *Standard Guide for Auditing Amusement Rides and Devices*; (edition approved Sept. 1, 2015; published December 2015);
9. ASTM F3099–14 *Standard Practices for Parasailing*; (edition approved Sept. 1, 2014; published September 2014);
10. ASTM F770–15 *Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices*; (edition approved May 1, 2015; published May 2015);
11. ASTM F2007–12 *Standard Practice for Design, Manufacture, and Operation of Concession Go-Karts and Facilities*; (approved March 1, 2012; published March 2012);
12. ASTM F2460–11 *Standard Practice for Special Requirements for Bumper Boats*; (edition approved March 1, 2011; published April 2011);
13. ASTM F2960–16 *Standard Practice for Permanent Amusement Railway Ride Tracks and Related Devices*; (edition approved Nov. 1, 2016; published November 2016);
14. ASTM F3054–15 *Standard Practice for Operations of Amusement Railway Rides, Devices, and Facilities*; (edition approved Dec. 1, 2015; published January 2016);
15. ASTM F747–15 *Standard Terminology Relating to Amusement Rides and Devices*; (edition approved Oct. 1, 2015; published November 2015);
16. ASTM F1957–99 (Reapproved 2011); *Standard Test Method for Composite Foam Hardness-Durometer Hardness*; (edition approved Jan. 15, 2011; published June 2011);
17. ASTM F2137–16 *Standard Practice for Measuring the Dynamic Characteristics of Amusement Rides and Devices*; (edition approved Oct. 15, 2016; published November 2016);
18. ASTM F2376–13 *Standard Practice for Classification, Design, Manufacture, Construction, and Operation of Water Slide Systems*; (edition approved June 1, 2013; published May 2014);
19. ASTM F2461–09 *Standard Practice for Manufacture, Construction, Operation, and Maintenance of Aquatic Play Equipment*; (edition approved March 15, 2009; published May 2009);
20. ASTM F1957–99 (Reapproved 2011) *Standard Test Method for Composite Foam Hardness-Durometer Hardness*; (edition approved Jan. 15, 2011; Published June 2011);
21. NFPA 101 (2015 edition), *Life Safety Code*; and
22. NFPA 70 (2014 edition), *National Electrical Code*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2505. Applicability of Rules

A. These rules shall apply to all firms and persons engaged in the activity of owning, operating, setting up of, and/or inspecting inflatable amusement devices, amusement attractions, or amusement rides.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2507. Notices of Violations and Penalties; Cease and Desist Orders

A. Any notice required to be given by the state fire marshal or his designee to any firm, owner, or operator found to have violated the provisions of R.S. 40:1484.1, et seq., or these rules shall include any proposed penalty and may be provided in the following manner:

1. by personal service, to include hand delivery to the firm, owner, operator, employee, or individual;
2. by domiciliary service, to include hand delivery to a person of suitable age and discretion who resides with the owner, operator, employee, or individual;
3. when mailed, postage prepaid, to the subject person's residence or entity address as it appears in the records in the Office of State Fire Marshal;
4. by electronic transmission or electronic mail (email) if the electronic transmission or email is retrievable in a perceivable form and the Office of State Fire Marshal and the recipient have consented in writing to the use of such form of electronic transmission or email for purposes of notice or communication between the parties; or
5. on the seventh calendar day after it is mailed with correct postage to the most recent address of the firm, owner, operator, employee, or individual furnished in writing or electronically to the Office of State Fire Marshal.

B. It is the responsibility of the person or entity involved to ensure that the Office has a correct email address or electronic notification information for the person or firm. It is the responsibility of the person or entity involved to ensure that the Office has a correct address for the person or firm.

C. Any cease and desist order issued by the Office of State Fire Marshal in accordance to R.S. 40:1484.1, et seq., or these rules must be given in the following manners:

1. personal service; or
2. mail, certified return receipt.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2509. Definitions

A. As used in this Part, the following terms have the meanings specified in this Section, except where the context expressly indicates otherwise:

AIMS—the Amusement Industry Manufacturers and Suppliers association.

ANSI—the American National Standards Institute.

ASTM—the American Society of the International Association for Testing and Materials.

Certificate of Licensure—that document issued by the Office of State Fire Marshal to a firm or individual authorizing it or him to engage in such activities as defined in R.S. 40:1484.1, et seq., and these rules.

Employee—a person who works for a "firm" as defined by R.S. 40:1484.1, et seq., in return for financial or other compensation.

a. For the purposes of the licensing requirements, contained in R.S. 40:1484.1, et seq., employees shall not include secretaries, drivers, accounting, or other administrative personnel.

b. For the purposes of licensing requirements, the firm owner or owners shall be considered an "employee" if he or she is or will be inspecting or operating an inflatable amusement device, amusement attraction, or amusement ride.

Endorsement—a category of license authorizing its holder to operate, and/or perform inspections of inflatable amusement devices, amusement attractions, or amusement rides.

Event Foreman—that employee at least 18 years of age or older designated by an inflatable amusement device, amusement attraction, or amusement ride operating firm as the person responsible for amusement event operations. A foreman is not required to be licensed, but the employing firm shall provide to the Office of State Fire Marshal the name and contact information of at least one foreman for each event. The foreman shall also be knowledgeable of the required notification procedures involving reportable accidents at an event.

Event Tag—a tag that is affixed to inflatable amusement devices, amusement attractions, or amusement rides designating the duration of an individual event. The color of the tag determines whether the ride is approved for use or identifies impairments.

Go-Kart Track—means a fixed course, either open to the public or operated on a private or semi-public bases, whether or not operated for profit, wherein the use of go-karts (karts) for rides, rentals, demonstrations, and/or testing is the principal use of such business. It does not include tracks or courses solely operated for competitive racing, time trials, or similar activities reasonably connected therewith.

Limited Third-Party Specialty Inspector Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to test and inspect only inflatable amusement devices.

Major Modification—any change in the structural or operational characteristics of the inflatable amusement device, amusement attraction, or amusement ride which may alter the safety or performance characteristics from that specified in the original design criteria of the manufacturer.

Material and/or Structural Testing—the nondestructive testing of inflatable amusement devices, amusement attractions, or amusement rides, conducted by licensed third-party inspectors at least annually for safety in accordance with ASTM-F-24 and other applicable standards, regulations, manuals, service bulletins, and notices. This differs from the set-up and functional status of inflatable amusement devices, amusement attractions, or amusement rides at an individual event.

Minor Modification—a change that does not affect the original manufacturer safety or performance characteristics or criteria of an inflatable amusement device, amusement attraction, or amusement ride. Examples of minor modifications are changes in signage or the thematic references of an inflatable amusement device, amusement attraction, or amusement ride.

NAARSO—the National Association of Amusement Ride Safety Officials.

NFPA—the National Fire Protection Association.

Office—the Office of State Fire Marshal.

Operator Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to manage, coordinate, or possess the duty to control the operation of the inflatable amusements devices, amusement attractions, or amusement rides at an event.

OSFM-IMS—the Office of State Fire Marshal Information Management System.

Operator—a person who possesses the appropriate training or experience enabling an inflatable amusement device, amusement attraction, or amusement ride firm to obtain an operator firm license. An operator shall be a paid employee of the firm and shall be actively engaged in the direct supervision of operations of the licensed firm and its employees. Every operating firm shall employ and license at least one operator.

Reidentification—the creation by an operator or owner of a new name, number, or both of an inflatable amusement device, amusement attraction, or amusement ride that has been the subject of a major modification.

Reinspection—an inspection conducted by a licensed inspector subsequent to an initial inspection during which deficiencies were identified. The purpose of a reinspection is to ensure corrective measures have been taken that will result in bringing the inflatable amusement device, amusement attraction, or amusement ride into compliance with R.S. 40:1484.1, et seq., manufacturer specifications, and these rules.

Set-Up Inspector Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to conduct the set-up inspection prior to the opening of an amusement attraction or prior to the operation of an inflatable amusement device or amusement ride at each event in accordance with R.S. 40:1484.1, et seq., and these rules.

Third Party Inspector Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to test and inspect inflatable amusement devices, amusement attractions, and amusement rides in accordance with R.S. 40:1484.1, et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2511. Registration of Inflatable Amusement Devices, Amusement Attractions, Amusement Rides; Registration Requirements

A. Required

1. Any owner of an inflatable amusement device, amusement attraction, or amusement ride shall register each of his inflatable amusement devices, amusement attractions, or amusement rides with the Office of State Fire Marshal in accordance with these rules prior to its use in this state.

B. Registration Requirements

1. To register the inflatable amusement device, amusement attraction, or amusement ride being used in this state, the owner shall electronically submit the following information utilizing the Office of State Fire Marshal Information Management System (OSFM-IMS) or in writing on the forms provided by the Office of State Fire Marshal and accompanied by the required fee as specified in R.S. 40:1484.18 et seq., and these rules:

- a. a registration application;
- b. a certificate of inspection dated no earlier than 60 days prior to the date of submission of a registration application; and
- c. a copy of the general liability insurance policy in which all inflatable amusement devices, amusement attractions, and amusement rides being registered are listed on the submitted insurance declaration page.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2513. Certificate of Registration; Registration Plates; Placement; Annual Decals; Replacement Fees

A. Certificate of Registration

1. Upon approval of the firm or individual to be licensed by the Office of State Fire Marshal, a certificate of registration shall be issued to the owner of each inflatable amusement device, amusement attraction, or amusement ride registered. The certificate or a copy thereof shall be kept where it is accessible upon demand by the state fire marshal or his representative.

B. Registration Plates

1. Once an inflatable amusement device, amusement attraction, or amusement ride is registered, a registration plate shall be issued bearing a permanent registration number. The plate is to be permanently affixed to the amusement attraction or amusement ride in a conspicuous location.

2. To prevent damage to inflatable devices, owners and operators shall be allowed to temporarily affix the plate to or near the inflating mechanism or to a grommet at or near the inflating mechanism for the duration of each event where the device is in use. It shall be the responsibility of the owner and operator to ensure that the correct plate is affixed to the registered inflatable device.

C. Annual Decals

1. Annual Registration Renewal. After renewing the annual registration of an inflatable amusement device, amusement attraction, or amusement ride, a decal signifying the month and year of the annual renewal shall be issued by the Office of State Fire Marshal.

2. The registration decal shall be affixed to the front, bottom-right corner of the registration plate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2515. License Required; Firm Applicability; Individual Applicability; Types of Endorsement

A. Each firm engaged in the activity of operating, and/or inspecting inflatable amusement devices, amusement attractions, or amusement rides shall obtain a certificate of licensure from the Office of State Fire Marshal, as provided by R.S. 40:1481.1 et seq., and these rules prior to conducting any such activity in this state.

B. Firm License Applicability

1. The following shall apply to firms:

a. Changes of Ownership. The change of a firm's majority ownership invalidates the current license. To ensure continuance of the firm's ability to operate and/or inspect inflatable amusement devices, amusement attractions, or amusement rides in the state, an application for a new certificate shall be submitted to the Office of State Fire Marshal within 10 days after any change in ownership.

b. Change of Firm Officers. Any change in corporate officers of an incorporated firm or members and/or managers of a limited liability corporation or similar entities within the licensure period, must be reported in writing to the Office of State Fire Marshal within 10 days of the change.

c. Changes in Firm Address. The firm shall give written or electronic notification to the Office of State Fire Marshal of the physical location of their principal place of business. If, after notification, the location of their principal place of business changes, the firm shall notify the Office of State Fire Marshal within 10 days of the change.

d. Duplicates. A duplicate certificate of licensure must be obtained from the Office of State Fire Marshal to replace a lost or destroyed certificate. The firm must submit written or electronic notification of the loss or destruction within 10 days, accompanied by the required fee pursuant to R.S. 40:1484.1, et seq.

e. Revisions/Changes to License. The change of a firm's name, location, or mailing address or operating status requires a revision of the certificate of registration. Licenses requiring changes must be surrendered to the Office of State Fire Marshal within ten (10) days after the change requiring the revision. The firm must submit written or electronic notification of the change with the surrendered license, accompanied by the required fee specified in by R.S. 40:1484.1, et seq.

f. Non-Transferability. A certificate of licensure is not transferable from one firm to another.

h. Validity. A certificate of licensure is valid for one year from date of issue, and must be renewed annually.

C. Each person or employee engaged in the activity of operating and/or inspecting inflatable amusement devices, amusement attractions, or amusement rides shall obtain a license from the Office of State Fire Marshal, as provided by R.S. 40:1484.1, et seq., and these rules prior to conducting any such activity in this state. This does not apply to ride operators as defined in R.S. 40:1484.3.

D. Applications for individual licenses shall be deemed as an acknowledgement from the employer certifying the applicant's competency to perform inspections of inflatable amusement devices, amusement attractions, and amusement rides authorized by the endorsements applied for and that the individual is an employee who receives a W-2 or K-1 tax form from the firm.

E. Individual License Applicability

1. The following shall apply to individual persons.

a. Changes in Licensed Individual's Address. An individual licensed with the Office of State Fire Marshal to inspect inflatable amusement devices, amusement attractions, or amusement rides shall give written or electronic notification to the Office of State Fire Marshal of his home address. If, after notification, the location of their principal place of business changes, the individual responsible shall immediately notify the Office of State Fire Marshal of the change.

b. Pocket Licenses issued by the Office of State Fire Marshal are for immediate identification purposes and shall be kept on the recipient's person at all times when conducting regulated activity. The pocket license need not be visibly displayed when working in areas where the license may be damaged or lost. The license must still be available for inspection upon request. The license shall bear the name of firm that employs the person.

c. Duplicate Licenses. A duplicate license must be obtained from the Office of State Fire Marshal to replace a lost or destroyed license. The license holder or his employer must submit written or electronic notification within 10 days of the loss or destruction of a license, accompanied by the required fee as specified in R.S. 40:1484.18(H).

d. Revised Licenses. The change of a licensee's employer, home or mailing address, or employment status requires a revised license. Licenses requiring revision must be surrendered to the Office of State Fire Marshal within 10 days after the change. The license holder or his employer must submit written or electronic notification of the necessary change with the surrendered license, accompanied by the required fee as specified in R.S. 40:1484.18(H).

e. Non-Transferable. A license is not transferable from one person to another.

f. Validity. A license is valid for one year from date of issue, and must be renewed annually.

g. Transfer of Employer. When a currently licensed employee transfers to a new employer, a revised license shall be required indicating the new firm's information. Upon receipt of the revision application by the Office of State Fire Marshal, the individual may go to work for the new employer while waiting for the processing of the license. This go-to-work allowance shall not authorize the employee to engage in any activity for which he/she was not previously licensed to perform or for which the firm is not currently licensed to perform.

h. Age Limitations. For the purpose of licensing, no one under the age of 21 shall be eligible for a license.

F. Types of Endorsement

1. Each license shall be identified by endorsement, which indicates the authorized act or acts which may be performed by the licensee. The endorsements are as follows:

a. operator endorsement (firm; individual);

b. third-party inspector endorsement (firm; individual);

c. limited third-party specialty inspector endorsement (firm; individual);

d. set-up inspector endorsement (firm; individual).

G. Any firm and/or person described in this Section, which or who has not applied for and received a current and valid license, shall immediately cease and desist such activities. The Office of State Fire Marshal shall take all steps necessary to enforce an order to cease and desist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2517. Application for Certificates of Licensure

A. Applications for a certificate of licensure for firms, employees of firms, and individuals who operate, and/or inspect inflatable amusement devices, amusement attractions, or amusement rides shall be submitted and processed electronically utilizing the Office of State Fire Marshal Information Management System (OSFM-IMS), or in writing on the forms provided by the State Fire Marshal and accompanied by the required fee as specified in these rules.

B. The application for certificates of licensure shall:

1. be executed by the sole proprietor, each partner of a partnership, member or manager, if a limited liability company, or by the authorized officer of the firm;

2. identify the type of license and endorsement applied for;

3. identify the physical and mailing address, if different, from the firm's operating location;

4. identify any and all names by which the firm may conduct activity regulated by R.S. 40:1484.1, et seq., and these rules.

Only one trade or "doing business as" name shall be permitted per each certificate of licensure;

5. identify each principal, officer, and member of the firm;

6. identify the contact person and email address of such, as defined by these rules;

7. identify any and all past violations or pending administrative or legal action(s) against the firm in other state or local jurisdictions;

8. include a separate employee application for each person along with the requisite training and/or certification(s), as established by these rules, an originally signed and notarized affidavit detailing the training and/or certification(s), and digital photographs of each applicant's unobscured face/head;

9. be accompanied by:

a. an original certificate of insurance showing the minimum of \$1,000,000 coverage insuring the operator against liability for injury suffered by persons riding the amusement attraction or ride; or

b. a bond in a like amount, provided the aggregate liability of the surety under any such bond shall not exceed the face amount thereof; and

c. an original certificate of insurance documenting that the firm has a current and valid worker's compensation insurance policy as required by state law.

C. Errors and Omissions Coverage. In compliance with R.S. 40:1484.16(5), the state fire marshal has suspended the requirement to obtain errors and omissions coverage by those firms and individuals who engage in the inspections of inflatable amusement devices, amusement attractions, or amusement rides.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2519. Fees—General Information

A. Every fee required in accordance with the provisions of R.S. 40:1484.18, et seq., and these rules shall be paid in the following manners:

1. by firm check or certified funds made payable to the "Office of State Fire Marshal." Fees shall be paid at or mailed to the Office of State Fire Marshal, Attention Licensing Section, at 8181 Independence Blvd., Baton Rouge, Louisiana 70806; or

2. by credit card when submitting an application(s) electronically using the Office of State Fire Marshal Information Management System (OSFM-IMS).

B. Late fees are required on all licenses which are not timely renewed as outlined in R.S. 40:1484.18, et seq.

C. A renewal application accompanied by the required renewal fee and deposited with the United States Postal Service is deemed to be timely filed, regardless of actual date of delivery, when its envelope bears a legible postmark date which is on or before the expiration date of the certificate or license being renewed.

D. Licenses which have been expired for more than sixty days will be suspended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2521. Alteration of Certificates and Licenses

A. Any alteration of a certificate of licensure or individual license renders it invalid and such alteration shall be the basis for administrative action in accordance with penalties set forth in R.S. 40:1484.1, et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2523. Event Tags; Required; Design and Color Significance; Impairment Notification Requirement and Procedure

A. Required

1. Every inflatable amusement device, amusement attraction, or amusement ride in operation in this state shall have an event tag placed thereon after it has been inspected by a licensed set-up inspector.

2. Event tags shall be valid only for the dates of the event's duration and shall be removed at the end of each event. The dates of the event shall be clearly indicated and written in indelible ink, or with a permanent marker.

3. In the event of an annual inspection, the licensed third party inspector shall only affix a red event (impairment) tag when the inflatable amusement device, amusement attraction, or amusement ride has been found to be not in compliance with all applicable adopted laws, rules, standards, and corresponding manufacturer's installation manuals, maintenance and service repair bulletins, or notices. The inspector shall detail on the reverse of the tag the deficiencies.

4. A red event tag shall have the same effect as a cease and desist order issued by the Office of State Fire Marshal.

B. Design and Color Significance

1. Event tags shall be constructed of a material able to withstand inclement weather or placed in a clear plastic sleeve that is able to withstand inclement weather.

2. The dimensions of the tag shall be 3 inches by 5 inches and shall contain the following information printed thereon:

- a. "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all letters capitalized and in bold face type);
- b. the operating firm's name, physical address, and telephone number;
- c. the firm's Office of State Fire Marshal license number;
- d. the printed name of the licensed inspector and his Office of State Fire Marshal license number;
- e. the signature of the licensed inspector. (Pre-printed or stamped signatures are not permitted);
- f. the name of the inflatable amusement device, amusement attraction, and/or amusement ride and its serial number; and
- e. the dates of the event during which the inflatable amusement device, amusement attraction, or amusement ride will be in operation or not in operation if not approved for use.

3. For inflatable amusement devices, amusement attractions, and amusement rides that are approved for operation by a licensed inspector, the event tags shall be green in color.

4. For inflatable amusement devices, amusement attractions, and amusement rides that are not approved for operation by a licensed inspector, the event tags shall be red in color. A red event tag shall have the same effect as a cease and desist order issued by the Office of State Fire Marshal.

5. Where only individual units of a ride, such as cars, seats, or other carriers are defective and not in compliance with R.S. 40:1484.1 et seq., and/or these rules, such units shall be taken out of service and clearly marked with a yellow impairment tag reading "Out of Service;" provided, however, such defects do not jeopardize the safety of the entire ride.

6. The tags shall be conspicuously placed on or as close as possible to the operator controls of the amusement ride in a location that limits access to the tag by patrons. For inflatable devices, the tag shall be conspicuously placed at or near the inflating mechanism. For amusement attractions, the tag shall be conspicuously placed at or near the entrance to the attraction in a location that limits access to the tag by patrons.

C. Impairment Notification Requirement and Procedure

1. When a red event (impairment) tag is affixed to an inflatable amusement device, amusement attraction, or amusement ride, or to an individual unit of an inflatable amusement device, amusement attraction, or amusement ride after a set-up inspection has been conducted, the licensed inspector shall notify the Office of State Fire Marshal within two hours of affixation of the tag.

2. If, during an annual inspection, a licensed third party inspector finds that the inflatable amusement device, amusement attraction, or amusement ride does not comply with all applicable adopted laws, rules, standards, and its corresponding manufacturer's installation manuals, maintenance and service bulletins, and notices, the licensed third-party inspector shall notify the Office of State Fire Marshal within two hours of his findings. The third party inspector shall include in the notification a copy of his inspection report detailing his findings.

3. Notification of findings as listed in Paragraphs 1 and 2 of this Subsection shall be made by calling the Office of State Fire Marshal at 1-800-256-5452.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2525. Certificate of Inspection Form

A. Certificate of Inspection Form

1. A certificate of inspection form shall be provided by the Office of State Fire Marshal for use by licensed third-party and/or set-up inspectors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2527. Prohibited Acts

A. The following acts are prohibited and shall be considered grounds for administrative and/or legal action to be taken against firms, persons and/or employees committing such:

1. charging a customer for an inspection that was not performed;

2. misrepresenting oneself and/or one's firm to a patron, the Office of State Fire Marshal or designated representative, or other public official;
3. impersonating the state fire marshal, his designated representative, or any other public official;
4. operating, certifying, testing, or inspecting an inflatable amusement device, amusement attraction, or amusement ride without a valid license obtained from the Office of State Fire Marshal;
5. certifying, testing, or inspecting an inflatable amusement device, amusement attraction, or amusement ride contrary to applicable manufacturer standards and/or specifications, or NAARSO, ASTM, or other standards adopted by the Office of State Fire Marshal;
6. falsifying an application or any other document submitted to obtain a license, or other documentation requested by or submitted to the Office of State Fire Marshal;
7. falsifying tags; inspection reports; device, attraction, or ride reports; or other relative documents;
8. operating an inflatable amusement device, amusement attraction, and/or amusement ride without it first being inspected and approved for use by a licensed inspector;
9. operating an inflatable amusement device, amusement attraction, and/or amusement ride prior to or without a set-up inspection being conducted by a licensed inspector;
10. operating an inflatable amusement device, amusement attraction, and/or amusement ride without it being registered with the Office of State Fire Marshal;
11. operating an inflatable amusement device, amusement attraction, and/or amusement ride with an expired license;
12. failing to notify the Office of State Fire Marshal of any changes that affect licensure;
13. failure to notify the Office of State Fire Marshal of an inflatable amusement device, amusement attraction, or amusement ride accident, or an accident resulting in an injury or fatality;
14. failing to abide by the tagging requirements of the Office of State Fire Marshal;
15. engaging in false, misleading, or deceptive practices;
16. aiding and abetting an unlicensed firm or individual in the operation, certifying, testing, or inspecting of an inflatable amusement device, amusement attraction, or amusement ride;
17. failure to adhere to all applicable laws and rules governing the owning, licensing, registering, inspection, and operation of inflatable amusement devices, amusement attractions, or amusement rides;
18. working an employee without the appropriate license endorsement; and
19. working without the proper license endorsement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2529. Enforcement; Investigations

A. The state fire marshal or his designated representative shall make, or cause to be made, from time to time, inspections of a firm's physical locations or operational sites to verify required certificates, employee lists, employee licenses, business records and insurances, equipment, tools, compliance with applicable NFPA codes, standards, and manufacturer's manuals, and as circumstances dictate, to determine that firms and their employees are engaging in activity in accordance with the requirements of R.S. 40:1484.1 et seq., and these rules.

B. The state fire marshal shall investigate all complaints of alleged violations of R.S. 40:1484.1 et seq., and these rules. Complaints of alleged violations shall be made in writing to the Office of State Fire Marshal. The office shall make available a complaint form to be used as needed. Penalties shall be administered to those firms and/or employees found to have violated these laws and/or rules. Proposed administrative penalty letters shall act as official notification of alleged violations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2531. Administrative Actions; Enhanced Fine Amounts; Fine Schedule

A. The Office of State Fire Marshal may refuse the issuance or renewal of, suspend, or revoke a license and impose administrative penalties, if, after notice, as required by the Administrative Procedures Act, it is found that a person, licensed firm, or licensee, or an applicant for licensure, failed to comply with the provisions of R.S. 40:1484.1, et seq., or these rules. The State Fire Marshal may consider violations in other states or failing to pay outstanding fine amounts as grounds for refusing the issuance of or the renewing of a license. Additionally, where it is brought to the attention of the Office of State Fire Marshal, violations in other states or failing to pay outstanding fine amounts may result in the suspension of or revocation of a license.

B. In the event that a firm or individual is found to be in violation of R.S. 40:1484.1, et seq., and these rules, the Office of State Fire Marshal reserves the right to assess enhanced administrative fines for repeated substantiated violations over a period of the preceding 36 months.

C. The following fine schedule shall be used to assess fines to persons, firms, and/or employees who violate the laws and rules governing the amusement industry. Penalties will be imposed to persons, firms and/or employees based on the classification of the offense. Other administrative penalty(ies) may also be imposed.

Violation		Fine Amount		
		1st Offense	2nd Offense	3rd Offense
(1)	Failure to register an inflatable amusement device, amusement attraction, or amusement ride.	\$100.00	\$200.00	\$300.00
(2)	Operation of inflatable amusement device, amusement attraction, or amusement ride without a certificate of inspection issued by a licensed third-party inspector.	\$250.00	\$500.00	\$750.00
(3)	Notifying the Office of State Fire Marshal of the intent to operate an amusement attraction, or amusement ride less than five days of the operation of the attraction or ride.	250.00 (Per device)	500.00 (Per device)	1,500.00 (Per device)
(4)	Failure to immediately notify the Office of State Fire Marshal of any change in schedule of location or date that occurs less than five days prior to the commencement of operation of the attraction or ride.	250.00 (Per device)	500.00 (Per device)	1,500.00 (Per device)
(5)	Failure to submit to the State Fire Marshal or his designee the set-up and annual reports and any other documentation relating to the set-up inspection or annual inspection of an amusement attraction, amusement ride, or amusement inflatable device during an Office of State Fire Marshal event inspection or audit.	WARNING	\$150.00 and 30 DAY DEVICE SUSPENSION	\$350.00 and 90 DAY DEVICE SUSPENSION
(6)	Denying access to the State Fire Marshal or his designee to any premises in the state where an inflatable amusement device, amusement attraction, or amusement ride is being installed, built, repaired, or operated for the purpose of ascertaining whether such inflatable amusement device, amusement attraction, or amusement ride is being installed, built, repaired, or operated in accordance with the provisions of this Part and adopted standards, rules, regulations, and applicable manuals, service bulletins, and notices.	\$500.00	\$1000.00	\$2500.00
(7)	Notifying the Office of State Fire Marshal of the intent to operate an inflatable amusement device less than five days of the operation of the device.	200.00 (Per device)	400.00 (Per device)	1,200.00 (Per device)
(8)	Failure to immediately notify the Office of State Fire Marshal of any change in schedule of location or date that occurs less than five days prior to the commencement of operation of the inflatable amusement device.	200.00 (Per device)	400.00 (Per device)	1,200.00 (Per device)
(9)	Failure to submit to the State Fire Marshal or his designee the set-up report and any other documentation relating to the set-up inspection or an annual inspection of an inflatable amusement device during an Office of State Fire Marshal event inspection or audit.	WARNING	\$150.00 and 30 DAY DEVICE SUSPENSION	\$350.00 and 90 DAY DEVICE SUSPENSION
(10)	Denying access to the State Fire Marshal or his designee to any premises in the state where an inflatable amusement device is being installed, built, repaired, or operated for the purpose of ascertaining whether such inflatable amusement device is being installed, built, repaired, or operated in accordance with the provisions of this Part and adopted standards, rules, regulations, and applicable manuals, service bulletins, and notices.	\$500.00	\$1000.00	\$2500.00
(11)	Failure to conduct a set-up inspection of an inflatable amusement device, amusement attraction, or amusement ride prior to operating the device, attraction, or ride at each event in the state.	\$500.00 (Per device)	\$750.00 (Per device)	\$750.00 (Per device)
(12)	Failure to affix a green event tag on an inflatable amusement device, amusement attraction, or amusement ride that has been inspected and found to be in compliance pursuant to the findings of a set-up inspection and corresponding adopted rules and regulations.	\$50.00	\$100.00	\$200.00
(13)	Failure to notify the Office of State Fire Marshal within two hours after finding that an inflatable amusement device, amusement attraction, or amusement ride is not in compliance pursuant to the findings of a set-up inspection and corresponding adopted rules and regulations; or affixing an impairment tag on the device, attraction, or ride.	\$100.00	\$250.00	\$500.00
(14)	Failure to properly affix an impairment tag on an inflatable amusement device, amusement attraction, or amusement ride that is not in compliance pursuant to the findings of a set-up inspection and corresponding adopted rules and regulations.	\$100.00	\$250.00	\$500.00
(15)	Inspecting or testing of an inflatable amusement device, amusement attraction, or amusement ride by the owner or operator of the same.	\$500.00	\$750.00	\$1000.00
(16)	Failure to notify the Office of State Fire Marshal of a change in the business address of the firm within 10 days of the change.	WARNING	\$100.00	\$250.00
(17)	Failure to notify the Office of State Fire Marshal of a change in the ownership of or interest in the firm within 10 days of the change.	\$250.00	\$250.00	\$250.00
(18)	Failure to notify the Office of State Fire Marshal of a change in home address within 10 days of the change (Individual).	WARNING	\$25.00	\$50.00
(19)	Failure to notify the Office of State Fire Marshal of a separation from an employer or change in employer within 10 days of the change (Individual).	WARNING	\$25.00	\$50.00
(20)	Licensed individual contracting his services as an independent contractor or agent with any other firm, whether such firm is engaged in testing, inspection, or operation.	\$750.00	\$1000.00	\$1250.00
(21)	Engaging in the operation of an inflatable amusement device, amusement attraction, or amusement ride without a valid license issued by the Office of State Fire Marshal (Operator).	\$1000.00	\$1250.00	\$1500.00
(22)	Aiding and abetting an unlicensed individual, employee, or firm in the testing, inspection, or operation of an inflatable amusement device, amusement attraction, or amusement ride (Operator).	\$500.00	\$750.00	\$1000.00
(23)	Operating an inflatable amusement device, amusement attraction, or amusement ride contrary to applicable codes, standards, or manufacturer's specifications without specific written authorization from the Office of State Fire Marshal (Operator).	\$500.00	\$750.00	\$1000.00
(24)	Submitting an application or any other document to the Office of State Fire Marshal when the person reasonably should have known the document contained false or misleading information (Operator).	\$500.00	\$750.00	\$1000.00
(25)	Engaging in false, misleading, or deceptive acts or practices (Operator).	\$500.00 (can include suspension or revocation of license)	\$750.00 (can include suspension or revocation of license)	\$1000.00 (can include suspension or revocation of license)
(26)	Failure to maintain a valid license (Operator).	\$500.00	\$1000.00	\$2500.00
(27)	Failure to maintain valid insurance coverage as required (Operator).	\$500.00	\$750.00	\$1000.00
(28)	Refusal to admit the state fire marshal or his designated representative to any operating location or to cooperate in the purposes of such admittance (Operator).	\$500.00	\$750.00	\$1000.00
(29)	Failure to maintain his license on his person and present it for inspection (Operator).	WARNING	\$100.00	\$250.00

Violation		Fine Amount		
		1st Offense	2nd Offense	3rd Offense
(30)	Refusal to cooperate with any lawful investigation by the Office of State Fire Marshal (Operator).	\$500.00 (can include suspension or revocation of license)	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)
(31)	Failure to abide by the administrative rules (Operator).	\$500.00	\$750.00	\$1000.00
(32)	Engaging in the inspection or testing of an inflatable amusement device, amusement ride, or amusement attraction without a valid license issued by the Office of State Fire Marshal (Third-Party Inspector).	\$750.00	\$1000.00	\$1250.00
(33)	Aiding and abetting an unlicensed operator in the operation of an inflatable amusement device, amusement attraction, or amusement ride (Third-Party Inspector).	\$250.00	\$500.00	\$750.00
(34)	Aiding and abetting an unlicensed individual or firm in the inspection or testing of an inflatable amusement device, amusement ride, or amusement attraction (Third-Party Inspector).	\$250.00	\$500.00	\$750.00
(35)	Certifying, testing, or inspecting an inflatable amusement device, amusement attraction, or amusement ride contrary to the provisions of this Part and adopted standards, regulations, and applicable manuals, service bulletins, and notices (Third-Party Inspector).	\$1000.00	\$2500.00	\$3500.00
(36)	Submitting an application or any other document to the Office of State Fire Marshal when the third-party inspector reasonably should have known the document contained false or misleading information (Third-Party Inspector).	\$500.00	\$1000.00	\$2500.00
(37)	Engaging in false, misleading, or deceptive acts or practices (Third-Party Inspector).	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)	\$5000.00 (can include suspension or revocation of license)
(38)	Failure to maintain valid license (Third-Party Inspector).	\$500.00	\$1000.00	\$2500.00
(39)	Failure to maintain valid insurance coverage as required (Third-Party Inspector).	\$500.00	\$1000.00	\$2500.00
(40)	Refusal to admit the state fire marshal or his designated representative to any operating location or to cooperate in the purposes of such admittance (Third-Party Inspector).	\$250.00	\$500.00	\$100.00
(41)	Failure to maintain his license on his person and present it for inspection (Third-Party Inspector).	WARNING	\$100.00	\$250.00
(42)	Refusal to cooperate with any lawful investigation by the Office of State Fire Marshal (Third-Party Inspector).	\$ (can include suspension or revocation of license)	\$ (can include suspension or revocation of license)	\$ (can include suspension or revocation of license)
(43)	Failure to abide by the administrative rules (Third-Party Inspector).	\$500.00	\$750.00	\$1000.00
(44)	Engaging in the set-up inspection of an inflatable amusement device, amusement ride, or amusement attraction without a valid license issued by the Office of State Fire Marshal (Set-Up Inspector).	\$500.00	\$750.00	\$1000.00
(45)	Aiding and abetting an unlicensed operator in the operation of an inflatable amusement device, amusement attraction, or amusement ride (Set-Up Inspector).	\$150.00	\$250.00	\$350.00
(46)	Certifying or inspecting an inflatable amusement device, amusement attraction, or amusement ride contrary to the provisions of this Part and adopted standards, regulations, and applicable manuals, service bulletins, and notices (Set-Up Inspector).	\$1000.00	\$2500.00	\$5000.00
(47)	Submitting an application or any other document to the Office of State Fire Marshal when the set-up inspector reasonably should have known the document contained false or misleading information (Set-Up Inspector).	\$500.00	\$1000.00	\$2500.00
(48)	Engaging in false, misleading, or deceptive acts or practices (Set-Up Inspector).	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)	\$5000.00 (can include suspension or revocation of license)
(49)	Failure to maintain a valid license (Set-Up Inspector).	\$250.00	\$500.00	\$750.00
(50)	Refusal to admit the state fire marshal or his designated representative to any operating location or to cooperate in the purposes of such admittance (Set-Up Inspector).	\$150.00	\$250.00	\$350.00
(51)	Failure to maintain his license on his person and present it for inspection (Set-Up Inspector).	WARNING	\$100.00	\$250.00
(52)	Refusal to cooperate with any lawful investigation by the Office of State Fire Marshal (Set-Up Inspector).	\$500.00 (can include suspension or revocation of license)	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)
(53)	Altering a license, certificate, or other document received from the Office of State Fire Marshal.	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)	\$5000.00 (can include suspension or revocation of license)
(54)	Failure to abide by the administrative rules (Set-Up Inspector).	\$500.00	\$750.00	\$1000.00
(55)	Violation of a cease and desist order by operating an inflatable amusement device, amusement attraction, or amusement ride that was the subject of a red tag affixation or the removal of a red tag by person(s) other than the state fire marshal or his designee.	\$1000.00	\$2500.00	\$5000.00
(56)	Failure to notify the Office of State Fire Marshal after affixing a red event (impairment) tag on an inflatable amusement device, amusement attraction, or amusement ride.	\$500.00	\$1000.00	\$2500.00
(57)	Modification of the passenger restraints, cushioning, or containing devices of an inflatable amusement device, amusement attraction, or amusement ride without prior approval of the manufacturer and the Office of State Fire Marshal.	\$500.00	\$1000.00	\$2500.00

Violation		Fine Amount		
		1st Offense	2nd Offense	3rd Offense
(58)	Failure to maintain an inflatable amusement device, amusement attraction, or amusement ride in accordance with the manufacturers' designs and recommendations.	\$500.00	\$1000.00	\$2500.00
(59)	Failure to immediately notify the Office of State Fire Marshal in the event of an inflatable amusement device, amusement attraction, or amusement ride accident that resulted in serious injury or death.	\$1000.00	\$2000.00	\$3000.00
(60)	Failure to notify the Office of State Fire Marshal in the event of an inflatable amusement device, amusement attraction, or amusement ride accident.	\$500.00	\$1000.00	\$2000.00
(61)	Altering a certificate of licensure or individual license.	\$100.00	\$250.00	\$500.00

D. The state fire marshal may deviate from this fine schedule where circumstances and/or evidence warrant a more stringent or more lenient penalty.

E. In lieu of fine payments, the state fire marshal may require remedial or additional training be obtained by those found in violation.

F. Those offenses not enumerated in this list shall receive penalties for violations of similar nature.

G. The Office of State Fire Marshal may also pursue injunctive relief for any of the above enumerated offenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2533. Severability

A. If any provision of these rules or the application thereof to any firm, person, employee or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of these rules which can be given effect without the invalid provisions or application. To this end, all provisions of these rules are declared to be severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2535. Third-Party Inspectors; Required Certification; Equivalent Certification; Licensed Engineers; Continuing Education Requirements

A. Required Certification

1. Applicants for third-party inspectors' licenses are required to meet the certification requirements pursuant to R.S. 40:1484.10, et seq., and these rules.

B. Equivalent Certification

1. The Office of State Fire Marshal establishes AIMS Associate Ride Inspector Certification, Level 1 as an equivalent certification, which satisfies the requirements established in R.S. 40:1487.10, et seq.

C. Licensed Engineers

1. Education and Experience Requirements

a. Applicants shall provide documented evidence that the license field and experience in materials testing are relevant to the materials and structural components inherent in the inflatable amusement device, amusement attraction, and amusement ride industry.

D. Continuing Education Requirements

1. The Office of State Fire Marshal reserves the right to establish continuing education requirements for licensees in accordance with R.S. 40:1484.14, et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2537. Limited Third-Party Specialty Inspector Endorsement

A. In order to conduct material and/or structural testing and perform inspections of inflatable amusement devices within this limited endorsement, a firm and individual must obtain a license from the Office of State Fire Marshal in accordance R.S. 40:1484.1 et seq. and these rules.

B. Required Certification

1. Applicants for Limited Third-Party Specialty Inspector are required to have a NAARSO Limited Specialty Certification.

C. Continuing Education Requirements

1. The Office of State Fire Marshal reserves the right to establish continuing education requirements for licensees in accordance with R.S. 40:1484.14, et seq., and these rules.

D. Insurance Requirements:

1. to engage in the material and/or structural testing and inspection of inflatable amusement devices, firms and individuals are required to obtain a minimum of general liability insurance in the amount of \$300,000 coverage insuring the operator against liability for injury suffered by persons occupying, traversing, or otherwise utilizing inflatable amusement devices; or

2. a bond in a like amount; provided, the aggregate liability of the surety under any such bond shall not exceed the face amount thereof; and

3. an original certificate of insurance documenting that the firm has a current and valid worker's compensation insurance policy as required by state law.

E. Errors and Omissions Coverage

1. Pursuant to R.S. 40:1484.16(5), the state fire marshal has suspended the requirement to obtain errors and omissions coverage by those firms and individuals who engage in the material and/or structural testing and inspection of amusement rides, amusement attractions, and inflatable amusement devices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2539. Set-Up Inspectors; Minimum Qualification Requirements

A. In order to obtain a license from the Office of State Fire Marshal to conduct set-up inspections of inflatable amusement devices, amusement attractions, and amusement rides, individuals are required to provide the following documented evidence of education or experience that is relevant to the amusement ride industry:

1. Education Requirements:

a. shall provide a certified transcript detailing specialized schooling or training (i.e. trade, vocational, armed forces, or business). The name and location of school and/or training courses including dates attended, subjects studied, numbers of classroom hours, certificate(s), and any other pertinent information demonstrating the qualifications of the individual to be licensed as a set-up inspector shall be included in the transcript; or

b. shall provide documentation that the individual holds a current Level 1 certification by the National Association of Amusement Ride Safety Officials (NAARSO); or

c. shall provide documentation that the individual holds a current AIMS Associate Ride Inspector, Level 1 certification.

2. Experience Requirements:

a. two years of experience with an insurance company as an inspector of inflatable amusement devices, amusement attractions, and amusement rides;

b. two years of experience inspecting inflatable amusement devices, amusement attractions, and amusement rides and enforcing applicable codes while employed by a state or other governmental body regulating inflatable amusement devices, amusement attractions, and amusement rides;

c. a minimum of three years of experience in the design, repair, operation, or inspection of inflatable amusement devices, amusement attractions, and amusement rides; or

d. a minimum of five years documented field operation and maintenance experience in inflatable amusement devices, amusement attractions, and amusement rides, including responsibility for erection, assembly, and disassembly.

B. In addition to education or experience the candidate must attest to meeting the following basic requirements:

1. shall be at least 21 years of age and provide date of birth;

2. shall possess a high school diploma or equivalent general education development (GED) diploma;
3. shall possess basic knowledge of ASTM requirements for amusement rides and devices; and
4. the candidate will identify the following supplemental requirements which apply to him or her:
 - a. possess knowledge of nondestructive testing methods and procedures;
 - b. possess knowledge of the requirements of the American Welding Society pertaining to the welding of parts;
 - c. possess basic knowledge of requirements of NFPA 70 (2014 edition), National Electrical Code, article 525, *Carnivals, Circuses, Fairs and Similar Events*; and/or
 - d. possess basic principles of mechanical and structural engineering.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2541. Set-up Inspections; Individual Ride Units

A. At each event, prior to the operation of an inflatable amusement device, amusement attraction, or amusement ride, licensed set-up inspectors shall utilize the set-up inspection form provided by the Office of State Fire Marshal when conducting inspections. One form shall be completed by each licensed inspector listing the device(s) inspected. Inspection forms shall be maintained for a minimum period of 24 months and be available upon request.

B. Inspections shall include, but are not limited to, a review of necessary documents, observation of and/or examination of the inflatable amusement device, amusement attraction, or amusement ride.

C. Inspections of inflatable amusement devices, amusement attractions, and amusement rides shall include, at a minimum, the foundation, blocking, fuel containers, mechanical and electrical condition and visual operation of the inflatable amusement device, amusement attraction, and amusement ride.

D. Where only individual units of a ride, such as cars, seats, or other carriers are defective and not in compliance with R.S. 40:1484.1 et seq., and/or these rules, such units shall be taken out of service and clearly marked with a yellow event (impairment) tag, provided, however, such defects do not jeopardize the safety of the entire ride.

1. When a red event (impairment) tag is affixed to an individual unit(s) of a ride, the licensed inspector shall notify the Office of State Fire Marshal within two hours of affixation of the tag. Notification shall be made by calling the Office of State Fire Marshal emergency contact number, 1-866-946-1097.

E. The state fire marshal or his designee, upon presenting credentials to the owner and/or operator of the inflatable amusement device, amusement attraction, or amusement ride, is authorized without prior notice to inspect and investigate at reasonable times, and within reasonable limits and manner, any area where inflatable amusement devices, amusement rides or amusement attractions are assembled or are in use.

F. Inflatable amusement devices, amusement attractions, and amusement rides shall be operated in accordance with the manufacturer recommended restrictions and limitations, such as, but not limited to height, weight, age, or passenger placement. In the event the manufacturer has not provided such recommended restrictions, such restrictions and limitations must be established by the operator and shall be submitted to the Office of State Fire Marshal for approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2543. Prohibited Use

A. If the state fire marshal, his designee, or a licensed inspector finds that an inflatable amusement device, amusement attraction, or amusement ride, presents an imminent danger to life, of injury, or of mechanical/electrical failure, he will attach to such device, attraction, or ride a red event (impairment) tag/cease and desist order. The device, attraction, or ride shall not be used until it is made safe to the satisfaction of a licensed third-party inspector, the state fire marshal, or his designee, and the tag has been removed by the licensed third-party inspector, the state fire marshal, or his designee and replaced with a green event tag with the requisite information thereon.

B. No person shall use or permit to be used, an inflatable amusement device, amusement attraction, or amusement ride which is not properly assembled or which is defective or unsafe in any of its parts, components, controls, or safety equipment.

C. During a lightning storm, a period of tornado alert or warning, or fire, or when violence, riot, or other civil disturbance occurs or threatens an inflatable amusement device, amusement attraction, or amusement ride, or in an area adjacent thereto, passengers shall be unloaded or evacuated from the device, attraction, or ride and the device, attraction, or ride shall be shut down and secured immediately. Operation shall not resume until the situation has returned to a normal, safe operating condition.

D. An inflatable amusement device, amusement attraction, or amusement ride which is exposed to wind or storm with lightning or wind gust above that recommended by the manufacturer, shall not be operated except to release or discharge occupants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2545. Medical and First Aid

A. The owner and/or operator of an inflatable amusement device, amusement attraction, or amusement ride shall ensure the availability of medical aid. In the absence of an infirmary, clinic, or hospital used for the treatment of an injured person, within a ten (10) mile radius of the device, attraction, or ride, the owner and/or operator shall ensure that a person(s) shall be trained to render first aid. First aid supplies, recommended by the American Red Cross are obtainable from the local Red Cross office, shall be readily available.

1. The operator shall have conspicuously posted at the park, carnival, fair or festival office, the telephone numbers and locations for local physicians, hospitals, ambulance services, and fire departments to be called in the event of an emergency.

2. In the event of a reportable accident involving an inflatable amusement device, amusement attraction, or amusement ride incident resulting in serious injury, the operator or event foreman shall immediately notify the Office of State Fire Marshal by calling the Office of State Fire Marshal emergency contact number, 1-866-946-1097.

3. A 'reportable accident' is defined as:

a. any fatality resulting from the victim's inclusion or participation on, or proximity to an inflatable amusement device, amusement attraction, or amusement ride;

b. bodily injuries resulting from the victim's proximity to the structural collapse or mechanical failure (e.g., flying parts, fragments, etc.) of an inflatable amusement device, amusement attraction, or amusement ride;

c. an injury resulting from the boarding or off-boarding from a stationary amusement attraction or ride; or

d. an injury resulting from the traversing of patrons utilizing stairs, ramps, etc., onto and from an inflatable amusement device, amusement attraction, or amusement ride.

4. After determination and consultation with the owner and/or operator, the Office of State Fire Marshal may require the scene of such incident to be secured and not disturbed to any greater extent than necessary for the removal of the deceased or injured person or persons. If the ride is removed from service by the state fire marshal or his designee, an immediate investigation shall be completed and the ride shall not be released for repair and operation until after a complete investigation has been made by the Office of State Fire Marshal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2547. Operation of Amusement Rides or Attractions

A. The ride operator shall be at least 18 years of age.

B. A ride operator may, however, be between the ages of 15 and 17 only if the subject ride's manual allows a person of that age to perform operations and only if documents are presented to the Office of State Fire Marshal evidencing that the person has received training as to the operation of that ride.

C. The operator of an inflatable amusement device, amusement attraction, or amusement ride shall operate the inflatable amusement device, amusement attraction, or amusement ride in compliance with adopted, applicable standards and these rules, or the equivalence thereof as submitted to and approved by the Office of State Fire Marshal.

D. The operator shall refuse a passenger seeking admission to an inflatable amusement device, amusement attraction, or amusement ride if the passenger cannot meet a guardian or height restriction if the ride is subject to such a restriction. Legible signs to this effect shall be posted in full view of the public seeking admission to inflatable amusement devices, amusement attractions, or amusement rides.

E. The operator of an inflatable amusement device, amusement attraction, or amusement ride shall deny entry to any person, if in the opinion of the operator, the entry may cause above normal exposure to risk of discomfort or injury to the person who desires to enter, or if in the opinion of the operator, the entry may jeopardize the safety of other patrons or employees.

F. All parts of inflatable amusement devices, amusement attractions, or amusement rides, and temporary structures used by passengers or customers shall be maintained in a clean condition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2549. Maintenance and Inspection Records

A. The operator shall retain, for a period of 24 calendar months, maintenance and inspection records for each inflatable amusement device, amusement attraction, and amusement ride.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2551. Notification Requirement Regarding Modification of Inflatable Amusement Devices, Amusement Attractions, Amusement Rides; Reidentification

A. If an inflatable amusement device, amusement attraction, or amusement ride is subjected to a minor modification, the owner or operator shall notify the Office of State Fire Marshal prior to the operation of the inflatable amusement device, amusement attraction, or amusement ride and submit an application for a revision of the device, attraction, or ride.

B. In the event of a major modification of an inflatable amusement device, amusement attraction, or amusement ride, the owner or operator shall notify the Office of State Fire Marshal and submit the appropriate registration application in which the owner shall reidentify the inflatable amusement device, amusement attraction, or amusement ride by a different name or identification number, or both. In addition, the owner shall submit for approval documentation equivalent to that required in ASTM Standard F1159-15b, detailing the modification(s). The inflatable amusement device, amusement attraction, or amusement ride shall also be subject to all other provisions of all applicable rules, regulations and statutes as if it were a new ride not previously used.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2553. Assembly and Disassembly

A. The operator of an inflatable amusement device, amusement attraction, or amusement ride shall comply with the construction manual or the equivalency thereof as determined by the Office of State Fire Marshal, for the assembly and disassembly of the inflatable amusement device, amusement attraction, or amusement ride. The construction manual or the equivalency thereof as determined by the Office of State Fire Marshal, shall be kept with the inflatable amusement device, amusement attraction, or amusement ride and shall be available by request of a licensed inspector, the state fire marshal, or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2555. Brakes and Stops

A. On an amusement attraction or amusement ride where coasting renders the operation dangerous, either during the period while the ride or attraction is being loaded or unloaded, or in the case of power failure or other unforeseeable situation a method of braking shall be provided.

B. If cars or other components of an amusement attraction or amusement ride may collide in such a way as to cause injuries upon failure of normal controls, emergency brakes sufficient to prevent these collisions shall be provided in accordance with the manufacturer's design, or the equivalency thereof as determined by the Office of State Fire Marshal.

C. On amusement attractions or amusement rides which make use of inclined tracks, automatic anti-rollback devices shall be installed to prevent backward movement of the passenger carrying units in case of failure of the propelling mechanism.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2557. Internal Combustion Engines

A. Internal combustion engines for amusement attractions or amusement rides shall be capable of handling the assigned load.

B. Where fuel tanks of internal combustion engines for amusement rides are not of adequate capacity to permit uninterrupted operation during normal operating hours, the amusement ride shall be closed down and unloaded or evacuated during the refueling procedure. The fuel supply shall not be replenished while the engine is running.

C. Where an internal combustion engine for an amusement attraction or amusement ride is operated in an enclosed area, the exhaust fumes shall be discharged to outside the enclosed area, as required by NFPA 70 (2014 edition), National Electrical Code.

D. Internal combustion engines for amusement attractions or amusement rides shall be located to permit proper maintenance and shall be protected by guards, fencing or enclosure in accordance with NFPA 70 (2014 edition), National Electrical Code.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2559. Wire Rope

A. Wire rope on amusement attractions or amusement rides shall be thoroughly examined weekly. Wire rope found to be damaged shall be replaced with new rope of proper design and capacity as per the manufacturer's data tag or as approved by the Office of State Fire Marshal. Any of the following conditions shall be cause for rope replacement:

1. In running ropes, six randomly distributed broken wires in one rope lay or three broken wires in one strand of one rope lay;
2. In pendants or standing ropes, evidence of more than one (1) rope lay or three broken wires in one strand of one rope lay;
3. abrasion, scrubbing or peening causing loss of more than 1/3 of the original diameter of the outside diameter of the outside individual wires;
4. corrosion;
5. kinking, crushing, birdcaging, or other damage resulting in distortion of the rope structure;
6. heat damage;
7. reduction from normal diameter of more than 3/64 inch for diameters up to and including 3/4 inch, 1/16 inch for diameters 7/8 inch to 1 1/8 inches, 3/32 inch for diameters 1-1/4 inch to 1 1/2 inches;
8. birdcaging or other distortion resulting in some members of the rope structure carrying more load than others; or
9. noticeable rusting or development of broken wires in the vicinity of attachments. When this condition is localized in an operational rope, it may be eliminated by making a new attachment.

B. Wire ropes used to support, suspend, bear or control forces and weights involved in the movement and utilization of tubs, cars, chairs, seats, gondolas, other carriers, the sweeps, or other supporting members of an amusement ride or attraction shall not be lengthened or repaired by splicing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2561. Hydraulic Systems

A. Hydraulic systems and other related equipment used in connection with amusement attractions or amusement rides shall be free of leaks and maintained to ensure safe operation at all times.

B. An amusement attraction or amusement ride which depends upon hydraulic pressure to maintain safe operation shall be provided with a positive means of preventing loss in hydraulic pressure that could result in injury to passengers.

C. Hydraulic lines shall be guarded so that sudden leaks or breakage will not endanger the passengers or the public.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2563. Protection against Moving Parts

A. The interior and exterior parts of all amusement attractions or amusement rides with which a passenger may come in contact shall be smooth and rounded, free from sharp, rough or splintered edges and corners, with no protruding studs, bolts, screws, or other projections which might cause injury.

B. Interior parts of passenger carrying apparatus upon which a passenger may be forcibly thrown by the action of the ride or attraction shall be adequately padded.

C. Amusement attractions or amusement rides which are self-powered and which are operated by a passenger shall have the driving mechanism guarded and the guard secured in place as to prevent passengers from gaining access to the driving mechanism.

D. Handholds, bars, footrests, and other equipment, as may be necessary for safe entrance and exit to and from amusement attractions or amusement rides, shall be provided and maintained in a safe condition. Such equipment shall be of sufficient strength to support the passengers.

E. Restraining, containing, or cushioning devices, or a combination of these, shall comply with this Subsection and be provided and used on all amusement attractions or amusement rides where:

1. centrifugal and other forces mechanical malfunction could unseat or dislodge a passenger;
2. inadvertent movement of a passenger could cause injury to the passenger or any other passenger; or
3. the speed of the ride presents a hazard to a passenger.

F. Restraining, containing or cushioning devices shall be designed, constructed, installed and maintained so as to provide safe support for passengers.

G. Anchorage for the restraining, containing, or cushioning devices shall have a strength at least equal to the strength of such devices.

H. All passenger restraints, cushioning, or containing devices shall be provided and maintained in accordance with the manufacturers' designs and recommendations and shall not be modified without the approval of the manufacturer and the Office of State Fire Marshal.

I. All exposed mechanical parts shall have guards installed to prevent possible personal contact while in operation. Any means of safeguarding, which may cause injury, shall not be used.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2565. Electrical Equipment

A. The National Electrical Code, NFPA 70 (2014 edition), shall be considered as the standard for application in the enforcement of the provisions of R.S. 40:1484.1, et seq. This document may be purchased from the:

National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169-7471

B. All electrical wiring and equipment used for amusement rides or attractions or for lighting shall be installed and maintained in accordance with the National Electrical Code, NFPA 70 (2014 edition).

1. The outlets of electrical power lines carrying more than 120 volts shall be clearly marked to show their voltage.
2. All electrical transformer substations shall be properly enclosed and proper warning signs shall be posted.
3. Electrical wiring and equipment located outdoors shall be of such quality and construction or protection that exposure to weather will not interfere with its normal operation.
4. Elevated power lines crossing access or other roads within the proximity of an amusement ride or attraction shall be so suspended as to provide a vertical clearance of at least 15 feet from the road surface or three 3 above any vehicle used within the grounds of a carnival or amusement park, whichever is greater. A horizontal clearance of at least three feet shall be provided on each side of the normal passage space of vehicles.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2567. Temporary Wiring

A. If temporary wiring is used it shall be in compliance with the applicable section of the National Electrical Code, NFPA 70 (2014 edition).

B. Temporary electrical power and lighting installations shall be permitted during the period of construction and remodeling of buildings, structures, equipment or similar activities.

C. Temporary electrical power and lighting installations shall be permitted for a period not to exceed 90 days.

D. All lamps for general illumination shall be protected from accidental contact or breakage. Protection shall be provided by elevation of at least 7 feet from normal working surface or by a suitable fixture or lamp holder with a guard.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2569. Grounding

A. All grounding shall comply with Article 525 of the National Electrical Code, NFPA 70 (2014 edition).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2571. Construction

A. All amusement attractions or amusement rides shall meet the requirements of the ASTM *Standard for the Design and Manufacture of Amusement Rides and Devices* and the NFPA 101 *Life Safety Code* (2015 edition).

B. Water ride data plates shall contain a location number of the ride or flume and the maximum dispatch time interval.

C. The ride operator shall maintain all of the information as required by ASTM F770–15 *Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices*, and make it available to the state fire marshal, or his designee, upon request. If this information is not available, it shall be developed by the owner/operator and submitted to the Office of State Fire Marshal for approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2573. Means of Access and Egress

A. Safe and adequate means of access and egress from amusement attractions or amusement rides shall be provided as required by the NFPA Life Safety Code 101 (2015 edition), and the ASTM Standard F1159–15b *Standard Practice for Design of Amusement Rides and Devices that are Outside the Purview of Other F24 Design Standards*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2575. Walkways and Ramps

A. Walkways and ramps shall be erected with a slope not greater than 1 in 10 except that when nonslip surfaces are provided, the grade may be increased to a maximum of 1 in 8.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2577. Fire Prevention

A. All buildings over one story in height shall be constructed or protected in accordance with NFPA 101 (2015 edition), Chapter 8.

B. All buildings located within 20 feet of lot lines or other buildings on the same lot, shall be of protected noncombustible or protected masonry enclosed construction or better.

C. Fabrics constituting part of an amusement ride or attraction shall be flame resistant to meet the provisions of NFPA 101 (2015 edition), Chapter 8.

D. Approved fire extinguishers in accordance with NFPA 10 (2013 edition) and certified by a Louisiana contractor licensed through the Office of State Fire Marshal to inspect and service portable fire extinguishers, shall be provided at the following locations to secure reasonable and adequate protection from fire hazards:

1. at or near all operating gasoline or diesel engines;
2. at or near all amusement attraction or amusement ride stands, excluding water flumes; and
3. at each food handling booth where cooking is done.

E. Flammable waste such as oily rags and other flammable materials shall be placed in covered metal containers which shall be kept in easily accessible locations. Such containers shall not be kept at or near exits.

F. Gasoline and other flammable liquids and flammable gases when stored shall be kept in reasonably cool and ventilated places. Such liquids shall be in containers as prescribed by NFPA 30 (2015 edition), Chapter 4. Smoking and the carrying of lighted cigars, cigarettes, or pipes is prohibited within fifty (50) feet of any area where such liquids or gases are stored, or are transferred from one container to another. Signage shall be posted stating "No Smoking".

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2579. Water Flumes, Structural Design

A. Structural Design. The flumes' structural design and materials shall be in accordance with ASTM Standard F1159-15b *Standard Practice for Design of Amusement Rides and Devices that are Outside the Purview of Other F24 Design Standards*. The flumes and pools shall be watertight and their surfaces shall be smooth and easy to clean.

B. All stairways used as part of an amusement attraction or amusement ride shall be constructed to meet the requirements of NFPA 101 (2015 edition).

C. Visitor and Spectator Areas. The space used by visitors and spectators shall be distinctly and absolutely separated from those spaces used by sliders. Visitors and spectators in street clothes may be allowed within the perimeter enclosure if they are confined to an area separated from the space the sliders use.

D. Typical posted user safety warnings for slide operational use:

- i. no running, standing, kneeling, rotating, tumbling, or stopping in flumes or tunnels;
- ii. no diving from flume at any time;
- iii. never use this slide when under the influence of alcohol or drugs;
- iv. only one person at a time. Obey instructions of top pool supervisor and lifeguard at all times;
- v. never form chains unless authorized by slide manager or by posted instructions;
- vi. keep hands inside the flume;
- vii. leave the landing pool promptly after exiting from slide; and

viii. keep all glasses, bottles and food away from pools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2581. Pumps

- A. Pumps and motors shall be provided to circulate the water in the splash pool and slide.
- B. Pump units shall be accessible for inspection and service in accordance with NFPA 70 (2014 edition).
- C. All motors shall have thermal overload protection in accordance with NFPA 70 (2014 edition).
- D. The motor frame shall be properly grounded, in accordance with NFPA 70 (2014 edition).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2583. Water Quality

A. Water quality shall be maintained to meet the requirements established by the Louisiana Department of Health and Hospitals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2585. Electrical Safety and Lighting

A. The 2011 edition of the National Electrical Code, as published by the National Fire Protection Association, shall be used for the wiring and grounding of all electrical equipment associated with a flume and for the grounding of all metallic appurtenances.

B. Whenever flumes are operated after dark, artificial lighting shall be provided in upper and lower pool and deck areas, walkways, stairways, and flumes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2587. Operation, Water Flumes

A. The manufacturer or the general contractor of the flume shall provide the operator with a detailed written operational manual, or guide, for all phases of operations and normal maintenance of each component of the system as per ASTM Standard F770–15 *Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices*.

B. The guide shall be kept in a secure area and made available to each employee or inspector as needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2589. Responsibility of Flume Operators

A. Flume operators shall meet the requirements of ASTM Standard F770–15 *Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2591. Fixed Operation Location Emergency Procedures

A. For fixed operation locations, a written plan for emergencies shall be carefully devised, kept current, and a copy of which shall be readily available upon demand. All employees shall be trained and drilled periodically in the execution of the plan.

B. The emergency plan shall encompass crowd control and safe evacuation, drownings, electrical shock, heat prostration, fractures, poisonings, cuts and burns, neck and back or spinal injuries, and exposure to chlorine gas.

C. All water flume locations shall have posted by the phones a list of current emergency numbers, to include the nearest available ambulance service, hospital, rescue squad, police assistant secretaries, and fire department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

§2593. Go-Kart Rules and Regulations

A. Kart Design

1. The speed of each kart shall be limited or governed to not exceed the following: The maximum adult track speed shall not exceed 25 mph and kiddie track speed shall not exceed 10 mph. Speeds other than defined will require approval from the Office of State Fire Marshal.

2. Whenever the design of a kart enables the readjustment of the governing speed, the means of adjustment shall not be accessible to the patron of the kart.

3. The seat, backrest, seat belts, and leg area of every kart shall be designed to retain the patron inside the kart in the event of a collision or overturn.

4. Karts shall be fitted with a shoulder harness and/or belt restraint system as required by the kart manufacturer and acceptable to the Office of State Fire Marshal.

5. Karts shall be provided with sufficient guards to prevent anyone from coming in contact with the drive chains, belts, hot mufflers, engines or rotating parts.

6. Karts shall have bumpers, wheels, and body parts that are comparable to that installed by the original manufacturer.

7. Kart wheels shall be enclosed, guarded, or operated so the wheels of a kart cannot interlock with or ride over the wheels of another kart.

8. The kart steering wheel, hub, and all exposed components shall be padded or helmets and face shields worn to minimize the risk of injury to any patron in the event of a collision or overturn.

9. The kart fuel tank shall be designed and mounted to prevent it from damage or leaking in the event of a collision or overturn.

10. Headrests or roll bars on a kart shall extend above the patron's head and be capable of supporting the weight of the kart and patron as required by the manufacturer. In the event the manufacturer fails to recommend or address this area, the karts shall be equipped with roll bars acceptable to the Office of State Fire Marshal. Any deviations from this requirement shall be submitted to and approved by the Office of State Fire Marshal.

11. Karts shall be provided with impact absorbing bumpers, or energy absorption body parts.

12. Karts shall have sufficient muffler systems installed to prevent any noise levels which will interfere with the track operations, adjacent businesses, residential areas, or damage the hearing of employees or patrons.

13. The brake and throttle controls on a kart shall be clearly identified. The brake and throttle controls shall be foot operated and return automatically to a non-operational position when released.

14. Karts shall be individually identified either by numbers, alpha characters, or other markings acceptable to the Office of State Fire Marshal.

15. Karts shall be inspected and maintained in accordance to manufacturer standards to include, but not limited to, the frame, engine, body, safety restraints, tires, etc.

16. Records of kart inspections and maintenance shall be retained by the operator for a period of 24 calendar months.

B. Track Design

1. The design of the kart track shall be consistent with the kart manufacturers' recommendations. In the absence of any manufacturers' recommendations, the track design shall comply with the current industry standards acceptable to the Office of State Fire Marshal.

2. Cones may be used on tracks as a warning device and to notify the patron of upcoming changes in the track conditions and are used for the following specific reasons:

- a. to notify drivers of impending course changes;
- b. to outline the track and mark key points such as the apex of the turns; and

- c. as a warning device to notify the drivers of the severity of upcoming turns by the location and number of cones prior to the turn;
 - d. cone placement:
 - i. on the inside corners; one cone to alert the driver and locate the apex;
 - ii. on the outside corner; two cones to identify minor course changes;
 - iii. three cones to identify course changes which requires a slower speed to safely negotiate the turn; and
 - iv. four and five cones to identify areas where both slower speed and applied braking will be necessary to safely complete the course.
 - e. once the proper cone locations have been located for the track, these locations shall be marked with high visibility paint under the proper location of the cone. This will alert racing attendants to the correct location of the cones when they are displaced.
3. The track shall have a hard, smooth surface.
 4. The track shall provide road grip sufficient to enable the kart to be driven safely at maximum speed and shall be free of ruts, holes, bumps, water, oil, dirt, or other debris.
 5. Track surface and design not covered by manufacturers' recommendations or in the absence of such recommendations must be approved by the Office of State Fire Marshal.
 6. The width of the track must be a minimum of 16 feet and maximum of 25 feet. The turns on an oval track must be a minimum of 5 feet wider than the straight away. The minimum radius of the turns is 15 feet. Any deviations from these requirements shall be submitted to and approved by the Office of State Fire Marshal.
 7. The track shall have signs that indicate one direction of travel and no U-turns permitted. These signs shall be posted at various locations around the track perimeter. Signs, signal lights and other safety equipment shall be maintained in operational condition at all times when open to the public.
 8. The track shall have no intersecting course configurations. Pit entrances and exits are allowed but appropriate clearly posted signage indicating the entry and exit locations are required to prevent collisions.
 9. The shoulder shall be level with the track and marked with cones. White or yellow lines at least 4 inches in width shall be used to mark all inside and outside edges of the kart track except where barriers are provided along the inside and outside edges of the kart track.
 10. Barriers shall be designed to prevent a kart from overturning or running over or under the barrier and designed to bring a kart safely to a full stop or guide the kart safely back onto the track.
 - a. Barriers shall be placed:
 - i. between tracks or sections of tracks within thirty (30) feet of each other and constructed of materials that will not readily ignite;
 - ii. between the track and obstructions or hazards located with thirty (30) feet from the track;
 - iii. along all non-access and non-egress edges of the pit area; and
 - iv. between the track and any area accessible to spectators.
 11. Fencing shall be at least 48 inches in height. The fence and gates shall be designed so a 4-inch sphere cannot pass through any opening. Fencing shall be located around every kart track.
 12. Pit area for loading and unloading must be separated from the track by a fence or barrier. The pit area must be the same surface as the track and have separate, clearly marked entrance and exit lanes.
 13. Electrical installations must comply with the National Electrical Code, NFPA 70 (2014 edition), and include lighting for night operation, if operations are conducted after dark.
 14. Proposals for construction of new kart tracks and proposals for the renovation, alteration, or modification of existing tracks in the State of Louisiana shall be submitted to the Office of State Fire Marshal and other appropriate agencies before

beginning construction. The following information shall accompany any application or proposal and shall include but not be limited to:

- a. one copy of site plans and all accompanying documentation;
- b. a copy of all required local, parish or state permits such as (but not limited to) business licenses, and/or electrical, building, or plumbing permits. When all inspections are completed by local, parish or state agencies one copy of the completed inspection report shall be sent to the Office of State Fire Marshal for enclosure in the facility's permanent file.

15. Fire Protection

- a. Kart tracks shall be equipped with ABC dry chemical fire extinguishers with a 4A 80BC rating with a travel distance not to exceed fifty (50) feet as provided for in NFPA 10 (2013 edition), *Standard for Portable Fire Extinguishers*.
- b. The required fire extinguisher shall be readily accessible from all areas of the track and one fire extinguisher shall be kept in the pit and refueling area(s). The fire extinguisher location shall be prominently marked, easily accessible and approximately 36 inches above the ground.

16. Refueling Area

- a. Karts shall be refueled in a designated location remote from any area accessible to the public. Fuel storage and transfer cans must meet the requirements of NFPA 30 (2015 edition). Any fuel spillage must be promptly cleaned and prevented from running onto the track or any area accessible to the public. Warning signs must be prominently displayed stating that smoking is prohibited in the refueling area.
- b. All kart motors shall be turned off during refueling.

17. Track Operation

- a. Karts may only be operated by patrons within height limits set by the manufacturer. If no height limit is set by the manufacturer, patrons shall be at least fifty-two (52) inches tall and have a leg length that can reach the brake and throttle controls from the patron's seat in order to drive an adult kart.
- b. Only patrons less than 52 inches in height with a leg length sufficient to reach the brake and throttle controls from the patron's seat shall be permitted to operate a kiddie kart.
- c. Adult karts and kiddie karts shall not be operated on the same track at the same time.
- d. No kart shall be operated during a lightning storm, a period of tornado warning, fire, riot, or other civil disturbance in the area of the track or in an adjacent area. If any of these events occur while the track is in operation, patrons shall be unloaded and evacuated from the ride and the ride shut down until normal, safe operational conditions are established.
- e. Kart tracks shall be monitored during operation either directly by attendants, or indirectly by electronic visual and audio means acceptable to the Office of State Fire Marshal.
- f. A kart losing oil or fuel shall immediately be removed from the kart track. All karts must be stopped immediately and the track cleaned prior to restarting.
- g. When the kart manufacturer recommends, or they are deemed necessary by the Office of State Fire Marshal, the use of helmets must be provided for all patrons to use. Helmets, if used, must fit the patron's head correctly. All helmets must be cleaned with disinfectant twice daily.
- h. Karts designed for single or multiple riders shall use a shoulder harness and/or belt restraint system as required by the kart manufacturer. When deemed necessary for additional protection of kart patrons, the Office of State Fire Marshal may require the addition and use of a shoulder harness or belt restraint system on all karts.
- i. Patron's loose clothing and hair longer than shoulder length must be secured prior to operating any kart. Fully enclosed shoes must be worn by kart patrons at all times during operation of a kart.
- j. Patrons are prohibited from smoking during kart operation.
- k. Track attendants shall not allow patrons to leave their karts either in the pit or on the track unless assisted by track or pit attendants.

l. The kart track operator shall post a conspicuous warning sign at the entrance to the kart track. The sign shall be at least 2 feet by 2 feet in sharply contrasting colors and shall contain manufacturer warnings regarding medical restrictions, if any, for ride patrons.

m. The kart track operator must have a sign posted at the ticket window or track entrance and in the pit area that conveys, at a minimum, the following rules and regulations:

i. The patron height limit specified by the manufacturer, or no less than 52 inches for adult karts and no more than 52 inches for kiddie karts.

ii. Keep both hands on the wheel and both feet in the kart at all times. Do not get out of the kart unless track attendant is present.

iii. All loose clothing and hair longer than shoulder length must be secured. Fully enclosed shoes must be worn by kart patrons at all times during operation of kart.

iv. No smoking in kart or pit area.

v. Persons under the influence of intoxicants will not be allowed to operate karts.

vi. The use of private karts or vehicles will be prohibited on kart track when they are open to the public.

C. All plans and accompanying documents and any requests for deviations from the requirements herein can be submitted online to the Office of State Fire Marshal by utilizing the agency's Information Management System (OSFM-IMS), which is accessible via the agency's website (www.lasfm.org).

D. Record Retention and Inspection

1. Daily inspections must be made on all karts prior to operation. Inspections shall include but not be limited to: tires, padding, steering wheel, frame welds, spindles, axles, seat or shoulder belts, roll bars, gasoline tank condition, brake and gas pedal operation, and other parts as recommended by the kart manufacturer or the Office of State Fire Marshal.

2. Weekly, monthly and annual inspections shall be performed as recommended by the kart manufacturer or the Office of State Fire Marshal.

3. A track operation manual shall be written in the English language and available for review by the Office of State Fire Marshal.

4. The kart track shall have and demonstrate an emergency plan for evacuation of patrons and employees in the event of an emergency. This shall include, but not be limited to, fires, kart collisions, dangerous weather, obstructions on the track, handling intoxicated patrons, and emergency first aid.

5. The kart track shall maintain records of all required inspections for a period of 24 months.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 44:

Adopted on: February 22, 2018

Jason Starnes
Undersecretary
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