

STATEMENT OF SCOPE

Department of Commerce

Rule No. : Chapter Comm 34

Relating to Zip Lines - Amusement Rides

1. Description of the objective of the rule.

The objective of the rule is to update chapter Comm 34, Amusement Rides, to include minimum standards for the design, construction, operation and maintenance of zip lines to reflect current industry safety practices.

2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

To protect public safety and health, Chapter Comm 34 establishes minimum standards and practices for the design, construction, installation, operation, inspection and maintenance of amusement rides. The code also specifically addresses bungee jumping operations and go-kart, dune buggy and all-terrain vehicle operations, but it does not address zip lines, which typically consist of a pulley suspended on a cable mounted on an incline. Zip lines are designed to enable a user propelled by gravity to traverse from the top to the bottom of the inclined cable, usually made of stainless steel, by holding on or attaching to the freely moving pulley. The provisions of chapter Comm 34 apply retroactively to existing amusement rides.

The alternative of not revising the code would result in no rules and not being up-to-date with current industry practices, therein, possibly exposing zip line riders to potential safety and health risks.

3. Statutory authority for the rule.

The statutory authority for the rule is contained in sections 101.02 (2) and 101.17, Stats.

4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates approximately 200 hours will be needed to perform the review and develop any needed rule changes. This time includes forming and meeting with an advisory council, drafting the rule changes and processing the changes through public hearings, legislative review, and adoption. The department will assign existing staff to perform the review and develop the rule changes, and no other resources will be needed.

5. Description of all of the entities that will be affected by the rule.

The rule will affect any entity, private or public, that owns and operates existing zip lines, including those that are part of larger rope courses. The rule will also affect any entity which proposes to design and install a new zip line either individually or as part of a rope course.

6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.

The US Consumer Product Safety Commission under the Consumer Product Safety Act has jurisdiction over portable amusement rides. The commission has not developed any specific standard for portable amusement rides. At times the commission has issued various safety bulletins regarding operation, repair, maintenance or set-up for specific rides, but a web search found nothing related to zip lines or rope courses.

Approved for publication in the Wisconsin Administrative Register at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Richard J. Leinenkugel., Secretary

Approved for implementation at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Richard J. Leinenkugel, Secretary

