

Chapter ILHR 34

AMUSEMENT RIDES AND ATTRACTIONS

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Note: Chapter Ind 47 as it existed on February 28, 1986 was repealed and a new Chapter ILHR 34 was created effective March 1, 1986.

Subchapter I — Purpose and Scope

ILHR 34.001 Purpose. The purpose of this chapter is to set forth minimum standards for design, construction, operation, repair, inspection, assembly, disassembly and use of amusement rides and attractions, permanent or temporary structures, at carnivals, fairs and other places of amusement for the safety of employees and frequenters.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

ILHR 34.002 Scope. (1) APPLICATION. The provisions of this chapter shall apply to amusement rides and amusement attractions located at permanent sites or moved from site to site.

(2) **EXCLUSIONS.** The provisions of this chapter do not apply to non-mechanized playground equipment, such as swings, seesaws, stationary spring mounted animal features, rider propelled merry-go-rounds, climbers, slides, swinging gates and physical fitness devices.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

ILHR 34.003 Retroactivity. The provisions of this chapter shall apply to all amusement rides and attractions in existence on the effective date of this section and to those amusement rides and attractions constructed after the effective date of this section.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

Subchapter II - Definitions

ILHR 34.01 Definitions. In this chapter, the following definitions shall apply.

(1) "Amusement attraction" means any show or exhibition but does not include amusement rides.

(2) "Amusement equipment" means any object used in conjunction with amusement rides or amusement attractions that could be expected to contribute to injury.

Note: Examples of amusement equipment include but are not limited to concession stands, light towers, power-generation and distribution systems, decorations, signs and speaker systems.

(3) "Amusement ride" means a device or animal that carries, transports or supports frequenters in unusual, entertaining or thrilling modes of motion and any vehicle providing entertainment or transportation in conjunction with an amusement ride or an amusement attraction.

Note 1: Examples of amusement rides include but are not limited to rider-powered and power-driven thrill rides, mild rides and ride-throughs, walk-throughs, air pillows, giant slides, rope ladders, and animal rides. Vehicles include parking lot trams, old fire engines, stage coaches, trains and similar vehicles.

Note 2: Amusement rides do not include aircraft under the jurisdiction of the federal aviation administration, railroad trains under the jurisdiction of the federal railroad administration or boats used on navigable waters.

(4) "Approved" means approved by the department.

(5) "Authorized persons" are persons experienced and instructed in the work to be performed and who have been given the responsibility to perform their duties by the owner or operator.

(6) "Coin-operated ride" means any device meeting the definition of amusement ride and requiring the insertion of a coin or token to cause the ride to activate.

(7) "Concession stand" means a facility in which food and other goods are sold.

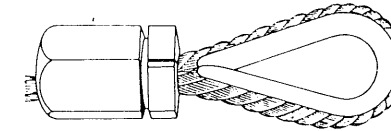
(8) "Critical parts" means those parts of amusement rides and attractions where failure could result in serious personal injury.

(9) "Department" means the department of industry, labor and human relations.

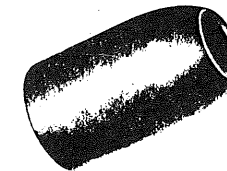
(10) "Equivalent degree of safety" means an alternative to strict compliance with this chapter provided the alternative establishes an

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CDD/34/FD



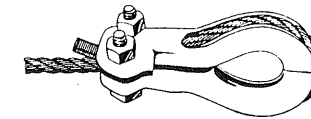
COLLET CONNECTION



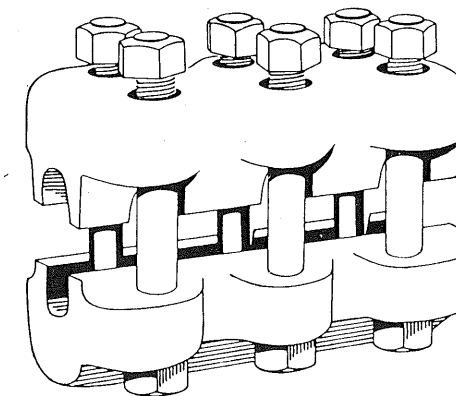
STEEL SWAGING SLEEVE



NON-TAPERED STEEL SLEEVE



CLAMP AND THIMBLE CONNECTION



DOUBLE BASE CLAMP

FIGURE 34.38-2 continued
WIRE ROPE FASTENERS

ILHR 34.39 Welding. Welding of structural members and other critical parts of amusement rides and attractions shall comply with the requirements of s. ILHR 53.53.

Note: See Appendix A for reprint of s. ILHR 53.53

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

ILHR 34.40 Air compressors and equipment. Air compressors, air compressor tanks and related equipment shall be constructed, tested, maintained and inspected as specified in chs. ILHR 41 and 42.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

ILHR 34.41 Accident reporting. Injuries to frequenters on amusement rides or attractions that require more than first aid treatment shall be reported by the owner to the department on Form SB-211 within 2 business days of the injury. A copy of the owner's report to the insurance carrier may be submitted in place of Form SB-211 if the report includes suggestions for prevention of similar accidents. Fatalities shall be reported within 24 hours of occurrence.

Note 1: See Appendix A for a reprint of Form SB-211 - Amusement Ride Accident Report.

Note 2: The department can be contacted at 608/266-3151 during normal business hours. The State Division of Emergency Government can be contacted at 608/266-3232 during non-business hours.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86; r. and recr. Register, April, 1991, No. 424, eff. 5-1-91.

ILHR 34.42 Wind and storm hazards. An amusement ride which is exposed to wind or storms shall not be operated under dangerous weather conditions except to release or discharge occupants.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

ILHR 34.43 Responsibility of sponsors. Any person, group or business contracting or leasing for the installation and use of amusement rides or attractions shall carry a condition in a contract or agreement that the amusement ride or attraction owner meets the conditions of this chapter prior to the opening for use by frequenters.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

Subchapter VII — Go-Karts, Dune Buggies and All-Terrain Vehicles

ILHR 34.45 Go-karts, dune buggies and all-terrain vehicles. (1) **APPLICABILITY.** The provisions of this section shall apply to go-karts, dune buggies, all-terrain vehicles and similar rider-controlled vehicles which carry or convey passengers along, around or over a fixed or restricted route or course or within a defined area for use as an amusement ride. These provisions shall apply in addition to all other applicable requirements in this chapter.

(2) **VEHICLE REQUIREMENTS.** (a) All vehicles shall be equipped with passenger padding to minimize the risk of injury to the driver, such as steering wheel pad, headrest pad and steering wheel support post pad.

(b) All vehicles shall be guarded to prevent interlocking of wheels during operation, unless vehicle passing is not allowed.

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(c) All vehicles equipped with seat belts shall be equipped with rollover protection in accordance with recognized safe practice.

(d) The maximum speed for a vehicle used by drivers under 52 inches in height shall be 8 mph. The speed of every vehicle shall be set at a limit not to exceed the maximum speed for which the track is designed and in accordance with recognized safe practice.

(e) Vehicles shall be equipped with a guarding system in compliance with recognized safe practice that covers or encloses all moving parts of the drive mechanism, except the wheels.

(f) Thermal protection shall be provided for the exhaust system.

(g) Vehicle fuel tanks shall be mounted or guarded in such a manner that provides protection to the driver during operation and if an accident should occur.

(h) The brake and speed controls shall be readily identified as to function and shall return automatically to a nonoperational position when released.

(i) The seat, back rest and leg area of every go-kart shall be so designed as to retain the driver on the go-kart in the event of a collision at the front, rear or sides of the go-kart.

(j) All vehicles shall be provided with impact absorbing bumpers or energy absorption body parts.

(3) **TRACK AND COURSE REQUIREMENTS.** (a) The surface of the track or course used by go-karts shall be smooth and of a solid and binding material, such as concrete or asphalt.

(b) The minimum width for go-kart tracks where vehicles travel more than 8 mph shall be 3 vehicle widths throughout the entire course or track.

(c) 1. A barrier system shall be installed around the inner and outer edges of the track or course used by go-karts, and it shall extend the entire length of the track or course. Openings in the barrier system for the entrance or exit of vehicles shall be protected in the direction of travel. The system shall consist of a guard rail, rubber tires, a runoff strip level with the track surface, or an embankment of friable earth or gravel or a combination thereof.

2. If rubber tires are used for a barrier system, the tires shall be free of the rims or wheels. The tires shall be installed to provide an effective barrier without allowing the go-karts to rise over them or penetrate underneath them.

3. If a metal or fiberglass rail is used for a barrier system, the rail surface shall be kept free of sharp or protruding edges or seams, and it shall be maintained so that there is no loose or unsecured area.

4. A barrier system shall be installed to designate and protect the pit area or passenger loading area.

(d) A fence or railing system at least 42 inches high shall be installed at maintenance buildings, driveways, pit areas, and fuel storage pumping areas to keep patrons and spectators from entering these track areas without the permission of, or direction by, the track personnel.

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- (e) No intersecting track or course configuration shall be permitted.
- (f) Any pole, post or solid obstruction that may be accidentally struck shall be protected by a resilient, energy-absorbing system.
- (g) Fire extinguishers with a minimum 10-B:C rating shall be conspicuously located within 50 feet of the pit area and fueling point.
- (4) OPERATION REQUIREMENTS. (a) The attendants shall be able to clearly view the entire course.
- (b) The refueling of vehicles shall not take place in any area where passengers or spectators are present. All fuel storage and fueling operations shall be in accordance with ch. ILHR 10.
- (c) During nighttime operation, track lighting with a minimum lighting level of 5 footcandles at the track surface shall be provided.
- (d) A means shall be provided to safely alert the drivers of the vehicles to a caution situation or to stop the vehicles in case of an emergency.
- (e) Smoking shall not be permitted while operating a vehicle or in the pit area.
- (5) SIGNS. (a) A conspicuous sign shall be posted at the ticket window or track entrance indicating at least the following information:
1. Minimum height of 52 inches for a driver of a standard go-kart.
 2. To start and stop only at the attendant's signal.
 3. To stay in the vehicle while on the track.
 4. Loose clothing and hair longer than shoulder length must be secured.
 5. To obey verbal instructions of the attendant.
- (b) A conspicuous sign shall be posted at the boarding or starting area indicating at least the following information:
1. To keep hands and feet inside the vehicle.
 2. To obey the attendant's signals.
 3. Bumping, stopping or U-turns on the track are not allowed.
 4. To stay on the track surface.
 5. To stay in the vehicle in the parking area until released by the attendant.
 6. No smoking in the pit area or while operating a vehicle.
- (c) A conspicuous sign shall be posted at the unloading area indicating that the rider is to remain seated until released by the attendant.

History: Cr. Register, April, 1991, No. 424, eff. 5-1-91.

Subchapter VIII — Waterslides

ILHR 34.50 Waterslides. (1) GENERAL. The provisions of this section shall apply to all waterslides where water is pumped to the top of a flume and allowed to flow down the flume to a plunge pool. These provisions
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shall apply in addition to all other applicable requirements in this chapter.

Note: See chs. HSS 171 and 172 for further requirements for water recreation attractions.

(2) DESIGN. (a) All waterslides shall be designed and constructed in accordance with recognized safe practice.

(b) Waterslides shall be so designed that parts with external surfaces that may come into contact with a person using the waterslide are assembled, arranged and finished so that they are smooth and continuous and will not cut, pinch, puncture or cause an abrasion to any person.

(c) Waterslide channels shall be designed so as to keep each person using the waterslide safely inside the channel.

(d) All curves, turns and tunnels on the path of a flume shall be designed and constructed so as not to present a hazard to anyone using the slide.

(3) OPERATION. (a) At least one attendant at the top and one attendant at the bottom shall be provided at all waterslide operations.

(b) A means of 2-way communication between the attendants shall be established.

Note: See ch. HSS 172 for additional requirements relating to attendants and signs for waterslide operations.

History: Cr. Register, April, 1991, No. 424, eff. 5-1-91.

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Wisconsin Department of Industry,
Labor and Human Relations
Safety and Buildings Division

AMUSEMENT RIDE REGISTRATION

1991

Bureau of Safety Services
P.O. Box 7969
Madison, WI 53707
Telephone (608) 266-2780

Sections ILHR 34.04 (1) and Ind 69.07 of the Wisconsin Administrative Code require that amusement rides be registered with the Department of Industry, Labor and Human Relations each calendar year. Please provide all information requested below.

Ride Operation Business Name, Street Address, City, State, Zip Code:	Owner Name (If different from business name)
	Owner Street Address
	City, State, Zip Code
	Owner/Business Telephone Number Owner () Business ()

FEES: Provide number of rides being registered and total remittance for each category below.

PORTABLE or PERMANENT RIDES: _____ rides at \$40.00/ride = \$ _____ fee attached.

COIN-OPERATED KIDDIE RIDES: _____ rides at \$20.00/ride = \$ _____ fee attached.

Registration tags will be sent upon receipt of completed forms and appropriate fees.

RIDE IDENTIFICATION: Complete the attached listing of rides (form SBD-7620) by serial number and owner. Also provide latest test date of critical parts for class 2, 3, and 4 rides.

ROUTE OR ITINERARY: Your registration will not be processed if the necessary route/itinerary information is not provided on page 2 (attached) or it is discovered that you have not complied with any one or more of the following items.

AMUSEMENT RIDE REGISTRATION REFUSAL

- 1. Unabated Safety Related Orders By DILHR
- 2. Outstanding Registration And Inspection Fees
- 3. Incomplete Registration Form Or Inadequate Fees
- 4. Failure To Test for Serviceability
- 5. Certificate of Insurance

Registration stickers shall be posted in a conspicuous place viewed by the public.

INSURANCE: Evidence of Liability Insurance and Worker's Compensation must be shown below. Please attach copy of certificate of insurance. Proof of ability to pay damages will be accepted in lieu of liability insurance.

Worker's Compensation - Provide Insurance Company Name:	Policy Number:
Liability Coverage - Provide Insurance Company Name And Send Copy Of Certificate:	Policy Number:

1991 ROUTE OR ITINERARY

OPERATION DATE WEEKEND	LOCATION/SPONSOR	STREET ADDRESS	CITY
4/26 - 4/28			
5/03 - 5/05			
5/10 - 5/12			
5/17 - 5/19			
5/24 - 5/26			
5/31 - 6/02			
6/07 - 6/09			
6/14 - 6/16			
6/21 - 6/23			
6/28 - 6/30			
7/03 - 7/07			
7/12 - 7/14			
7/19 - 7/21			
7/26 - 7/28			
8/02 - 8/04			
8/09 - 8/11			
8/16 - 8/18			
8/23 - 8/25			
8/30 - 9/03			
9/06 - 9/08			
9/13 - 9/15			
9/20 - 9/22			
9/27 - 9/29			
10/04 - 10/06			
10/11 - 10/13			
10/18 - 10/20			
10/25 - 10/27			

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Bureau of Safety Services
Safety Inspection Section
P.O. Box 7969
Madison, WI 53707
Telephone (608) 266-2780

AMUSEMENT RIDE REGISTRATION LISTING
1991

Wisconsin Department of Industry,
Labor and Human Relations
Safety and Buildings Division

NOTE: Do not place any entries in the last column at the right. The department will enter that number.

RIDE NAME	SERIAL NO.	OWNER NAME	LAST NON-DESTRUCT TEST DATE * (Where Required) AND TESTING AGENCY NAME (Do Not List DILHR)	REGISTR # (Assigned by DILHR)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				

* Critical parts of Class 2 and 3 rides must be non-destructively tested every 3 years (s. ILHR 34.16 (2)). Class 4 rides require testing every 2 years.

SBD-7620 (R. 01/91)

- CONTINUE ON ATTACHED PAGE 2 IF NECESSARY -

Wisconsin Department of Industry,
Labor and Human Relations
Safety and Buildings Division

AMUSEMENT RIDE REGISTRATION LISTING
1991

Bureau of Safety Services
Safety Inspection Section
P.O. Box 7969
Madison, WI 53707
Telephone (608) 266-2780

NOTE: Do not place any entries in the last column at the right. The department will enter that number.

RIDE NAME	SERIAL NO.	OWNER NAME	LAST NON-DESTRUCT TEST DATE * (Where Required) AND TESTING AGENCY NAME (Do Not List DILHR)	REGISTR # (Assigned by DILHR)
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				
26.				
27.				
28.				
29.				
30.				
31.				
32.				
33.				
34.				

* Critical parts of Class 2 and 3 rides must be non-destructively tested every 3 years (s. ILHR 34.16 (2)). Class 4 rides require testing every 2 years.

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A 34.11 PETITION FOR VARIANCE. The following form (SB-8) is referred to in s. ILHR 34.11. Copies of this form are available from the Division of Safety and Buildings, P.O. Box 7969, Madison, Wisconsin 53707.

PETITION FOR VARIANCE APPLICATION

Wisconsin Department of Industry, Labor and Human Relations
Safety and Buildings Division
201 East Washington Avenue, P.O. Box 7969
Madison, Wisconsin 53707
608/266-3151

<small>OFFICE USE ONLY</small>		<small>OFFICE USE ONLY</small>	
Amount Paid		Petition No.	
Receipt No.		E-Number	
Name of Owner/Petitioner	Building or Project	Agent, Architect or Engineering Firm	
Company	Tenant Name, if any	Street & Number	
Street & Number	Location, Street & Number	City	State Zip Code
City State Zip Code	City County	Telephone Number	
Telephone Number	Plan Number, if known	Name of Contact Person	

1. The rule being petitioned reads as follows: (cite specific rule number and language)

2. The rule being petitioned cannot be entirely satisfied because:

3. The following alternative(s) and supporting information are proposed as a means of providing an equivalent degree of health, safety or welfare as addressed by the rule:

Note: Please attach any pictures, plans, sketches or required position statements.

VERIFICATION BY OWNER - PETITION IS VALID ONLY IF NOTARIZED AND ACCOMPANIED BY REVIEW FEE
See Section Ind 69.15 for complete fee information

Note: Petitioner must be the owner of the building or project. Tenants, agents, designers, contractors, attorneys, etc. may not sign petition unless a Power of Attorney is submitted with the Petition for Variance Application.

_____, being duly sworn, I state as petitioner that I have read the foregoing petition, that I believe it to be true and I have significant ownership rights in the subject building or project.

Signature of Petitioner

Subscribed and sworn to before me this date: _____

Notary Public

My commission expires: _____

SB-8(R.09/88)

(a) Each manual welder and tacker or welding machine operator shall be retested every 3 years in accordance with s. ILHR 53.53 (6).

(b) Each manual welder and tacker or welding machine operator certificate which has become void due to welding operation interruption exceeding 3 consecutive months or having exceeded the 3-year certificate time limit can be renewed only by retesting at an approved testing laboratory.

(8) WELD IDENTIFICATION. Each structurally significant member shall have its welding identified by a distinguishing mark stamped on the member by the certified welders involved.

(9) CRITERION OF FINAL ACCEPTANCE. All structural welding is subject to examination by approved inspectors and such inspection shall be the final criterion for conformance and acceptability for the intended use.

(10) STRUTURAL WELDING DONE OUTSIDE THIS STATE. All welding shall conform with the requirements of s. ILHR 53.53 except the requirements of sub. (7). In lieu of operator certification, manufacturers and suppliers of structural steel shall, prior to commencing any welded construction, submit evidence of procedure qualification, if not prequalified, and welder certification that has been approved by an independent testing laboratory which is acceptable to the department. Manufacturers and suppliers are required to keep the welder certification current.

Note: The welder certification requirement may be submitted and kept current by having the approved testing laboratory submit a list of certified welders to the department. The submittal may be a part of the materials approval information submitted for s. ILHR 50.25 or may be submitted separately for the manufacturers not having a materials approval.

A 34.41 ACCIDENT REPORTING. The following form (SB-211) is referred to in s. ILHR 34.41 Note. Copies of this form are available from the Division of Safety and Buildings, Bureau of Safety Inspection, P.O. Box 7969, Madison, Wisconsin 53707.

Wisconsin Department of Industry,
Labor and Human Relations
Safety and Buildings Division

**AMUSEMENT RIDE
ACCIDENT REPORT**

Bureau of Safety Services
P.O. Box 7969
Madison, WI 53707
Telephone (608) 266-2780

The owner / operator of the amusement ride shall notify the Department of Industry, Labor and Human Relations of every accident involving personal injury which requires medical attention (Section ILHR 34.41, Wis. Adm. Code).

This form must be submitted within TWO (2) DAYS after accident or injury. Penalties for failure to report are provided in Section 101.02, Wis. Stats.

Report Date	Accident Date	Carnival or Show Name
Ride Serial Number	Ride Name	
Ride Manufacturer	Ride Location At Time of Accident	
Name of Operator Responsible For Ride	Address of Operator Responsible For Ride	
Liability Insurance Company Name and Address	Number of Injured Persons	
Name(s) and Address(es) of Injured Person(s)		

Signature of Injured Person(s) or Their Representative If Possible:

Extent of Injuries <input type="checkbox"/> Bruises <input type="checkbox"/> Severe <input type="checkbox"/> Broken Bones <input type="checkbox"/> Fatal <input type="checkbox"/> Other - Specify:	Was injured person(s) your employee? <input type="checkbox"/> Yes <input type="checkbox"/> No
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Describe to the best of your knowledge the cause of the accident:

In your opinion, what would prevent recurrence of similar accidents?

Signature of Person Reporting	Position	Date Signed
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SBD-211 (R 01/91)