

2. ASTM F747—1997, Definitions of Terms Relating to Amusement Rides and Devices;
3. ASTM F770—1993, Practice for Operation Procedures for Amusement Rides and Devices;
4. ASTM F846—1993, Guide for Testing Performance of Amusement Rides and Devices;
5. ASTM F853—1993, Practice for Maintenance Procedures for Amusement Rides and Devices; and
6. ASTM F 893—1987, Guide for Inspection of Amusement Rides and Devices.

New Rule R.1986 d.222, effective June 16, 1986.

See: 18 N.J.R. 609(a), 18 N.J.R. 1303(a).

Amended by R.1988 d.333, effective July 18, 1988.

See: 20 N.J.R. 1072(a), 20 N.J.R. 1721(a).

Dates for the standards in (b) have been changed.

Amended by R.1993 d.334, effective July 6, 1993.

See: 25 N.J.R. 1832(a), 25 N.J.R. 2896(a).

Amended by R.1998 d.305, effective June 15, 1998.

See: 30 N.J.R. 782(a), 30 N.J.R. 2230(a).

In (b), changed document date designations.

Amended by R.2000 d.88, effective March 6, 2000.

See: 31 N.J.R. 1172(a), 32 N.J.R. 826(a).

5:14-1.5 (Reserved)

5:14-1.6 Existing equipment

Maintenance of existing equipment shall be in accordance with this chapter. Any replacements of existing equipment shall also be in conformity with this chapter.

Amended by R.1986 d.222, effective June 16, 1986.

See: 18 N.J.R. 609(a), 18 N.J.R. 1303(a).

Added text "of existing equipment".

Recodified from N.J.A.C. 5:14-1.7 by R.1998 d.305, effective June 15, 1998.

See: 30 N.J.R. 782(a), 30 N.J.R. 2230(a).

Section was "Validity".

5:14-1.7 Compliance

(a) Every owner, ride operator and the public using an amusement ride shall comply with this Chapter.

(b) An amusement ride which is not in compliance with this Chapter shall not be used or occupied, except as provided in subsection (c) below.

(c) Where only individual units of a ride, such as cars, seats or other carriers are defective and not in compliance with this Chapter, such units shall be taken out of service and clearly marked with a sign reading "Out of Service"; provided, however, such defects do not jeopardize the safety of the entire ride.

(d) The owner of an amusement ride shall not permit a person under the influence of alcohol or narcotics to enter any amusement ride.

(e) The Commissioner shall reserve the right to establish the height restriction, guardian restriction, and classification of any ride.

(f) The Commissioner in accordance with (e) above, shall maintain a list containing approved height restrictions for major rides.

(g) The Commissioner shall classify all amusement rides as "super ride," "major ride" or "kiddie ride."

(h) The owner of a major ride or a super ride shall not permit a passenger under 60 inches in height on the ride except when:

1. The approved height restriction specifically listed for the ride is less than 60 inches and the passenger meets it; or

2. The passenger not meeting the approved height restriction is accompanied, elbow to elbow or front to back, on the ride by a companion.

(i) When the weight of a passenger is used to determine entry to an amusement ride, a scale shall be provided.

1. The scale shall be tested and sealed by a New Jersey Weights and Measures Officer at least once a year.

2. The scale shall be tested using certified test weights before the opening of the ride each day.

Amended by R.1979 d.168, effective May 1, 1979.

See: 11 N.J.R. 197(b), 11 N.J.R. 285(a).

Recodified from N.J.A.C. 5:14-1.8 and amended by R.1998 d.305, effective June 15, 1998.

See: 30 N.J.R. 782(a), 30 N.J.R. 2230(a).

Added (i). Former N.J.A.C. 5:14-1.7, Existing equipment, recodified to N.J.A.C. 5:14-1.6.

Amended by R.2000 d.88, effective March 6, 2000.

See: 31 N.J.R. 1172(a), 32 N.J.R. 826(a).

In (g), inserted a reference to super rides; and in (h), inserted a reference to super rides in the introductory paragraph, substituted a reference to companions for a reference to guardians at the end of 2, and deleted a former 3.

5:14-1.8 Inspection fee and permit

(a) Thirty days before commencing operations and in each year thereafter, an owner shall apply for a permit with an application form furnished by the Division and containing such information as the Division may require.

1. The application shall be accompanied by a certificate of insurance, bond or other security indicating that the owner has complied with N.J.A.C. 5:14-1.15.

2. The application shall include a copy of the maintenance recommendations, a non-destructive testing plan and operating instructions as provided by the manufacturer. The non-destructive testing plan and maintenance recommendations shall identify the components to be tested or maintained and the frequency for testing or maintenance. All documentation submitted shall comply with the requirements of the ASTM Standards on Amusement Rides and Devices promulgated by Committee F24, incorporated herein by reference.

- i. The non-destructive testing plan shall include provisions for the non-destructive testing of critical

structural and mechanical components, such as, but not limited to, journals, shafts, spindles, and pins not visible to the naked eye.

ii. Following the initial submission of these documents, the annual application shall include only changes to the manufacturer's maintenance recommendations and operating instructions, if any.

iii. The manufacturer may submit these documents on behalf of all applicants who own or operate a particular ride.

iv. Where there is no manufacturer to provide the required documents, the applicant shall submit to the Division for review and approval maintenance recommendations, a non-destructive testing plan and operating instructions prepared by a licensed professional engineer or other qualified professional with training, experience, and certification pertaining to the inspection and evaluation of amusement rides that is acceptable to the Division.

v. Where the applicant encounters practical difficulty in providing these documents, the applicant may request that the Division approve a schedule for the submission of the required documents.

(b) After commencing operations, 72 hours advance notice must be received by the Division before any additional rides or "book-ons" are placed in operation.

(c) No amusement ride shall be operated without a permit, except that a ride covered by a valid permit to operate for the preceding year may continue to operate for the current year, until reinspected. This carry-over permit shall be known as a temporary permit.

(d) All amusement rides shall be inspected by the Division before they are originally put into operation for the public use and thereafter at least once every year, unless authorized to operate on a temporary permit.

(e) At the time of application an annual fee shall be included at the rate of \$300.00 for each super ride, \$200.00 for each major ride and \$100.00 for each kiddie ride. A permit to operate shall not be issued until the permit fee has been paid.

(f) Once an application for a permit has been reviewed, staff of the Division shall inspect the amusement ride. After inspection, if the amusement ride is found to comply with this chapter, the Division shall authorize the ride for use by the public by issuing an annual permit and permanently affixing it to the ride in a location visible to the public.

(g) Annual permits shall be issued for a period commencing January 1, and expiring the following December 31.

(h) A copy of the permit issued by the Division shall be continuously displayed in the vicinity of the entrance to the ride when the ride is in use. The permit shall be encased in such a manner as to be protected from weather conditions. Duplicates of such permits shall be issued by the Division at a cost of \$10.00 for each permit.

(i) The Division shall order in writing a temporary cessation of operation of an amusement ride if it has been determined after inspection to be hazardous or unsafe. Operation of the ride shall not be resumed until the ride has been reinspected by a designee of the Division and it is determined by the designee to be safe for operation.

(j) The owner of an amusement ride shall notify the Commissioner when ownership is transferred to another owner. In such a case the new owner shall obtain a new permit.

Amended by R.1986 d.222, effective June 16, 1986.

See: 18 N.J.R. 609(a), 18 N.J.R. 1303(a).

(h) substantially amended.

Amended by R.1991 d.610, effective December 16, 1991.

See: 23 N.J.R. 2950(a), 23 N.J.R. 3816(a).

Revised (d).

Amended by 1994 d.581, effective November 21, 1994.

See: 26 N.J.R. 3594(a), 26 N.J.R. 4630(a).

Recodified from N.J.A.C. 5:14-1.9 and amended by R.1998 d.305, effective June 15, 1998.

See: 30 N.J.R. 782(a), 30 N.J.R. 2230(a).

In (a), changed N.J.A.C. reference; and in (e), substituted a reference to the Division of Public Safety and Occupational Safety and Health for a reference to the Division of Workplace Standards, and deleted a \$300 annual fee for each super ride. Former N.J.A.C. 5:14-1.8, Compliance, recodified to N.J.A.C. 5:14-1.7.

Amended by R.2000 d.88, effective March 6, 2000.

See: 31 N.J.R. 1172(a), 32 N.J.R. 826(a).

Rewrote (a), (e) and (f).

5:14-1.9 Revocation of carnival-amusement ride permit

(a) Any owner may have his or her amusement ride permit revoked for:

1. Incompetence;
2. Negligence;
3. Continuing to operate an amusement ride without the Division's authorization when an incident as described in N.J.A.C. 5:14-1.13(a) occurs;
4. Failure to notify the Division of any incident as required by N.J.A.C. 5:14-1.13;
5. The discovery of false, invalid, incorrect or fraudulent information related to the design of the ride or its safe operation;
6. Knowingly submitting false, invalid or fraudulent information that is not related to the design of the ride or its safe operation; or
7. Failure to comply with the Carnival Amusement Ride Safety Act, N.J.S.A. 5:3-31 et seq., orders of the Commissioner, or this chapter.

5. Those with serious health problems or serious physical disabilities; and
6. Those under the influence of alcohol or drugs.

(d) The owner shall not post any sign which prohibits or discourages all handicapped persons from using the ride. For example "No Handicapped" shall not be used as an equivalent warning.

As amended, R.1979 d.168, effective May 1, 1979.

See: 11 N.J.R. 197(b), 11 N.J.R. 285(a).

Amended by R.1986 d.222, effective June 16, 1986.

See: 18 N.J.R. 609(a), 18 N.J.R. 1303(a).

Old (c) and (d) deleted and new text substituted.

Amended by R.2000 d.88, effective March 6, 2000.

See: 31 N.J.R. 1172(a), 32 N.J.R. 826(a).

Rewrote (a) and (b); and in (c), substituted a reference to (a)1 for a reference to (a) in the introductory paragraph.

14. N.J.A.C. 5:70, Uniform Fire Code; and

15. N.J.S.A. 51:1-83 and 93, Standards, Weights, Measures and Containers.

Amended by R.1988 d.333, effective July 18, 1988.

See: 20 N.J.R. 1071(a), 20 N.J.R. 1721(a).

Substantially amended.

Emergency amendment, R.1993 d.244, effective May 3, 1993 (to expire July 2, 1993).

See: 25 N.J.R. 2128(a).

Added new (a)15.

Amended by R.1993 d.343, effective July 6, 1993.

See: 25 N.J.R. 1832(a), 25 N.J.R. 2896(a).

Adopted concurrent proposal, R.1993 d.374, effective July 2, 1993.

See: 25 N.J.R. 3500(a).

Amended by R.1998 d.305, effective June 15, 1998.

See: 30 N.J.R. 782(a), 30 N.J.R. 2230(a).

In (a), changed document date designations throughout.

Amended by R.2000 d.88, effective March 6, 2000.

See: 31 N.J.R. 1172(a), 32 N.J.R. 826(a).

SUBCHAPTER 6. STANDARDS AND PUBLICATIONS REFERENCED IN THIS CHAPTER

5:14-6.1 Documents referenced

(a) The full title and edition of each of the standards and publications referred to in this chapter is as follows:

1. ANSI B77.1-1992 and B77.1B-1992, Aerial Passenger Tramways;
2. ASTM F698-1994, Physical Information to be Provided for Amusement Rides and Devices;
3. ASTM F747-1997, Definitions of Terms Relating to Amusement Rides and Devices;
4. ASTM F770-1993, Practice for Operation Procedures for Amusement Rides and Devices;
5. ASTM F846-1993, Guide for Testing Performance of Amusement Rides and Devices;
6. ASTM F853-1993, Practice for Maintenance Procedures for Amusement Rides and Devices;
7. ASTM F893-1987, Guide for Inspection of Amusement Rides and Devices;
8. NFPA No. 70-1996, National Electrical Code;
9. NJAC 5:11, Boilers, Pressure Vessels and Refrigeration;
10. NJAC 5:23, Uniform Construction Code;
11. N.J.S.A. 5:3-31 et seq., Carnival-Amusement Ride Safety Act;
12. N.J.S.A. 17:22 et seq., Surplus Lines Law;
13. N.J.S.A. 34:6-47:1 et seq., High Voltage Proximity Act;

5:14-6.2 Availability of documents for inspection

A copy of each of the standards and publications referred to in this chapter is on file and may be inspected at the following office of the Division of Codes and Standards between the hours of 9:00 A.M. and 4:00 P.M. on normal working days:

New Jersey Department of Community Affairs
Division of Codes and Standards
101 South Broad Street
Trenton, New Jersey 08625

Amended by R.1988 d.333, effective July 18, 1988.

See: 20 N.J.R. 1071(a), 20 N.J.R. 1721(a).

Address change.

Amended by R.1998 d.305, effective June 15, 1998.

See: 30 N.J.R. 782(a), 30 N.J.R. 2230(a).

Changed names and address.

5:14-6.3 Availability of documents from issuing organizations

Copies of the referenced standards and publications in this chapter may be obtained from the organizations listed below. The abbreviations preceding these standards and publications have the following meaning, and are the organizations issuing the standards and publications listed in N.J.A.C. 5:14-6.1.

N.J.A.C.—New Jersey Administrative Code

5:11 Copies available from:

Office of Boiler and Pressure Vessel Compliance
New Jersey Department of Community Affairs
PO Box 814
Trenton, N.J. 08625-0814

5:70 Copies available from:

Division of Fire Safety
New Jersey Department of Community Affairs
PO Box 809
Trenton, N.J. 08625-0809

5:23 Copies available from:

Division of Codes and Standards
New Jersey Department of Community Affairs
Publications
PO Box 802
Trenton, N.J. 08625-0802

N.J.S.A. 5:3-31 et seq.

Copies available from:

Office of Safety Compliance
New Jersey Department of Community Affairs
PO Box 808
Trenton, N.J. 08625-0808

Amended by R.1998 d.305, effective June 15, 1998.

See: 30 N.J.R. 782(a), 30 N.J.R. 2230(a).

Amended by R.2000 d.88, effective March 6, 2000.

See: 31 N.J.R. 1172(a), 32 N.J.R. 826(a).

Changed PO Box numbers in N.J.A.C. 5:11 and N.J.S.A. addresses, substituted a reference to Publications for a reference to Central Services/Publications in N.J.A.C. 5:23 address, and changed N.J.S.A. reference in N.J.S.A. address.

SUBCHAPTER 7. SPECIAL PROVISIONS FOR BUNGEE JUMPING OPERATIONS

5:14-7.1 Purpose

The purpose of this subchapter is to maximize safety to bungee jumpers and spectators while bungee jumping operations are in progress.

5:14-7.2 Scope

The scope of this subchapter is to set forth specific rules applicable to bungee jumping operations which shall be adhered to in addition to the general provisions of the rules governing carnival and amusement rides in this chapter. Where a specific provision is provided covering bungee jumping which conflicts with the general provisions of this chapter, the provisions set forth in this subchapter shall govern.

5:14-7.3 Prohibited activities

(a) The following practices and activities are prohibited:

1. Catapulting;
2. Double jumping;
3. Launching;

4. Reverse jumping;

5. Sandbagging;

6. Stunt jumping;

7. Tandem jumping;

8. More than two persons on the jump point, except for the allowance of one additional employee approved for training purposes only;

9. A bungee jumping operation which is exposed to wind velocity exceeding 25 miles per hour or other dangerous weather condition;

i. Wind velocity shall be measured by an anemometer mounted on the tower at least as high as the jump point and capable of being read from ground level as well as the jump point;

10. Bungee jumping from a mobile or fixed-type crane or lifting device not designed, approved and/or manufactured to carry, transport or in any fashion move a person;

11. A bungee jumping operation which is in violation of any Federal, State or local law or regulation with respect to any part of its operation; and

12. Any bungee type ride not specifically approved by the Commissioner.

5:14-7.4 Inspection fee and permit

An owner of a bungee jumping operation shall adhere to all of the provisions pertaining to the inspection and permitting procedures and requirements found at N.J.A.C. 5:14-1.9, except that the inspection fee for a bungee jumping operation shall be \$500.00 and the duplicate permit fee shall be \$25.00.

5:14-7.5 Operating manual

(a) Each site shall have an operating manual for the safe operation of bungee jumping on the site. The manual and all amendments shall be held on the site and shall be freely available to staff and the Commissioner.

(b) The manual shall include, but not be limited to, the following:

1. Site plan;
2. Description of operating system and equipment;
3. Job procedures for each task in the operating system;
4. Job descriptions;
5. Maintenance inspection records;
6. Testing procedures and recording;
7. Criteria for the periodic maintenance or replacement of rigging, hardware, bungee cords, harnesses, or lifelines as required by the manufacturer;
8. Emergency plan and procedures;