

302 KAR 16:020. Inspection and operation of amusement rides or amusement attractions.

RELATES TO: KRS 247.232, 247.234(3), 247.236(3)

STATUTORY AUTHORITY: KRS 247.234, 247.236

NECESSITY, FUNCTION, AND CONFORMITY: KRS 247.234(3)(b) and (d) require the department to promulgate administrative regulations establishing initial safety inspection fees and safety requirements for amusement rides or attractions. KRS 247.236(3) requires the department to promulgate an administrative regulation establishing the requirements for the construction of safety barriers around an amusement ride or attraction. This administrative regulation establishes safety guidelines for the operation and inspection of amusement rides or attractions and establishes the initial safety inspection fees.

Section 1. Definitions. (1) "Air inflatable device" means an object that is filled with air by an electric motor-driven blower.

(2) "Dark ride" means an amusement ride or amusement attraction enclosed and with the lights turned off during the duration of the ride, and is a nonmechanized self-propelled amusement.

(3) "Go-cart facility" means an amusement ride or amusement attraction that carries a rider on a fixed path and includes the vehicle that travels the fixed path.

(4) "Inspection fee" means a fee required to be paid to operate any amusement ride or amusement attraction in Kentucky.

(5) "Kiddie ride" means an amusement ride or amusement attraction that has a height requirement of forty-two (42) inches or less to ride.

(6) "Major ride" means any ride that:

(a) Has height requirement of forty-three (43) inches or greater to ride; and

(b) Does not have a specific fee established for it in Section 2 of this administrative regulation.

(7) "Play port" means an object designed for use by children on which a child can swing, walk, climb, or slide, and that follows a fixed path.

(8) "Steel roller coaster" means roller coaster of which the track portion is constructed of steel or other metal material.

(9) "Walk through" means a fun house or glass house that is nonmechanized and self-propelled.

(10) "Water ride" means an amusement ride or amusement attraction that uses water as a means of propulsion and includes bumper boats and water park slides that are in excess of fifteen (15) feet at the highest point of the slide.

(11) "Wooden roller coaster" means a roller coaster of which the track portion is constructed of wood material.

Section 2. (1) All amusement ride and amusement attractions operating in Kentucky shall bear an initial safety inspection seal. Following and passing an initial safety inspection, an initial safety inspection seal shall be affixed to a permanent and accessible section of the amusement ride or amusement attraction.

(2) If the required initial safety inspection seal does not appear on the amusement ride or amusement attraction, operation of the amusement ride or amusement attraction shall be stopped until proof of an initial inspection is provided.

Section 3. Initial safety inspection fees, and any required re-inspection fees, shall be levied

for each amusement ride and amusement attraction. The initial safety inspection fees shall be assessed as established in subsections (1) through (12) of this section. (1) Air inflatable devices shall be fifty (50) dollars.

(2) Kiddie rides shall be seventy-five (75) dollars.

(3) Play port shall be seventy-five (75) dollars.

(4) Water rides shall be seventy-five (75) dollars.

(5) Dark rides shall be seventy-five (75) dollars.

(6) Walk throughs and glass houses shall be seventy-five (75) dollars.

(7) Tracked trains shall be \$100.

(8) Go-cart facility shall be \$125.

(9) Major rides shall be \$150.

(10) Steel roller coaster shall be \$200.

(11) Wooden roller coaster shall be \$300.

(12) Any amusement ride or amusement attraction not listed in this section shall be \$150.

(13) Re-inspection as established in KRS 247.234(4)(a).

(a) Re-inspection fees shall be assessed as established in paragraph (b)1. through 12. of this subsection.

(b)1. Air inflatable devices shall be \$100.

2. Kiddie rides shall be \$150.

3. Play port shall be \$150.

4. Water rides shall be \$150.

5. Dark rides shall be \$150.

6. Walk throughs and glass houses shall be \$150.

7. Tracked trains shall be \$200.

8. Go-cart facility shall be \$250.

9. Major rides shall be \$300.

10. Steel roller coaster shall be \$400.

11. Wooden roller coaster shall be \$500.

12. Any amusement ride or amusement attraction not listed in this paragraph shall be \$300.

Section 4. All new permanent amusement rides and amusement attractions shall have all required state and local permits before the initial safety inspection. (11 Ky.R. 94; 400; eff. 9-11-1984; 1644; eff. 6-4-1985; 29 Ky.R. 2335; 2664; eff. 5-15-2003; 33 Ky.R. 888; 1304; eff. 11-8-2006; 35 Ky.R. 2131; 2420; eff. 6-5-2009; 44 Ky.R. 2265, 2492; eff. 7-6-2018; 45 Ky.R. 3503; 46 Ky.R. 430; eff. 8-22-2019.)