

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Amusement Ride and Attraction Safety Act
- 2) Code Citation: 56 Ill. Adm. Code 6000
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
6000.10	Amendment
6000.15	Amendment
6000.40	Amendment
6000.65	Amendment
6000.67	New Section
6000.90	Amendment
6000.100	Amendment
6000.120	Amendment
6000.160	Amendment
6000.180	Amendment
6000.340	Amendment
6000.350	Amendment
6000.351	Amendment
6000.352	Amendment
6000.353	Amendment
- 4) Statutory Authority: Implementing and authorized by the Amusement Ride and Attraction Safety Act [430 ILCS 85].
- 5) Complete Description of the Subjects and Issues Involved: This rulemaking implements Public Act 103-177. The rulemaking gives the Director increased discretion on when permit applications may be accepted and allows permit denials for applicants with histories of misrepresentation to the Department. It additionally requires permitted entities to have a First Aid and CPR certified employee on staff at all times of operation. The rulemaking eliminates an exemption for drug testing and background checks for volunteer carnival workers. This rulemaking will codify the practice of the Department issuing a correction notice to carnival operators. This rulemaking will establish that continuing to operate in violation of a cessation order is a Class A misdemeanor. This rulemaking implements a third tier of daily penalties for operation or carnival rides or amusements without a permit and a fine of up to \$1,000 for any violation of the Act. This rulemaking allows the Department to serve documents via email if the party consents. This rulemaking codifies the industry practice that carnival operators are responsible for notifying IDOL of their contracted events. This rulemaking clarifies when and that an owner or operator may use an inspection report from a municipality or county to request

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

a waiver of Department inspection. This rulemaking codifies that the Department shall be represented by the Attorney General in litigation.

- 6) Published studies and reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? This rulemaking contains incorporations by reference in Section 6000.15.
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. Comments should be submitted to:

Anna Koeppel
Illinois Department of Labor
Lincoln Tower Plaza
524 S. 2nd Street
Suite 400
Springfield, IL 62701

(217) 558-1270
Anna.Koeppel@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: This will affect any business, small municipality, or not-for-profit corporation who owns or operates regulated amusement rides or attractions that are open to the public, with the exception of amusement rides and attractions

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

owned by not-for-profit corporations if such ride or attraction has been inspected by local authorities.

- B) Reporting, bookkeeping or other procedures required for compliance: Employers must maintain and report the sale or transfer of a permitted ride or attraction. Amusement ride and attraction owners must maintain records of criminal history records checks, sex offender registry checks, and maintain and implement a substance abuse policy for volunteers as well as employees. Training materials provided to employees must be given in a language in which that employee is fluent.

- C) Types of professional skills necessary for compliance: None

14) Small Business Impact Analysis:

- A) Types of businesses subject to the proposed rule:

71 Arts, Entertainment, and Recreation

- B) Categories that the agency reasonably believes the rulemaking will impact, including:

- ii. Regulatory requirements
- vi. Equipment and material needs
- vii. Training Requirements
- viii. Record keeping
- x. Other potential impacted categories

- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not anticipated at the time of the Department's most recent Regulatory Agenda.

The full text of the Proposed Amendments begins on the next page:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER XIII: DEPARTMENT OF LABOR

PART 6000

AMUSEMENT RIDE AND ATTRACTION SAFETY ACT

Section

6000.10	Definitions
6000.15	Incorporated and Referenced Materials
6000.20	Exemptions
6000.25	Qualifications of Inspectors
6000.30	Inspections
6000.40	Application for a Permit to Operate
6000.50	Permit, Inspection and Associated Fees
6000.60	Revocation of Permit to Operate (Repealed)
6000.65	Suspension of Permit to Operate
6000.67	Administrative Hearings
6000.70	Amusement Ride and Amusement Attraction Design and Construction
6000.80	Insurance
6000.85	Requirements for Liability Insurance
6000.90	Penalties
6000.100	Employment of Carnival and Amusement Enterprise Workers
6000.110	Assembly and Disassembly
6000.120	Requirements for Operation
6000.130	Authority Regarding Passenger Safety
6000.140	Signal Systems
6000.150	Daily Inspection and Test
6000.160	Reports
6000.170	Maintenance
6000.180	Stop Operation Order
6000.190	Fire Prevention and Protection
6000.200	Internal Combustion Engines
6000.210	Means of Access and Egress
6000.220	Electrical Equipment – Amusement Rides and Amusement Attractions
6000.230	Hydraulic Systems
6000.240	Air Compressors and Equipment
6000.250	Wire Rope
6000.260	Chain
6000.270	Inflatable Amusement Attractions

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

6000.280	Non-Destructive Testing
6000.290	Ski Lifts, Aerial Tramways, and Rope Tows
6000.300	Go-Karts, Dune Buggies, and All-Terrain Vehicles (Repealed)
6000.302	Outdoor and Indoor Concession Go-Karts
6000.305	Racing Go-Karts
6000.308	Dune Buggies and All-Terrain Vehicles
6000.310	Water Slides (Repealed)
6000.320	Dry Type Slides
6000.330	Trams
6000.340	Bungee Jumping
6000.350	Zip Lines
6000.351	Haunted Houses
6000.352	Aerial Adventure
6000.353	Trampoline Courts

AUTHORITY: Implementing and authorized by the Amusement Ride and Attraction Safety Act [430 ILCS 85].

SOURCE: Emergency Rules adopted at 9 Ill. Reg. 7176, effective May 3, 1985, for a maximum of 150 days; emergency expired September 30, 1985; adopted at 10 Ill. Reg. 7685, effective April 29, 1986; emergency amendment at 10 Ill. Reg. 19117, effective October 27, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 5896, effective March 24, 1987; amended at 11 Ill. Reg. 19650, effective November 18, 1987; amended at 12 Ill. Reg. 11186, effective June 20, 1988; emergency amendment at 13 Ill. Reg. 8025, effective May 15, 1989, for a maximum of 150 days; emergency expired October 12, 1989; amended at 13 Ill. Reg. 20309, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 3235, effective February 9, 1990, for a maximum of 150 days; emergency expired July 9, 1990; amended at 15 Ill. Reg. 4109, effective February 28, 1991; emergency amendment at 16 Ill. Reg. 7716, effective May 11, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12436, effective August 1, 1992; amended at 16 Ill. Reg. 15415, effective September 28, 1992; amended at 17 Ill. Reg. 14910, effective September 1, 1993; amended at 18 Ill. Reg. 13384, effective September 1, 1994; amended at 21 Ill. Reg. 5135, effective April 15, 1997; amended at 21 Ill. Reg. 14954, effective December 1, 1997; amended at 24 Ill. Reg. 490, effective January 1, 2000; amended at 26 Ill. Reg. 871, effective January 9, 2002; amended at 27 Ill. Reg. 17992, effective November 14, 2003; amended at 28 Ill. Reg. 10569, effective July 19, 2004; amended at 30 Ill. Reg. 12093, effective June 30, 2006; amended at 34 Ill. Reg. 763, effective December 29, 2009; emergency amendment at 34 Ill. Reg. 13646, effective September 10, 2010, for a maximum of 150 days; amended at 35 Ill. Reg. 195, effective December 20, 2010; emergency amendment at 36 Ill. Reg. 8979, effective June 1, 2012, for a maximum of 150 days; emergency expired October 28, 2012; amended at 37 Ill. Reg. 4935,

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

effective March 27, 2013; amended at 38 Ill. Reg. 18668, effective August 26, 2014; amended at 44 Ill. Reg. 19907, effective December 8, 2020; expedited correction at 45 Ill. Reg. 9678, effective December 8, 2020; emergency amendment at 46 Ill. Reg. 1353, effective January 1, 2022, for a maximum of 150 days; amended at 46 Ill. Reg. 9899, effective May 26, 2022; amended at 48 Ill. Reg. _____, effective _____.

Section 6000.10 Definitions

In addition to those definitions found in Section 2-2 of the Amusement Ride and Attraction Safety Act, the following definitions shall apply for the purposes of this Part:

"Act" means the Amusement Ride and Attraction Safety Act [430 ILCS 85].

"ACCT" means the abbreviation for the Association for Challenge Course Technology, P.O. Box 19797, Boulder CO 80308.

"Administrative Hearing Fee" means a fee assessed by the Department upon an operator when the Department issues a notice for an administrative hearing to suspend the Permit to Operate or collect past due fees.

"AIMS" means Amusement Industry Manufacturers and Suppliers International, P.O. Box 5178, Jacksonville FL 32247.

"All-Terrain Vehicle" or "ATV" means any vehicle designed and manufactured for off-road use.

"A.M. Best" or "Best" is the abbreviation for A.M. Best Company, Ambest Road, Oldwick NJ 08858.

"Annual Inspection" is the official inspection of an amusement ride or amusement attraction performed by the Director or the Director's designee.

"ANSI" means American National Standards Institute, Inc., 1899 L Street, NW, 11th Floor, Washington DC 20036.

"ASNT" means American Society for Nondestructive Testing, Inc., 1711 Arlingate Lane, P.O. Box #28518, Columbus OH 43228.

"ASTM" means ASTM International, 100 Barr Harbor Drive, West

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

Conshohocken PA 19428.

"Board" means the Amusement Ride and Attraction Safety Board as defined in Section 2-3 of the Act.

"Building" means a structure that stands alone or that is cut off from adjoining structures by fire walls with all openings therein protected by approved fire doors.

"Carabiners" means shaped metal or alloy devices used to connect sections of jump rigging, equipment or safety gear.

"Carnival" or "Amusement Enterprise" means an establishment that~~enterprise that~~ offers amusement or entertainment to the general public by means of one or more amusement attractions or amusement rides, regardless of whether a form of payment is required for admission. [430 ILCS 85/2-2]~~(Section 2-2(5) of the Act)~~

"Carnival Worker" or "Amusement Enterprise Worker" means an individual who performs work for~~a person who is employed (and is therefore not a volunteer)~~ by a carnival, amusement enterprise, or fair to manage, physically operate, or assist in the operation of an amusement ride or amusement attraction when it is open to the public. [430 ILCS 85/2-2] This definition includes volunteers.~~(Section 2-2(8) of the Act)~~

"Certified Arborist" means an individual who holds a valid arborist certificate from the International Society of Arboriculture or comparable authority in another state.

"Coaster – Intermediate" means any coaster that is more than 25 feet but less than 50 feet in height at the highest point of the track above grade.

"Coaster – Large" means any coaster that is 50 feet or more at the highest point of the track above grade.

"Concession Go-kart" means a go-kart specifically designed and manufactured for indoor or outdoor use for up to 15 mph.

"Crane Operator" means a person who is experienced in operating a crane used for hoisting material or personnel. Proof of experience shall be a statement on letterhead stationery from a present employer or a journeyman's card in good

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

standing from the International Union of Operating Engineers.

"Department" means Illinois Department of Labor. [\[430 ILCS 85/2-2\]](#)~~(Section 2-2(2) of the Act)~~

"Director" means the Director of the Illinois Department of Labor or the Director's designee. [\[430 ILCS 85/2-2\]](#)~~(Section 2-2(1) of the Act)~~

~~"Dry Slide" means an inclined surface with a change in elevation upon which people slide or are conveyed, except:~~

~~any slide that is placed in a playground and that does not normally require the supervision or services of a person responsible for its operation; or~~

~~any slide that is not open to the general public and for which admission is monitored and strictly controlled by invitation, company or group identification, or other means of identification. (Section 2-2(4)(d) of the Act)~~

"Dune Buggy" means a small vehicle generally made from standard compact rear engine chassis and prefabricated, often fiberglass body, originally equipped with wide low-pressure tires for driving on sand.

"Employee", for purposes of this Part, means an individual who is performing services for pay or lodging as an attendant or assistant on an amusement ride or amusement attraction.

"Employed" means to perform services for pay or lodging as an attendant or assistant on an amusement ride or amusement attraction.

"Fair" means an enterprise principally devoted to the exhibition of products of agriculture or industry in connection with which amusement rides or amusement attractions are operated. [\[430 ILCS 85/2-2\]](#)~~(Section 2-2(6) of the Act)~~

"Haunted House" or "Special Amusement Structure" means an amusement attraction, whether temporary, permanent, or mobile, consisting of a structure or building open to the public that contains a device or system that conveys passengers or provides a walkway along, around, or over a course in any direction

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

as a form of amusement arranged so that the egress path is not readily apparent due to visual or audio distractions or an intentionally confounded egress path, or is not readily available due to the mode of conveyance through the building or structure, as defined by the Life Safety Code (NFPA 2005). A Haunted House need not be Halloween-themed in order to be subject to this Act. Factors the Director may consider when determining whether any entity meets this definition include, but are not limited to, whether the entity has limited visibility and non-conspicuous points of egress.

"Inflatable-~~Amusement~~ Attraction" means an amusement ride or device that is designed for bouncing, climbing, sliding, or other forms of interactive play, is made of flexible fabric, is inflated by airflow by one or more blowers, and relies upon air pressure to maintain its shape.~~use that may include, but is not limited to, bounce, climb, slide or interactive play, which is made of flexible fabric, is kept inflated by continuous air flow by one or more blowers, and relies upon air pressure to maintain its shape.~~ This definition shall not include inflatable devices that are used for professional exhibition or stunt work, safety and rescue activities, aerial or aviation structures or devices, exhibit floats, or similar inflatable devices.

"In-line Riding" means one person in front of the other.

"Kiddie Kart" means karts that are designed for 75 pounds or less per passenger and go less than 10 mph.

"Kiddie Rides" means amusement rides or amusement attractions designed for 75 pounds or less per passenger.

"Licensed Professional Engineer" means an individual who holds a valid license as a licensed professional engineer from the Illinois Department of Financial and Professional Regulation.

"Licensed Structural Engineer" means an individual who holds a valid license as a licensed structural engineer from the Illinois Department of Financial and Professional Regulation.

"Major Alteration" means a change in the type or capacity of an amusement ride or amusement attraction or a change in the structure or mechanism that materially affects its functions or operation. This includes but is not limited to changing its mode of transportation from non-wheeled to a truck or flatbed mount, and

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

changing its mode of assembly or other operational functions from manual to mechanical or hydraulic.

"Major Breakdown" means a stoppage of operation of an amusement ride or amusement attraction occurring from damage to a structural component.

"Major Rides" means amusement rides or amusement attractions designed for more than 75 pounds per passenger. The term includes any coaster that is 25 feet or less at the highest point of the track above grade.

"NAARSO" means the National Association of Amusement Ride Safety Officials, 107 Dunbar Ave., Suite Q, Oldsmar FL 34677.

"NFPA" means National Fire Protection Association, 1 Batterymarch Park, Quincy MA 02169.

"Operating Staff" is inclusive of and means any of the following individuals or some combination thereof:

"Owner" means the individual, partnership, company, corporation, or any other entity, or agency of the State or any of its political subdivisions, that owns an amusement ride or amusement attraction.

"Agent" means an individual employed by the owner to carry out the responsibilities of management on the owner's behalf.

"Manager" means an individual, employed by the owner, who is responsible to the agent or the owner for the day-to-day, on-site management of an amusement ride or amusement attraction.

"Attendant" means an individual employed by the owner to physically operate an amusement ride or amusement attraction when such ride or attraction is open to the public.

"Assistant" means an individual employed by the owner to assist the attendant in operating an amusement ride or amusement attraction when such ride or attraction is open to the public.

"Operator" means a person, or the agent of a person, who owns or controls or

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

has the duty to control the operation of an amusement ride or amusement attraction at a carnival, amusement enterprise, or fair. "Operator" includes an agency of the State or any of its political subdivisions. [\[430 ILCS 85/2-2\]](#) ~~(Section 2-2(7) of the Act)~~

"Payment of Fees" shall be deemed made when the Department receives all fees due, as calculated on the application, in the form of a certified check, cashier's check, or money order made payable to "Illinois Department of Labor", or in the form of an electronic payment using an electronic payment system designated by the Department for such payments. All fees shall be paid before a permit to operate an amusement ride or amusement attraction is issued.

"Permit" means a permit issued annually by the Department allowing an amusement ride or amusement attraction unit to be operated in the State of Illinois.

"Person" means any individual, partnership, corporation, limited liability company, association, governmental subdivision, or public or private organization of any character.

"PRCA" means Professional Ropes Course Association, 6260 E. Riverside Blvd., #104, Loves Park IL 61111.

"Public Use" means an operator of an amusement ride or amusement attraction does not prohibit or restrict access to the amusement ride or amusement attraction by members of the community, except as permitted under Section 2-19 of the Act and Section 6000.130 of this Part.

"Qualified Industry Training Professional" means an individual who, by possession of a recognized degree or certificate of professional standing, or who, by possession of extensive knowledge and experience and the completion of extensive training in the subject field, has successfully demonstrated their ability in training amusement ride or amusement attraction operating staff in the proper operation of that amusement ride or amusement attraction, as judged by a reasonable person.

"Qualified Person" means an individual who, by possession of a recognized degree, certificate or professional standing, or who, by possession of extensive knowledge, training and experience in the subject field, has successfully

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

demonstrated ability in design, analysis, evaluation, inspection and specification in the subject work, project or product to the extent established by the manufacturer.

"Racing Go-Kart" means a go-kart specifically designed and manufactured for racing at 15 mph or more, for indoor or outdoor use.

"Roll Over Protection System" means a system that supports the combined driver and passenger weight capacity, as specified by the manufacturer, and the weight of the vehicle.

"Reinspection" is an inspection, other than the annual inspection made during the year, as a result of any necessary repairs not being completed while the inspector is on site.

"SAE" means the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale PA 15096.

"Serious Injury" means an injury for which treatment by a licensed physician is required.

"Slide" means an inclined surface with a change in elevation upon which people slide or are conveyed, including a dry slide, alpine slide, or toboggan slide, except:

any slide that is placed in a playground and that does not normally require the supervision or services of a person responsible for its operation; or

any slide that is not open to the general public and for which admission is monitored and strictly controlled by invitation, company or group identification, or other means of identification. [430 ILCS 85/2-2]

"Snell Foundation" means Snell Memorial Foundation, 3628 Madison Avenue, Suite 11, North Highlands CA 95660.

"Structure" means something that is built or constructed with confined space and rigid walls.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

"Tram" means any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device that is not licensed by the Secretary of State, which may, but does not necessarily, follow a fixed or restricted course, and that is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted, with the exception of hayrack rides. [\[430 ILCS 85/2-2\]](#)~~(Section 2-2(4)(e) of the Act)~~

~~"Volunteer" means a person who operates or assists in the operation of an amusement ride or amusement attraction for an owner or operator without pay or lodging. An individual shall not be considered a volunteer if the individual is otherwise employed by the same owner or operator to perform the same type of service as those for which the individual proposes to volunteer. (Section 2-2(9) of the Act)~~

"Working Days" means Monday through Friday, excluding State holidays.

"Zip Line" means a system consisting of [a device, also known as a trolley, that is suspended on a cable or track, allowing a rider to travel from the departure point to an arrival point by holding on to or attaching to the device.](#)~~a pulley or trolley that is suspended on a cable mounted on an incline allowing a rider to travel from the departure point to an arrival point by holding on to, or attaching to, the pulley or trolley.~~

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.15 Incorporated and Referenced Materials

- a) The following regulations and standards are incorporated in this Part. All incorporations by reference refer to the regulations, guidelines and standards on the date specified and do not include any editions or amendments after the specified date.
 - 1) Private and professional association standards:
 - A) A.M. Best Bond and Liability Insurance Ratings, available from A.M. Best Company, Ambest Road, Oldwick NJ 08858.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- B) The following standards and recommended practices of the American National Standards Institute, Inc. (ANSI), which may be obtained from the American National Standards Institute, Inc., 1899 L Street, NW, 11th Floor, Washington DC 20036:
- i) Standards

ANSI B-77.1 – 2006 Passenger Ropeways – Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements (2006); and

ANSI B30.5 – 2000 Safety Standard for Mobile and Locomotive Cranes (2006).
 - ii) Recommended Practices

ANSI SAE J-1241 Ground Vehicle Recommended Practices (1999).
- C) American Society for Nondestructive Testing, Inc. (ASNT) Recommended Practice No. SNT-TC-1A (2006), which may be obtained from the American Society for Nondestructive Testing, Inc., 1711 Arlingate Lane, Columbus OH 43228.
- D) The following standards of the ASTM International (ASTM), which may be obtained from the ASTM International, 100 Barr Harbor Drive, West Conshohocken PA 19428:
- i) ASTM F770-18 Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices (2009);
 - ii) ASTM F2374-17 Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices (2010);
 - iii) ASTM F2007-12 Standard Practice for Design, Manufacture, and Operation of Concession Go-Karts and Facilities (2012);

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- iv) ASTM F2291-21 Standard Practice for Design of Amusement Rides and Devices (2021), except 6.4.2.2;
 - v) ASTM F2374-10 Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices (2010);
 - vi) ASTM F2374-17 Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices (2017);
 - vii) ASTM 2959-19 Standard Practice for Aerial Adventure Courses;
 - viii) ASTM F2970-20 Standard Practice for Design, Manufacturing, Installation, Operation, Maintenance, Inspection and Major Modifications of Trampoline Courts (2020); and
 - ix) ASTM F2974-18 Standard Guide for Auditing Amusement Rides and Devices (2013).
- E) The following standards of the National Fire Protection Association (NFPA), which may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy MA 02169:
- i) NFPA 10, Standard for Portable Fire Extinguishers (2007);
 - ii) NFPA 30, Flammable and Combustible Liquids Code (2003);
 - iii) NFPA 70, National Electrical Code® – Article 525 Carnivals, Circuses, Fairs, and Similar Events (2005); Table 250.66 of the NFPA 2005 will be used to size ground conductors without any exemptions;~~and~~
 - iv) NFPA 101, Life Safety Code (2005); and

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- v) NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films (1999).
 - F) SAE J-1241-1999 Fuel and Lubricant Tanks for Motorcycles, which may be obtained from the Society of Automotive Engineers (SAE), 400 Commonwealth Drive, Warrendale PA 15096 (1999).
 - G) Snell Helmet Safety Standards, which may be obtained from Snell Memorial Foundation Inc., 3628 Madison Avenue, North Highlands CA 95660 (1998).
- 2) Federal Regulations
 - A) 29 CFR 1910.180 (2006); and
 - B) 29 CFR 1926.550(g) (2006).
- b) The following State statutes are referenced in this Part:
 - 1) Freedom of Information Act [5 ILCS 140];
 - 2) Amusement Ride and Attraction Safety Act [430 ILCS 85];
 - 3) Illinois Controlled Substances Act [720 ILCS 570]; and
 - 4) Weights and Measures Act [225 ILCS 470].

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.40 Application for a Permit to Operate

- a) No amusement ride or amusement attraction shall be operated for public use at a carnival or fair in this State without a permit having been issued by the Director to the owner of that equipment.
- b) The permit will be valid for one calendar year (January 1 through December 31). A permit is not transferable and, if the owner transfers ownership of the amusement ride or amusement attraction, all rights secured under the permit are

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

terminated. Upon sale or transfer of ownership of the ride or attraction, the permit holder must notify the Department and remove the physical permit from the ride or attraction. The new owner must acquire a new permit from the Department before operating the ride or attraction.

- c) At least 30 days prior to the first day of operation or the expiration of the permit, the owner or agent shall apply to the Director for a permit to operate in Illinois. The application shall be made on a form to be supplied by the Department and be accompanied by a certificate of insurance in the amount as set forth in Section 2-14 of the Act, Non-Destructive Test Certificates as required by Section 6000.280, the times and places where the amusement rides or amusement attractions will be available for inspection, and a check, money order or form of electronic payment through E-Pay for the required fees. The Director may waive the requirement that an application for a permit must be filed at least 30 days prior to the first day of operation or the expiration of the permit if the applicant gives satisfactory proof to the Director that the applicant could not reasonably comply with the date requirement and if the applicant immediately applies for a permit after the need for a permit is first determined. The Director may accept applications for a permit not filed at least 30 days prior to the first day of operation or the expiration of the permit only if the applicant applies for the permit prior to the inspection of the ride or attraction. [430 ILCS 85/2-10]
- d) Inspections will be scheduled as expeditiously as practicable, considering the availability of inspectors, the location of the sites to be inspected, and the complexity of the inspection. An applicant must submit all of the required application materials, fees, insurance certificates and testing certificates at least 30 calendar days in advance of the first operation by the applicant in the State of Illinois.
- e) If an amusement ride or amusement attraction undergoes a major alteration or is repaired after a major breakdown, it shall be reinspected.
- f) The Department's website shall outline the most current method of applying for a permit and paying for fees. Without exception, payment may not be made to an inspector.
- g) No permit will be issued if the owner or agent fails to comply with the Act, the procedures set forth in this Part, or if there are any:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- 1) Outstanding charges or fees;
 - 2) Open Stop Operation Orders;~~or~~
 - 3) Modifications, repairs, or maintenance procedures that are not in accordance with manufacturer's standards; ~~or~~;
 - 4) Misrepresentations or material omissions on documents or information submitted to the Department, as determined by the Director.
- h) In order to keep the Department informed regarding the operation of relocatable or mobile amusement rides or amusement attractions, the owner or the person who will be operating or who controls or has the duty to control the operation of the amusement ride or amusement attraction shall submit, with the required registration application, a tentative itinerary and/or route sheet providing dates and locations of expected operation in the State of Illinois. Throughout the operating season, this itinerary and/or route sheet shall be updated through written submission of notices as to additional operating periods or locations as soon as practicable but prior to operation. The itinerary and/or route sheet shall be submitted on a form to be supplied by the Department and shall include the following:
- 1) the name of the company;
 - 2) the name of the event and/or the event contact person and telephone number;
 - 3) the location address of the event;
 - 4) the date and time the amusement ride or amusement attraction is scheduled to arrive at the location;
 - 5) the date and time the amusement ride or amusement attraction is scheduled to begin operation; and
 - 6) the last date and time the amusement ride or amusement attraction is scheduled to be in operation at that location.
- i) The Department shall maintain the confidentiality of all route sheets as authorized

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

by Section 7(1)(g) of the Freedom of Information Act.

- j) Waiver of inspection. The Director may waive the requirement that an amusement ride or amusement attraction or any part thereof be inspected before being operated, and may waive any applicable fees for inspection, if an operator gives satisfactory proof to the Director that the amusement ride or amusement attraction or any part thereof has passed an inspection conducted by a public or private agency whose inspection standards and requirements are at least as stringent as those requirements and standards established by the Department under the provisions of this Act. The Department may compel any documentation or evidence necessary to prove compliance with the requirements of Section 2-17 of the Act. The owner or operator shall pay any annual permit fees before the Director may waive this requirement. [430 ILCS 85/2-18]

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.65 Suspension of Permit to Operate

- a) The Director may deny, suspend, or revoke the permit to operate when the amusement ride or amusement attraction does not meet the requirements of the Act or this Part or has been operated in violation of the Act or this Part, or for other good cause under the meaning and purposes of the Act. The amusement ride or amusement attraction may not be operated while the permit is denied, suspended or revoked.
- b) If the Department denies, suspends or revokes a permit or issues a Stop Operation Order as provided in Section 6000.180, it shall notify, in writing, the owner and, if the owner is neither the person operating nor controlling, nor has the duty to control, the operation of the amusement ride or amusement attraction, the Department shall also notify that person of the basis for the Department's action. If the Department issues a Stop Operation Order, the notice shall also include the conditions requiring correction at the time the Stop Operation Order is issued.
- c) If the Department determines that all or part of an amusement ride or attraction is not in compliance with the Act or this Part, but is not an immediate danger to the public or an amusement ride or attraction worker, the Department may issue a Correction Notice to the owner or operator. The Correction Notice shall include information about the deficiencies for the owner or operator to address and the deadline to come into compliance. If the ride or attraction is not brought into

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

compliance by the deadline, the Department may issue a Stop Operation Order, as provided in Section 6000.180.~~If a person whose permit has been suspended or revoked, whose application for a permit has been denied, or who has received a Stop Operation Order believes that the violation or condition justifying suspension, revocation, Stop Operation Order or denial does not exist, the person may appeal the Department's decision by filing a written request for a hearing within 10 working days after the Department's decision. Failure to file an appeal and request for a hearing shall cause the decision of the Department to become a final administrative decision subject to the Administrative Review Law [735 ILCS 5/Art. III].~~

- d) ~~Unless otherwise mutually agreed by the parties, the Department shall schedule a hearing within 48 hours after the request for hearing.~~
- e) ~~Service of notice of a hearing shall be made by personal service or certified mail to the address shown on the application for permit, or to any other address on file with the Department and reasonably believed to be the current address of the permit holder.~~
- f) ~~The written notice of a hearing shall specify the time, date and location of the hearing and the reasons for the action proposed by the Department.~~
- g) ~~At the hearing, the Department shall have the burden of establishing good cause for its action. Good cause shall be considered shown when the Department establishes that the ride or amusement attraction has been operating without a permit or the operator has failed to comply with the requirements for a permit as provided for under the Act and this Part.~~
- h) ~~The hearing under this Section shall comply with the Department's Rules of Procedure in Administrative Hearings (56 Ill. Adm. Code 120), except that formal discovery, such as production requests, interrogatories, requests to admit and depositions shall not be allowed. Prior to hearing, the parties shall exchange documents and witness lists and may issue subpoenas.~~
- i) ~~The final decision by the Department shall be rendered within 5 working days after the conclusion of the hearing. The Administrative Law Judge's decision shall be deemed a final administrative decision by the Department, subject to the Administrative Review Law.~~

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- j) ~~In computing any period of time prescribed or allowed by this Part, the day of the act, event or default after which the designated period of time begins to run is not to be included, and the designated period shall run until the end of the last day, or the next following working day.~~
- k) ~~If a party seeks judicial review of a final administrative decision, that party shall pay the actual cost to the Department of preparing the administrative record and filing the record in court. Payment shall be by electronic fund transfer, check or money order made payable to the Illinois Department of Labor.~~

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.67 Administrative Hearings

- a) If a person whose permit has been suspended or revoked; whose application for a permit has been denied; or who has received a Stop Operation Order, believes that the violation or condition justifying suspension, revocation, order, or denial does not exist; or if a person on whom a penalty for a violation of the Act or this Part has been assessed wishes to challenge the basis for the penalty or the amount of the penalty, the person may appeal the Department's action by filing a written request for a hearing within 10 business days after the Department's action. Failure to file an appeal and request for a hearing within 10 business days shall cause the decision of the Department to become a final administrative decision subject to the Administrative Review Law [735 ILCS 5/Art. III].
- b) Unless otherwise mutually agreed by the parties, the Department shall schedule a hearing within 48 hours after the request for hearing. Prior to the hearing, the Department may attempt to resolve the matter by conference, voluntary mediation, conciliation, or persuasion.
- c) Service of notice of a hearing, or any other document related to investigation or enforcement of violations shall be made by certified mail, by regular mail if service by certified mail cannot be completed, or by email to an email address previously designated by the party to be used for such purpose, to the address shown on the application for permit or to any other address on file with the Department or reasonably believed to be the current address of the permit holder. [430 ILCS 85/2-8.1(b)]

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- d) The written notice of a hearing shall specify the time, date and location of the hearing and the reasons for the action proposed by the Department.
- e) At the hearing, the Department shall have the burden of establishing good cause for its action. Good cause shall be considered shown when the Department establishes that the ride or amusement attraction has been operating without a permit or the operator has failed to comply with the requirements for a permit as provided for under the Act and this Part.
- f) The hearing under this Section shall comply with the Department's Rules of Procedure in Administrative Hearings (56 Ill. Adm. Code 120), except that formal discovery, such as production requests, interrogatories, requests to admit and depositions shall not be allowed. Prior to hearing, the parties shall exchange documents and witness lists and may issue subpoenas.
- g) The Administrative Law Judge's decision shall be rendered within 5 business days after the conclusion of the hearing and shall be deemed a final administrative decision by the Department, subject to the Administrative Review Law.
- h) In computing any period of time prescribed or allowed by this Part, the day of the act, event or default after which the designated period of time begins to run is not to be included, and the designated period shall run until the end of the last day, or the next following business day.
- i) If a party seeks judicial review of a final administrative decision, that party shall pay the actual cost to the Department of preparing the administrative record and filing the record in court. Payment shall be by electronic fund transfer, check or money order made payable to the Illinois Department of Labor.

(Source: Added at 48 Ill. Reg. _____, effective _____)

Section 6000.90 Penalties

- a) *Any person who operates an amusement ride or amusement attraction at a carnival, amusement enterprise, or fair without having obtained a permit from the Department or who violates a cessation order or other ~~who violates any order or rule~~ issued by the Department under the Act is guilty of a Class A misdemeanor. Each day shall constitute a separate and distinct offense. (Section 2-15 of the Act)*

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- b) *Any person who interferes with, impedes, or obstructs in any manner the Director or any authorized representative of the Department in the performance of their duties under the Act is guilty of a Class A misdemeanor. (Section 2-15 of the Act)*
- c) The Department may assess a civil penalty not to exceed \$2,500 per violation per day for a first violation, a civil penalty ~~and~~ not to exceed \$5,000 per violation per day for a second or subsequent violation, and a civil penalty not to exceed \$10,000 per violation per day for a third or subsequent violation to any person who owns or operates an amusement ride or amusement attraction without having obtained a permit from the Department in violation of the Act. (Section 2-15 of the Act)
- d) The Department may assess a civil penalty *in an amount not to exceed \$5,000 for a first offense, not to exceed \$10,000 for a second offense, and a subsequent offense shall result in the revocation of a permit to operate in accordance with Section 2-8.1 of the Act to any person that owns or operates a carnival or fair that fails to conduct a criminal history records check or a sex offender registry check for carnival or amusement enterprise workers in its employ, as required by the Act. (Section 2-20 of the Act)*
- e) The Department may assess a civil penalty not to exceed \$1,000 per violation of any provision of the Act or this Part. Each amusement ride or amusement attraction operated in violation of the Act or this Part shall be a separate violation.
- ~~f~~e) When the Department assesses a penalty in accordance with subsection (c), ~~or~~ (d), or (e), the Department shall notify the owner/operator of the grounds for its action.
- ~~g~~f) If a person against whom the penalty has been assessed wishes to challenge the basis for the penalty or the amount of the penalty, the person may appeal the Department's decision by filing a written request for a hearing within 10 ~~business~~working days after the Department's action. Hearings shall be conducted according to the provisions of Section 6000.67. Failure to file an appeal and request for a hearing shall cause the decision of the Department to become a final decision of the Department, subject to the Administrative Review Law.
- ~~h~~g) Service of notice of a hearing shall be made by personal service or certified mail to the address shown on the application for permit, or to any other address on file

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

with the Department and reasonably believed to be the current address of the permit holder, and may include any email address previously provided to the Department for the purposes of receiving notices and communications under this Act. [430 ILCS 85/2-8.1]

- h) The written notice of a hearing shall specify the time, date and location of the hearing.
- i) At the hearing, the Department shall have the burden of establishing the violation for which the penalty has been assessed.
- j) The hearing under this Section shall comply with the Department's Rules of Procedure in Administrative Hearings (56 Ill. Adm. Code 120), except that formal discovery, such as production requests, interrogatories, requests to admit and depositions shall not be allowed. Prior to hearing, the parties shall exchange documents and witness lists and have the right to issue subpoenas.
- k) The Administrative Law Judge's decision shall be deemed a final administrative decision of the Department, subject to the Administrative Review Law.
- m) In computing any period of time prescribed or allowed by this Part, the day of the act, event or default after which the designated period of time begins to run is not to be included, and the designated period shall run until the end of the last day, or the next following business~~working~~ day.
- n) An employer's assertion that it was unaware of the Act or this Part shall not be considered a mitigating factor in determining the gravity of the offense.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.100 Employment of Carnival and Amusement Enterprise Workers

- a) All persons that own or operate a carnival, amusement enterprise, or fair must conduct a criminal history records check and perform a check of the National Sex Offender Public Website (<http://www.nsopw.gov>~~www.nsopr.gov~~) for carnival or amusement enterprise workers ~~17 years of age or older at the time the worker is hired~~. This check must be performed annually for workers. The only exception to the requirement for the annual check is for workers who remain in the continuous employment of the entity. A worker who works only during the season but works

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

each season is not exempt from the annual check. The annual check for a seasonal employee must be performed before the employee commences active employment each season.

- b) No person that owns or operates a carnival, amusement enterprise, or fair shall employ a carnival or amusement enterprise worker who has been convicted of any offense set forth in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 [720 ILCS 5], is a registered sex offender as defined in the Sex Offender Registration Act [730 ILCS 150], or has ever been convicted of any offense set forth in Article 9 of the Criminal Code of 1961 or 2012. ~~The provisions of this Section shall apply to any employees who may have been continuously employed and may not have been subject to the requirements of subsection (a) by virtue of having been hired prior to the effective date of the criminal history and background check requirements.~~
- c) In order to comply with Section 2-20(c) of the Act requiring and maintaining a substance abuse policy that must include random drug testing, the owner or operator of ~~person that operates~~ the carnival, amusement enterprise, or fair must demonstrate the policy is enforced in practice. The policy must be in writing and must have been distributed to all affected employees, and there must be records documenting that employees have undergone random drug testing. The requirements of the Act are not satisfied if the random drug testing procedure has not been implemented in practice.
- d) An owner or operator who conducts the background checks required by subsections (a) and (b), using false personal information submitted by a carnival or amusement enterprise worker for criminal history records check purposes, commits a violation of this Section if the owner or operator knew or reasonably should have known that the information was falsified. [430 ILCS 82/2-20]
- e) In order to comply with Section 2-20 (h) of the Act at all times that an amusement ride or amusement attraction is in use an owner or operator shall ensure that at least one operator working on site has been certified to provide first aid and cardiopulmonary resuscitation (CPR). [430 ILCS 85/2-20]

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.120 Requirements for Operation

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

No amusement ride or amusement attraction shall be operated for public use at a carnival, amusement enterprise, or fair in this State without an attendant or assistant. The attendant or assistant may be an employee or volunteer.

- a) All attendants or assistants shall be at least 16 years of age.
- b) The attendant shall operate no more than one amusement ride or amusement attraction at any given time, even if automatic timing devices are used to control the time cycle of the amusement ride or amusement attraction.
- c) Attendants and assistants shall be trained in the proper use and operation of the amusement ride or amusement attraction as provided for in ASTM F770-18, ASTM 2374-17, and ASTM F2970-20. This training shall be performed in a language the operator understands. Additionally, any training materials provided to the operator should be written in a language the operator understands.
- d) The attendant or assistant shall ensure that all passenger safety devices are in place around patrons before starting.
- e) The attendant or assistant shall be within arm's length of the operator's station when the amusement ride or amusement attraction is in use.
- f) The attendant or assistant shall not operate any amusement ride or amusement attraction while under the influence of alcohol or any drug or combination of drugs to a degree that renders the operator incapable of safely operating the amusement ride or amusement attraction. For the purposes of this Section, the term "drug" includes any substance defined as a drug by Section 102(t) of the Illinois Controlled Substance Act.
- g) The attendant and/or assistant shall ensure that no one is permitted on an amusement ride or amusement attraction while carrying any article, i.e., food, beverages, packages, lighted cigarettes, etc., which could endanger the rider or spectators.
- h) The record of attendant and assistant training required by subsection (c) shall be kept on file by the owner or operator and be made available to the inspector during inspection and upon request by the Department.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- i) The attendant or assistant shall not use a cellular phone or any other handheld mobile device except when the use is in conjunction with the operations of the amusement ride or amusement attraction or the performance of the attendant's/assistant's duties, nor shall an attendant or assistant engage in any other activities that distract the attendant/assistant from the attendant's or assistant's duties while operating an amusement ride or amusement attraction.
- j) Each amusement ride or amusement attraction shall clearly post at each entrance of the amusement ride or amusement attraction the height requirements, age requirements and any other restrictions set forth by the manufacturer or any more stringent requirements than those set forth by the manufacturer and imposed by the operator.
- ~~k) This subsection (k) does not apply to volunteers.~~
- k1) The owner or operator must comply with all the requirements of Section 2-20 of the Act regarding the employment of carnival or amusement enterprise workers, inclusive of volunteers, criminal history records checks, sex offender registry checks, and the maintenance of a substance abuse policy for carnival or amusement enterprise workers.
- l2) The owner or operator shall be required to acknowledge in writing that the owner or operator understands its obligations under the Act and confirm that the required criminal history records check and national search of sex offender registry checks have been performed. Upon annual inspection or reinspection, the owner or operator shall provide written evidence that the criminal history records check and the sex offender registry check have been completed for each carnival or amusement enterprise worker in its employ. If the documentation is not available upon inspection, the Department may grant the owner or operator five calendar days to obtain and provide documentation to the Department showing that the checks were requested and the results were received for each carnival or amusement enterprise worker. An owner or operator shall provide copies of the results of the criminal records check and the sex offender registry checks to the Department upon inspection or request by the Department. These records shall be maintained by the owner or operator for two years unless the records relate to an ongoing investigation or enforcement action under the Act, in which case the records must be maintained until after their destruction is authorized by the Department or court order.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- m3) The owner or operator shall also be required to provide written documentation that the owner or operator maintains a substance abuse policy that includes random drug testing of carnival or amusement enterprise workers.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.160 Reports

- a) **Personal Injury Report.** The owner or manager of an amusement ride or amusement attraction shall report a serious injury to the Department within 24 hours after the incident by telephone or other means of immediate communication. An owner or manager shall confirm in writing to the Director all such accidents within 48 hours after the incident. The report of an accident shall be on a form supplied by the Department.
- b) **Fatal Accident Reports:**
 - 1) An owner or manager shall as soon as physically possible report to the Director all fatal accidents resulting from the operation of an amusement ride or amusement attraction.
 - 2) The initial report shall be made by telephone and followed within 24 hours in writing.
 - 3) If the fatality is related to a major breakdown the Department shall initiate an investigation within 24 hours of initial notification.
 - 4) The amusement ride or amusement attraction shall not be moved or repaired without the Department's written approval. This rule shall not be construed to hinder any action by emergency response personnel or to prevent the elimination of any obvious safety hazard.
 - 5) The owner or manager shall afford the Department every facility for inspection. The owner or manager shall provide all information or facts known as to the cause of fatal accidents.
- c) If a reportable injury occurs, as outlined in subsection (a), the equipment or conditions that caused the injury, as well as any still images or audio or video footage of the area in which the injury occurred, must be preserved for an

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

investigation by the Department unless the Department determines an investigation to be unnecessary.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.180 Stop Operation Order

- a) *The Department of Labor may order, in writing, a temporary and immediate cessation of operation of any amusement ride or amusement attraction if it:*
 - 1) *Has been determined after inspection to be hazardous or unsafe;*
 - 2) *Is in operation before the Director has issued a permit to operate that equipment; or*
 - 3) *The owner or operator is not in compliance with the insurance requirements contained in Section 2-14 of the Act. (Section 2-12 of the Act)*
- b) Reinspection shall be performed within ~~three working~~ five business days after the Department has been notified where and when a reinspection can be performed.
- c) Only the Director may remove, deface in any manner, or cover a Stop Operation Order sticker after it has been applied to an amusement ride or amusement attraction.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.340 Bungee Jumping

This Section specifies the site, site approval, design, testing of equipment, management of the operation, operating procedures, emergency provisions and procedures for Bungee Jumping from any mechanically operated platforms that carry jumpers to the top of the structure.

- a) In addition to the definitions in Section 2-2 of the Act and Section 6000.10, the following shall apply:

"Air Bag" – means an inflated device that cradles the body, with an air release breather system that dissipates the energy due to fall and allows the person to land

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

without an abrupt stop or bounce.

"Ankle-binding" – means a harness used to wrap and hold together the jumper's ankles and attach the jumper to the bungee cord.

"Binding of Cord" – means a material used to hold the cord threads in place. May also protect the cord threads from damage.

"Bungee Cord" – means the elastic rope to which the jumper is attached. It lengthens and shortens and thus produces the bouncing action.

"Bungee Jumping" – means that activity in which a person free falls from a height and the person's descent is limited by the person's attachment to the bungee cord.

"Carabiners" – means shaped metal or alloy device used to connect sections of the jump rigging, equipment or safety gear.

"Catapulting" – means that the jumper is held on the ground while the bungee cord is stretched. On release, the jumper is propelled upwards.

"Cord" – See Bungee Cord.

"Double Jumping" – See Tandem Jumping.

"Dynamic Loading" – means the load placed on the rigging and attachments by the initial free fall of the jumper and the bouncing movements of the jumper.

"Equipment" – means the equipment, power or manually operated, used to raise, lower and hold loads.

"Incident" – means an event that could or does result in harm to a person or damage or loss of process (jumping interrupted or stopped).

"Jump Direction" – means the direction (forward or backward) in which a jumper is designed to jump from the jump point.

"Jump Height" – means the distance from the jump platform to the bottom of the jump zone.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

"Jump Master" – means a person who has responsibility for the bungee jumping operation and who takes a jumper through the final stages to the actual jump.

"Jump Operator" – means a person who assists the jump master to prepare a jumper for jumping and operates the lowering system to lower the jumper to the landing pad.

"Jump Point" – means the position from which the jumper begins to fall or jump.

"Jump Space" – means the jump zone plus a safety factor in all directions.

"Jump Zone" – means the space bounded by the maximum designed movements of the jumper or any part of the jumper.

"Jumper" – means the person who falls or jumps from a height attached to a bungee cord.

"Jumper Safety Harness" – means an assembly to be worn by a jumper and to be attached to a bungee cord. It is designed to prevent the patron from becoming detached from the bungee cord.

"Jumper Weight" – means the weight of the jumper only.

"Landing Area" – means the surface area of the air bag or water directly under the jump space.

"Landing Pad" – means a padded area on which the jumper lands by means of the lowering appliance or equipment.

"Lateral Direction" – means movement of the jumper measured at 90 degrees to the designed jump direction.

"Launching" – See Catapulting.

"Licensed Professional Engineer" – means an individual who holds a valid license as a licensed professional engineer from the Illinois Department of Financial and Professional Regulation or comparable authority in another state.

"Loaded Length" – means the length of the bungee cord when extended to its

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

fullest designed length.

"Moused" – means a binding around the point and shank of a hook to prevent it from slipping off.

"Operating System" – means the system of processing a jumper through the jump methods used on a particular site. This includes registration, preparation, getting to the jump point, methods of attachment, the rigging and lowering system, and the landing recovery method.

"Operating Manual" – means a document containing the procedures and forms for the operation of the bungee jumping activity and equipment on the site.

"Platform" – means the area attached to a lifting appliance from which the jumper falls or jumps.

"Preparation Area" – means the area where the jumper is prepared for jumping. It is a separate area on the ground.

"Recovery Area" – means an area beside the landing area where the jumper may recover from the jump before returning to the public area.

"Reverse Jumping" – See Catapulting.

"Rigging System" – means a combination of components that connects the jumper to the lifting point or hook of the appliance. The rigging system includes ropes, pulleys, carabiners, shackles and lowering equipment.

"Safe Working Load" or "SWL" – means the maximum rated load which can be safely handled under specified conditions, by a machine, equipment or component of the rigging.

"Safety Factor" – means the ratio obtained by dividing the breaking load of any piece of equipment by its working load.

"Safety Harness" – means an assembly to be worn by an operator. It is designed to be attached to a safety line and to prevent the operator from falling.

"Safety Line" – means a line used to connect safety harness or belt to an

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

anchorage point or rail.

"Safety Space" – means the space extending beyond the jump zone as a safety factor (i.e., a space beyond the maximum designed movements of the jumper).

"Sandbagging" – is the practice of a jumper holding onto any object (including another person) while jumping off of a platform and during the initial descent, for the purpose of exerting more force on the bungee cord in order to stretch it further and then releasing the object at the bottom of the jump, causing the jumper to rebound with more force than could be created by the jumper's weight alone.

"Stunt Jumping" – is the combining of any other activity with bungee jumping; or, bungee jumping with a disregard for clearances with the ground or other structures.

"Tandem Jumping" – means the practice of two people harnessed together while jumping simultaneously from the same jump platform.

"Thread" – means a single strand of material used in a bungee cord. A bungee cord is constructed of a varying number of threads.

"Unloaded Length" – means the length of the bungee cord laid on a horizontal flat surface without load or stress applied.

b) Site and Operating Approval

1) Site Plan and Equipment Design and Construction

- A) A licensed professional engineer's report that the design and construction of the structures, equipment, and operating areas meet the engineering requirements of ANSI B30.5, 29 CFR 1910.180 and 29 CFR 1926.550(g). These standards are incorporated by reference, do not include any later editions, amendments or corrections, and are considered suitable for a bungee jumping operation. The report shall contain site plans, safety zones, drawings and specifications of equipment, platform, rigging system and safety equipment and be submitted to the Department before construction.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- B) An engineering evaluation shall be conducted annually and each time a major component is modified.
 - C) The Department shall maintain the confidentiality of the engineer's report as authorized by Section 7(1)(g) of the Freedom of Information Act.
- 2) Jumps shall be completed only under the direct control of a jump master.
 - 3) Owners shall maintain a bottom safety space of at least 60 inches above the air bag, safety net, or water surface and a side safety space of at least 40 feet in all directions to any structure.
 - 4) Prohibited activities include bungee catapulting, tandem jumping, stunt jumping, reverse jumping, launching and sandbagging.
- c) Platform
- 1) The platform and its lifting appliance shall meet the requirements for working platforms. All components shall have a safety factor of not less than 3. The safe working load shall be marked on the platform.
 - 2) The jump rigging shall be attached directly to the lifting point or hook of the appliance.
 - 3) The jump rigging shall pass through or around the platform in such a way as to prevent damage to the jump rigging.
 - 4) The platform for jumping shall be a constant height above the ground or surface. That is, adjustments for the weight of each jumper shall be made by the jump master's selection of bungee cord in accordance with the manual and the manufacturer's specification for the cord.
 - 5) The platform shall have a non-slip floor surface.
 - 6) The platform shall have sufficient working space for the required number of persons.
 - 7) There shall be a gate across the jump point until the platform reaches the

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

jump height.

- 8) The platform shall have anchor points for safety harnesses or safety belts for all persons carried on the platform.
- 9) All persons on the platform shall wear a safety harness and safety line. The jumper shall use a safety line until ready to jump.
- 10) There shall be an alternative method of jumper recovery should the main lowering system fail to lower the jumper.
- 11) The design of the platform and support straps shall provide for maximum stability of the platform.
- 12) The position of the jump point in relation to the equipment or platform shall be controlled to enable the jump to be in the designed direction. This shall be at 90 degrees (± 10) to the equipment or platform.
- 13) All hooks, shackles and pins shall be moused.
- 14) The maximum wind speed and direction for the operation of the bungee jump shall be stated in the operation manual. The decision to operate is the responsibility of the equipment operator and jump master.
- 15) The jump master shall check the following daily:
 - A) The equipment has a current certificate to operate;
 - B) The wire rope shall be given a visual inspection;
 - C) All hooks, shackles and pins are moused;
 - D) All outriggers are fully extended;
 - E) There are established lines of communication between the jump platform and the equipment operator and between the equipment operator and the ground;
 - F) The hand signals required for visual communication between the

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

person directing the equipment or lifting appliance and the equipment or lifting appliance operator are known by all parties; and

- G) That the equipment operator knows who is directing the equipment.

d) Bungee Cord Requirement

- 1) The cord shall be designed and tested to perform within prescribed limits of stretch and load as stated in this Section.
- 2) The cord shall be made from natural or synthetic rubber or blends of natural and synthetic rubber that may be of various dimensions.
- 3) The materials used in the construction of the cord shall be such that the stretched length is consistent each time the same loading is applied.
- 4) Cord Binding
 - A) The binding shall hold the cord threads together in their designed positions.
 - B) The binding material shall have characteristics/specifications as approved by the manufacturer of the bungee cord.
 - C) The cord bindings shall be intact.
 - D) When bindings break during a day's operation, the cord shall be withdrawn from use until the bindings are replaced.
- 5) Shock Load on the Jumper. The following requirements apply:
 - A) The cord shall stretch in the jump to at least 2.5 times its unloaded length in its designed jumper weight range;
 - B) The unloaded length of the rigging system shall be less than half the designed extended length;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- C) Maximum loaded length. The operating length of a bungee cord at its maximum designed dynamic load shall not exceed 4 times its unloaded length.
- 6) Testing of a New Design of Bungee Cord
- A) Each manufacturer shall supply specifications for the cords being used.
 - B) Any change in specifications, including, but not limited to, changes that affect the performance of the bungee threads or cord, a change to the end attachments, a change in the material, source of supply or manufacturer, manufacturing methods, or equipment, shall constitute a new design and require review by a licensed professional engineer.
 - C) Bungee Cord End Attachment
 - i) Each end of the cord shall have an end attachment to connect the cord to the rigging and the jumper.
 - ii) The end attachment shall be of sufficient size and shape to allow easy attachment to the jumper harness and the rigging.
 - iii) The end attachment shall have a minimum breaking load of at least 4,400 pounds.
- 7) The maximum allowable life of the cord shall not exceed the manufacturer's specification.
- 8) A cord and its non-metallic connectors shall be withdrawn from use when the cord reaches its stated jump life.
- 9) Early withdrawal of the cord and its non-metallic connectors shall be required when:
- A) The exposure to daylight exceeds 250 hours. This criterion does not apply when the cord cover or sleeve fully protects all of the

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

cord from visible and ultra-violet exposure;

- B) The time since the cord was manufactured is greater than 6 months;
 - C) There is evidence of threads exhibiting wear, such as bunched threads or uneven tension between threads or thread bands;
 - D) Broken threads exceed 5% of the total number over the length of the cord;
 - E) As the bungee cord stretches over the course of its jump life, the dynamic load required to extend the bungee to four times its unloaded length will reduce. When this dynamic load reduces to less than the maximum designed dynamic load, the cord shall be destroyed;
 - F) It has been in contact with solvents, corrosive or abrasive substances;
 - G) An incident occurs that could result, immediately or in due course, in a substantial substandard performance of the cord or its attachments;
 - H) Any discolorations are found; or
 - I) Any other flaws are found.
- 10) A cord withdrawn from use shall be destroyed. A bungee cord is considered destroyed when it is cut into lengths of 5 feet or less.
- 11) Daily Testing. Before starting and during the day's operations, the jump master shall:
- A) Visually inspect the entire length and circumference of the bungee cord for signs of wear. The inspection shall be repeated at least 4 times during daily operation and recorded;
 - B) Visually check the bungee cord if the extended dynamic or static

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

length changes during jumping; and

- C) When unexpected changes in bungee cord performance occur, remove the bungee cord from service immediately and destroy it.

e) Jumper Safety Harness and Ankle Bindings

- 1) Jumper safety harness shall be either a full-body harness, a sit harness with shoulder straps, or ankle bindings.
- 2) Jump safety harness shall be available to fit the range of patron sizes accepted for jumping.
- 3) The ankle binding shall have been designed as an ankle harness and securely bind the jumper's ankles and secure the patron to the cord. The ankle binding shall not cause bruising and must provide evidence of redundancy.
- 4) The jumper safety harness shall be designed for the type of stress expected during operation.
- 5) The jumper safety harness shall be approved by the licensed professional engineer who conducts the annual inspection.

f) Ropes

All ropes for holding or lowering the jumper shall have a breaking load of at least 4,400 pounds.

g) Hardware

- 1) Carabiners shall be of the screw gate type with a minimum breaking load of 4,400 pounds.
- 2) Pulleys and shackles shall have a minimum breaking load of 4,400 pounds.
- 3) All pulleys shall be compatible with the rope size.
- 4) Webbing shall be of flat tubular mountaineering webbing or equivalent

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

with a minimum breaking load of 4,400 pounds.

h) Life Lines and Harnesses

- 1) A safety harness and life line shall be used by all persons on the platform.
- 2) Life lines shall have a minimum breaking load of 4,400 pounds.
- 3) A life line shall be worn by the jumper until ready to jump.

i) Testing and Inspection

- 1) All jump rigging shall be inspected and tested daily. Harnesses, lowering/braking system and safety gear shall be inspected daily as set out in the manual. Inspections, findings and action shall be recorded.
- 2) All jump rigging, harnesses, lowering/braking systems and safety gear shall be of a load rating at least equal to the standard stated in the regulation.
- 3) Hardware that has been subject to abnormal loadings, impact against hard surfaces, or surface damage shall be replaced.
- 4) Ropes subject to abnormal shock load shall be replaced.
- 5) All ropes, webbing and bindings shall be inspected visually and by feel for signs of wear, fraying, or damage by erosive substances. Criteria for planned inspection shall be included in the manual.
- 6) Criteria for the periodic replacement of ropes, webbing, harnesses and hardware shall be included in the manual.

j) Replacement of Rigging and Equipment

- 1) At the beginning of each day's operation, replacements of at least the following equipment shall be available on site:
 - A) Bungee cord or cords;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- B) Rigging hardware;
 - C) Ankle binding for jumpers;
 - D) Body safety harness for jumpers and staff; and
 - E) Safety lines and clips.
- 2) Any items of equipment, rigging or personal protective equipment found to be sub-standard shall be replaced immediately.
 - 3) Jumping shall cease immediately when a sub-standard item cannot be replaced.
- k) Identification of Equipment, Rigging, Bungee Cord and Safety Equipment
- 1) Each item shall have its own unique permanent identification number or tag.
 - 2) The identification shall not harm the material of the item.
 - 3) The identification shall be clearly visible to the operators during daily operations.
 - 4) The identification of each item shall be recorded in the items log sheet.
 - 5) The cords shall be color-coded as described in the on-site operations manual.
- l) Landing Recovery Area
- 1) Over Land
 - A) The area shall be free of spectators at all times;
 - B) The area shall be free of staff and equipment except for an air bag or a safety net when a jumper is being prepared on the jump platform and until the bungee cord is at its static extended state;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- C) The air bag or safety net shall be in position before jumper preparation commences on the platform;
 - D) The air bag or safety net shall be at least 18 feet by 25 feet and rated for the maximum free fall height possible from the platform during operation;
 - E) The jumper shall be lowered onto a clean, smooth, padded surface;
 - F) The jumper shall be allowed to recover before moving off the landing spot; and
 - G) A place to sit and recover should be provided close to, but outside, the landing area.
- 2) Over Water
- A) Where the jump space or landing area is over pond, lake, river or harbor waters, the following shall apply:
 - i) The jump space and landing area shall be free from floating and submerged objects, members of the public, and all vessels except the landing/recovery vessel. In open waters, this space must be marked with buoys. A sign of at least 1 foot by 3 feet in dimension that reads "BUNGEE JUMPING KEEP CLEAR" shall be fixed to the shore structure or land mass. When above moving water, a mesh or screen must be placed in an upstream position to keep floating debris from entering the landing area;
 - ii) The landing and recovery vessel shall be positioned accurately and remain in a constant position for the duration of the landing procedure;
 - iii) The landing vessel shall have a landing pad size of at least 5 feet by 5 feet;
 - iv) The landing pad shall be within and lower than the sides of the vessel;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- v) A vessel shall be present that can be maneuvered in the range of water conditions expected and will enable staff to pick up a jumper or other person who has fallen into the water;
 - vi) One person may operate the landing vessel when the vessel is positioned without the use of power. A separate person shall pilot the vessel when power is required to maneuver into or hold the landing position; and
 - vii) The vessel shall be equipped as required by the U.S. Coast Guard.
- B) If the landing area is part of a constructed swimming pool complex, other pool, or is specially constructed for bungee jumping, the following shall apply:
- i) The pool size shall meet the requirements for jump space shown in the engineer's report;
 - ii) Rescue equipment shall be available;
 - iii) The jump space and side safety space shall be fenced to exclude the public; and
 - iv) Only the operators of the bungee jump shall be within the jump space and landing areas.
- C) The minimum water depth in the landing area shall be 98 feet.
- m) Fences
- 1) Fences shall be designed and constructed to retain people, animals and objects outside the landing area.
 - 2) All areas in which the jumper may land shall be fenced.
- n) Storage

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

Adequate storage shall be provided both on-site and off-site to protect equipment from physical, chemical and ultra-violet ray damage. The storage shall be provided for current, replacement and emergency equipment organized for easy and orderly access. The storage shall be secure against unauthorized entry.

o) Communication

1) The following shall apply within the site:

A) There shall be an electronic voice communication link between:

i) The equipment operator and the platform;

ii) The platform and the landing/recovery area or vessel;

B) All staff shall be easily identifiable by other operators and the public; and

C) Instructions to jumpers and the public shall be put in positive terms to avoid misinterpretation and mistakes.

2) Emergency Service

There shall be a telephone communication link to the emergency service within 200 feet of the operation.

p) Safety and Loss Control Management

1) A jump master shall be designated Safety, Health and Loss Control Coordinator. The jump master shall hold a current Red Cross first aid rating and cardiopulmonary resuscitation (CPR) certificate or their equivalent.

2) Training, as required by Section 6000.120(c), shall be provided to all staff relative to their present or future duties as part of the operating staff. A record of training shall be kept available on site for review by the Department.

3) Planned inspections shall be conducted of the site, equipment and procedures by the jump master. The information gathered and the

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

reporting and investigation of incidents shall be regularly analyzed and reviewed by management. Procedures, equipment, rigging and structures shall be designed to reduce the likelihood of any incidents occurring, or being repeated. All findings shall be forwarded to the Department.

- 4) A comprehensive emergency plan shall be developed for inclusion in the operations manual. The plan shall include the following elements: the steps necessary to rescue a jumper in case of crane failure or accident, emergency first aid to be given, contacting of and directing emergency service personnel to the site, crowd control, and notification to the Department.
 - 5) The manual shall contain the site rules concerning the health and safety of employees and the public.
- q) Staff and Duties
- 1) The minimum age for the crane operator and jump master shall be 21 years and for other staff members 18 years.
 - 2) The staff of a bungee jumping operation shall include the following persons:
 - A) Site Controller
When more than one jump master is on the site, one of the jump masters shall also be designated controller. The site controller shall coordinate and be responsible and accountable for all operations;
 - B) Jump Master
 - i) Has complete control when jumping is occurring;
 - ii) Is the only person who takes the jumper through the final stages to the jump take-off;
 - iii) Is responsible for the training of the other staff (see Section 6000.120(c));

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- iv) Shall have a thorough knowledge of the site, its equipment, procedures and staff;
 - v) Selects the bungee cord and adjusts the rigging;
 - vi) Shall be located on the platform;
 - vii) Keeps a record of the number of times each cord has been used; and
 - viii) Shall ensure that the number of jumps undertaken in a period of time allows the tasks of each job to be carried out to meet the requirements of each job, as set out in the manual.
- C) Jump operator's duties include:
- i) Assisting the jump master to prepare the jumper;
 - ii) Attaching the jumper to ankle bindings or harness;
 - iii) Potentially attaching the jumper to rigging at the direction of the jump master;
 - iv) Carrying out check procedures;
 - v) Operating the lowering system; and
 - vi) Assisting in controlling the public.
- D) Landing/recovery operator's duties include:
- i) Assisting the jumper to land on the landing pad;
 - ii) Assisting the jumper to the recovery area;
 - iii) Overseeing the recovery of jumpers; and
 - iv) Assisting in controlling the public.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- E) Registration clerk's duties include:
 - i) Registration of the jumper;
 - ii) Obtaining/deciding on medical clearance;
 - iii) Weighing and marking of the jumper's weight. The scale shall be certified annually and checked monthly by the operator for accuracy. The certification shall be done by a person recognized under the Weights and Measures Act [225 ILCS 470];
 - iv) Controlling movement of jumpers to the preparation area;
 - v) Controlling or assisting in controlling the public; and
 - vi) The payment process.
- F) Vessel operators' duties shall include operating the landing and emergency vessels.
- G) Crane operators must:
 - i) Be knowledgeable of the particular crane's controls and physically capable of performing the duties; and
 - ii) Respond to move signals only from the jump master but obey a stop signal given by any employee at any time.
- r) Minimum Staff and Training
 - 1) An operating team shall consist of no fewer than 4 people.
 - 2) Training (see Section 6000.120(c)) shall be conducted by, or under the direct supervision of, a jump master.
 - 3) Staff who are operating in training mode shall be directly supervised at all times.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- 4) A training component of the operating manual covering the critical tasks in the operation shall be available on the site. The tasks shall include maintenance and testing as well as jump procedures. The training shall require achieving mastery of the specified skills and knowledge.
- s) Injury, Damage and Incident Events
 - 1) Serious injury (as defined in Section 6000.10) shall be reported to the Department within one hour, and the operation shall be closed until the Department reopens it. All incidents shall be reported within 24 hours in accordance with Section 6000.160.
 - 2) Owners/operators shall record all injuries, damage or near-miss events in the daily log.
- t) Work Periods

The staff shall take regular breaks to ensure that fatigue does not downgrade their ability to operate an incident-free operation.
- u) Medical and Age Restrictions for Jumpers
 - 1) Jumpers shall be questioned on their medical condition.
 - 2) Jumpers who declare medical conditions that may be affected by the jump shall not be allowed to jump. Medical conditions that disqualify a jumper include, at a minimum:
 - A) Pregnancy;
 - B) High blood pressure;
 - C) Heart conditions;
 - D) Neurological disorders;
 - E) Epilepsy; and
 - F) Neck, back, or leg injuries or disabilities.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- 3) A sign shall be erected listing the medical and age restrictions for jumpers. The sign shall be clearly visible to intending jumpers.
 - 4) Any jumpers who, in the opinion of the operations staff, represent a danger to themselves or others shall not be allowed into the preparation area nor allowed to jump.
 - 5) Jumpers who appear to be in an intoxicated or drugged state shall not be allowed to jump.
 - 6) The minimum age for jumping shall be 18 years and proof of age shall be provided at the time of the jump. Proof of age shall be a valid driver's license or another type of photo identification issued by an agency of government or employer.
- v) Site Operating Manual and Documentation
- 1) Each site shall have an operating manual, referred to as the manual, for the safe operation of bungee jumping on that site. The manual and all amendments shall be on-site and be freely available to staff and governing bodies.
 - 2) The manual shall include the procedures for complying with this Part.
 - 3) The manual shall include, but not be limited to, the following:
 - A) A site plan;
 - B) A description of operating systems and equipment;
 - C) Job procedures, including training (see Section 6000.120(c)), for each task in the operating system;
 - D) Job descriptions;
 - E) Sample of staff qualifications;
 - F) Staff selection procedures;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- G) Maintenance standards and procedures;
 - H) Testing procedures and recording;
 - I) Criteria for the periodic replacement of rigging;
 - J) Criteria for the regular planned inspections of ropes, webbings and bindings;
 - K) Emergency plan and procedures;
 - L) Reporting of injuries, damage and incidents;
 - M) Requirements for maintaining logs, including:
 - i) Site;
 - ii) Equipment and rigging;
 - iii) Personnel;
 - iv) Name of jumper; and
 - v) Bungee cord used;
 - N) Records to be kept;
 - O) Requirements for analysis of records;
 - P) Inspection procedures, standards and follow-up actions; and
 - Q) Examples of forms to be used.
- 4) Daily Pre-opening Operating Procedures shall include:
- A) Preparation. Setting up the site equipment and public amenities. There shall be a written checklist;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- B) Inspection, testing and checking;
 - C) Personal protective equipment including gloves, life jackets, buoyancy aids, harnesses and life lines;
 - D) Items of equipment;
 - E) The communication systems;
 - F) The jump equipment and rigging;
 - G) The jump procedures;
 - H) Carry out test jumps;
 - I) Checking the bungee cord performance; and
 - J) Staff briefing for the day's operations. Includes appointment of the site controller when applicable.
- 5) Jump Procedures. The procedures shall at a minimum include the following:
- A) Ensuring the exclusion of the public from the operating areas;
 - B) Registration of jumpers, including:
 - i) Name, address, city, county, state, zip code, and telephone number;
 - ii) Medical factors and exclusions;
 - iii) Age;
 - iv) Weight and marking; and
 - v) Payment;
 - C) Removal of loose objects;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- D) Jumper preparation, including:
 - i) Harness or binding attachment; and
 - ii) Briefing/instructions to the jumper;
 - E) Jump preparation, including:
 - i) Prepare bungee cord and adjust connections;
 - ii) Connect the jumper and check connections to the rigging;
and
 - iii) Final inspection by jump master (a checklist shall be used);
 - F) Landing/recovery procedures, including:
 - i) Lowering;
 - ii) Landing; and
 - iii) Disconnecting cord connections;
 - G) Return of the jumper to the public area; and
 - H) Preparing the bungee cord for the next jumper.
- 6) Closedown Procedures. The manual shall include the following close down procedures:
- A) Equipment – cleaning, inspection, testing and checking;
 - B) Completion of records, both site and personal;
 - C) The necessary daily maintenance of equipment, structures and facilities;
 - D) The storage of equipment;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- E) The cleanup and disposal of rubbish;
- F) Security check and lock-up;
- G) De-briefing of staff on:
 - i) Incidents/events occurring during the day;
 - ii) Equipment, rigging and bungee cord changes required before the next day's operations start; and
 - iii) Maintenance work not completed but required before the next day's start.
- w) Emergency Provisions and Procedures
 - 1) Each site shall have an emergency plan.
 - 2) A medium first aid kit and blankets shall be on site.
 - 3) All jump masters shall be qualified in lifesaving techniques, first aid, and cardiopulmonary resuscitation techniques through the American Red Cross or equivalent training, including "in water rescue of spinal injuries or unconscious patients".
 - 4) Where the site includes moving water or swift water, the site operating manual shall specify the rescue training and qualification required for all operators and staff on the site.
 - 5) Emergency lighting shall be provided at all jump sites that operate between ½ hour before sunset and ½ hour after sunrise. The emergency lighting system shall illuminate the jump platform, the jump space, and the landing area. The emergency lighting system shall have its own power source.
- x) An owner or operator of a bungee jumping operation that is permitted under the Act and this Part may disclose or advertise such permit status. Misrepresentation of permit status shall be a violation of the Act. No owner or operator shall

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

advertise any bungee jumping operation as being otherwise endorsed or approved by the Department, in any advertisement, brochure, commercial, TV or radio show, or newspaper, or in any other public manner.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.350 Zip Lines

- a) In addition to the definitions in [Section 2-2 of the Act and](#) Section 6000.10, the following shall apply to and govern this Section 6000.350:

"Acceptance Inspection" means the final inspection of a zip line performed upon installation completion and before commissioning.

"Anchor System" means a system of anchorages and anchorage connectors that provide a secure termination for a life safety system, personal safety system, belay system, or rope rigging system.

"Anchorage" means the terminating component of a life safety system, personal safety system, belay system, or rope rigging system intended to support any force applied to the system.

"Anchorage Connector" means an interface component coupling any anchor system or system component to an anchorage.

"Automatic Anchorage Connector" means an anchorage connector that is properly engaged by automatic action without manually applied fasteners in the connector.

"Brake" means a device, method or system used to arrest the traverse of the participant.

"Brake System" means a complete system comprised of the primary and emergency brakes.

"Canopy Tour" means a guided aerial exploration or transit of the forest canopy, most commonly by means of a series of zip lines or aerial walkways with platforms.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

"Commissioning" means an action by the installer or other competent person of putting a new element or course into service for the owner/operator.

"Competent Person" means a person possessing the skills, knowledge, experience, training and judgment to perform assigned tasks or activities satisfactorily, as determined by a reasonable person.

"Dismount" means the act of disembarking from the zip line and proceeding away from the landing area.

"Fixed Zip Line" means a zip line that is designed to be used at a fixed, single location and not readily moved to a different location.

"Landing Area" means the area provided for arrest and dismount after traversing a zip line.

"Mobile Zip Line" means a zip line that is designed or adapted to be moved from one location to another and is not fixed at a single location.

"Mobile Zip Line Manufacturer" means a company responsible for the design, quality, fabrication and delivery of a mobile zip line.

"Operating System" means the system or systems of processing a patron through the zip line route used on a particular site. This includes registration, preparation, getting to the landing point, methods of attachment, the rigging and lowering system, and the landing recovery method.

"Operation, Maintenance, Inspection and Training Manual" or "Manual" means a document containing the procedures and forms for the operation of the zip line activity and equipment on the site.

"Sag" means the vertical deflection in a horizontal line.

"Service Proven" means an element, ride, device, structure or major modification to an element, ride or device of which:

units have been in service to the public for a minimum of five years; and

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

units that have been in service without any significant design-related failures or significant design-related safety issues that have not been mitigated.

"Third Party Inspector" means a qualified person not directly employed by the operator of the zip line or parent company, original equipment manufacturer (OEM) or vendor, and not offering other services to the operator of the zip line or parent company who is qualified via ACCT accreditation, NAARSO certification, PRCA accreditation, or another approval that equally qualifies that person to provide zip line inspections.

"Zip Line Brake System" means a system that arrests the participant's traverse along a zip line. Brake systems can be active or passive.

"Zip Line Landing Area" means an area provided for the participant to arrest and dismount after completing a zip line traverse.

"Zip Line Tour" means a guided, aerial exploration or transit of a landscape using a series of zip lines and platforms generally supported by man-made structures.

- b) This Section shall govern all zip lines in operation on and after March 27, 2013. However, the Director may grant a permit to an operator of a zip line that was in operation on March 27, 2013 that does not meet all the standards in this Section if the operator can clearly demonstrate a service proven element or that the applicable safety requirements throughout this Part are substantially satisfied so as to ensure the safety of the public.
- c) This Section specifies the site, site approval, design, testing of equipment, management of the operation, operating procedures, emergency provisions, and procedures for zip lines from any mechanically operated platforms that carry participants to the top of the structure. All zip lines shall meet the manufacturer's standards and specifications.
- d) Site Plan, Equipment Design and Construction
 - 1) All zip line operating system ~~design documents~~~~designs~~ shall be reviewed and sealed by a licensed professional engineer and a licensed structural engineer. ANSI, ASTM or other applicable standards shall be used as general guidance. The designer of fixed zip lines and the manufacturer of

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

mobile zip lines are responsible for preparing the report for the owner. The design report shall contain site plans, safety zones, drawings and specifications of equipment, platform, rigging system, and safety equipment. The report shall be submitted to the Department before the commissioning of fixed zip lines and the operation of mobile zip lines and shall be maintained on the site where the zip line is operating. The design evaluation included in the report shall consider the following:

- A) Static and dynamic loads on anchors and components.
 - B) Fatigue limits or absolute component replacement intervals.
 - C) Fatigue limits for structures.
 - D) Protection against metallic corrosion and wood rot.
 - E) Clearances and hazard analysis, including consideration of the effects of heavy crosswinds, rain, fog and other conditions resulting in impaired visibility, maneuverability, loss of traction or grip, and reduced braking capability.
 - F) Platform, walkway, ladder and associated foundation size and load ratings, including factors of safety.
 - G) Anchor and foundation analysis for mobile zip lines shall consider the load path through the anchor attachment point and identify loading through all components, including an identified fixed foundation. Vehicle frames or underframes can be used as fixed foundations, providing a verifiable load analysis is submitted. Alternate qualification, consisting of a statement by the vehicle manufacturer confirming the anchor attachment point and loadings are suitable for the vehicle, is acceptable.
- 2) An inspection by a third-party inspector shall be conducted each time a major component is modified. Scheduled component replacements in accordance with manufacturer or designer maintenance procedures do not constitute a design modification.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- 3) Fixed zip lines shall be inspected by a third-party inspector annually. Results and the report shall be made available to the Department.
 - 4) Differences between the design as detailed in the engineer's report and evaluation and the implemented installation by a competent person shall be reconciled. Appropriate explanations of the differences, which may include modified drawings, procedures, analyses and additional calculations shall be appended to the original design report or engineering evaluation as applicable. Owner's manuals shall be updated to reflect the engineer's or manufacturer's acceptance of the modifications.
 - 5) A fixed zip line site commissioning plan, including an acceptance test procedure and report, shall be incorporated in the engineer's report. Commissioning and testing shall be conducted by a competent person
 - 6) Mobile zip line site set-up, pre-start inspection, and test procedures shall be clearly documented and followed by a competent person.
 - 7) The Department shall maintain the confidentiality of the engineer's report as authorized by Section 7(1)(g) of the Freedom of Information Act.
- e) General Compliance Criteria
- 1) Equipment
 - A) Zip lines shall be comprised of flexible steel wire rope, metal bars, or other similar materials. Zip lines shall have no exposed wires/strands within reach of the participants that may result in injury. Wire rope used as zip lines shall not be spliced.
 - B) When a portion of the zip line or landing area is not visible from the zip line departure point, a departure procedure shall be utilized to ensure a clear unobstructed run.
 - C) There shall be adequate clear space above, below and around the zip line to ensure the participant will not strike or contact any permanent or transient obstruction, object or person.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- D) Rescue ropes, equipment appropriate to applicable rescue loads, rescue plans, and personnel trained to retrieve a participant from anywhere within zip line spans shall be present during use.
 - E) Carabiners and snap-hooks shall comply with the gate strength and other applicable requirements of ANSI/ASSP Z359.1 (2007) for the manufacturer's estimated life cycle of the product. Carabiners and snap-hooks shall be auto-closing and auto-locking and require at least two deliberate consecutive actions to open.
 - F) Lanyards shall comply with the strength requirements of ANSI/ASSP Z359.1 (2007) for manufacturers estimated life cycle of the product. Lanyards should carry the marking of the manufacturer and the safe working load or breaking strength.
 - G) Items carried by participants, including backpacks and carryalls, hair, and clothing that may become entangled in safety equipment or component parts shall be secured properly.
 - H) Pulleys and trolleys shall be of the double wheel type construction per the design specification to eliminate derailing during operation.
 - I) All parts and components shall be purchased from the manufacturer or shall only be manufacturer-approved replacement parts.
- 2) Zip Line Arrival Point, Protection and Braking
- A) Zip line courses shall have appropriate safety devices, such as impact-absorbing materials, ground cover, load limiters and landing mats or landing nets, installed per the manufacturer's design specifications at the zip line arrival point. Descriptions and operating characteristics of the safety devices shall be included in the design drawings.
 - B) One or more of the following methods shall be included in the operating system of the zip line course:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- i) Impact absorbent ground cover, impact absorber/load limiter, landing mats, nets, water landings, or other protective methods installed in arrival areas to reduce injury potential.
 - ii) Passive braking systems shall not require any action by the user and shall always be in effect through gravity, engineered, or mechanical means. If gravity braking is designed to result in the participant being removed after arriving at a low point in the zip line, the removal device or equipment shall be rated for the design reach and loads as determined by the design plan. If mobile equipment is used to remove participants at the arrival point, the approach path shall be free of potential hazards. The stability of the vehicle shall be insured through proper selection of the equipment and the approach.
 - iii) Active braking systems that use a mechanical braking system must also have a secondary braking system or assistance of an operator as a secondary or emergency braking system.
- C) Parked vehicles shall only be used as secondary tie-off points for portable zip lines and may be used as primary anchor points when the vehicle meets the weight class and type specified by the manufacturer and engineering requirements of the ride. Additionally, any vehicle used as a primary or secondary anchoring point must be physically prevented from being operated by disabling the electrical system (disconnecting battery) so that the vehicle cannot be started or by other means outlined in the manufacturer's design specifications.
- D) The use of a tree as an anchor point for the termination of a zip line or to secure the takeoff platform of a zip line is acceptable. The tree or trees shall be inspected and approved by a certified arborist to ensure good health and stability of the trees. All trees on fixed installations shall receive this assessment no less than annually.
- 3) Zip Line Takeoff Platform

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- A) Takeoff platforms shall be designed to prevent the participant from striking any portion of the platform or lower obstacle during the takeoff.
 - B) Angles of inclination of the landing ramps shall not constitute a tripping hazard for the participant.
 - C) Where necessary, impact-absorbing material shall be utilized to prevent injury.
 - D) Unauthorized access to zip line platforms during periods when the ride is shut down or not attended by a qualified operator shall be prevented by suitable means, including barriers. Hazard warning signs shall be conspicuously placed where applicable.
- f) Site Operating Manual and Documentation
- 1) Each site shall have an operating manual for the safe operation of zip line activities on that site. The manual and all amendments shall be on-site and freely available to operator staff and governing bodies.
 - 2) The manual shall include the procedures for complying with this Part.
 - 3) The manual shall include, but not be limited to, the following:
 - A) A site plan;
 - B) A description of operating systems and equipment;
 - C) Job procedures, including training (see Section 6000.120(c)), for each task in the operating system;
 - D) Job descriptions;
 - E) Sample of staff qualifications;
 - F) Staff selection procedures;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- G) Maintenance standards and procedures;
 - H) Testing procedures and recording;
 - I) Criteria for the periodic replacement of rigging;
 - J) Criteria for the regular planned inspections of ropes, webbings and bindings;
 - K) Emergency plan and procedures;
 - L) Reporting of injuries, damage and incidents;
 - M) Requirements for maintaining logs, including:
 - i) Site;
 - ii) Equipment and rigging; and
 - iii) Personnel;
 - N) Records to be kept;
 - O) Requirements for analysis of records;
 - P) Inspection procedures, standards and follow-up actions; and
 - Q) Examples of forms to be used.
- g) Emergency Provisions and Procedures
- 1) Each site shall have an emergency plan.
 - 2) A medium first aid kit and blankets shall be on site.
 - 3) Emergency lighting shall be provided at sites that operate between ½ hour before sunset and ½ hour after sunrise. The emergency lighting system shall illuminate the takeoff platform, the zip line, the zip line course, and

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

the arrival point for participants. The emergency lighting system shall have its own power source.

- 4) In inclement weather, including but not limited to lightning, rain, hail, snow or high winds, operations shall cease and participants shall not be allowed to ride the zip line or be on or near the platforms or termination points of the ride.
- 5) If the zip line operates over water, a staff member qualified in lifesaving techniques, including water rescue, first aid, and cardiopulmonary resuscitation techniques through the American Red Cross or equivalent training, shall be present during operation. Appropriate equipment shall be available to perform a water rescue.
- h) If a zip line operating system meets all the equipment and inspection requirements of this Section, the Department will issue an operating permit, subject to the applicant submitting the fees required by Section 6000.50(b) and (c).
- i) An owner or operator of a zip line that is permitted under the Act and this Part may disclose or advertise such permit status. Misrepresentation of permit status shall be a violation of the Act. No owner or operator shall advertise any zip line as being otherwise endorsed or approved by the Department, in any advertisement, brochure, commercial, TV or radio show, or newspaper, or in any other public manner.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.351 Haunted Houses

- a) Emergency Planning
 - 1) Maximum occupant load, which shall include staff, shall be determined during plan review. A sign stating maximum occupant capacity shall be posted in a visible location near the entrance, and staff shall control the flow of patrons so as not to exceed this limit.
 - 2) A written emergency procedure plan shall be provided with the permit application packet. All employees shall be trained in emergency procedure.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- 3) The emergency procedure plan shall include training of staff and familiarization with fire alarm tone. Specific personnel shall be designated to turn off all distracting noises (e.g., sound system) and turn on lights when alerted by the fire alarm or otherwise notified of an emergency condition.
 - 4) While the haunted house is open to the public, it shall be adequately staffed to control the occupant load and assist patrons in exiting should an evacuation become necessary. Staffing level shall be determined upon review of plans and may be increased at the discretion of the fire department.
 - 5) All employees shall carry flashlights and know the location of all exits, fire extinguishers, light switches, electrical panels and emergency phones.
 - 6) A fire drill demonstrating the implementation of the emergency plan may be required at the time of inspection.
 - 7) Phone communication shall be readily available for the purpose of calling 911 in the event of an emergency.
- b) Exits
- 1) Two exits shall be provided from each room with an occupant load of 50 or more. Required exit doors shall swing in the direction of egress.
 - 2) Naturally or artificially illuminated exit signs shall be provided at each exit.
 - 3) Exit doors serving an occupant load of 50 or more shall not be provided with a latch or lock other than panic hardware.
 - 4) Emergency lighting shall be provided.
 - 5) Exhibits and decorative materials shall not obstruct, confuse or obscure exits, exit pathways, exit signs or emergency lighting units.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- 6) Additional pathway markings, including low level marking and signs, may be required during the field inspection.
- c) Fire Protection
- 1) Fire and smoke detecting systems shall be installed in each building or structure used in an amusement ride or amusement attraction that requires a darkened interior during operation.
 - 2) Fire extinguishers shall be:
 - A) Minimum 2A10BC rated.
 - B) Visible and accessible at all times and clearly illuminated or marked with reflective tape.
 - C) Located within 50 feet travel distance from anywhere in the building.
 - 3) Decorative materials shall not obstruct fire sprinklers, fire extinguishers or any other fire protection equipment.
 - 4) Fabric constituting part of an amusement ride or amusement attraction shall meet the flamespread ratings of NFPA 701. A certificate or a test report from the fabric manufacturer or approved testing agency indicating a fire resistance rating equal to or better than NFPA 701 shall be available upon request.
 - 5) "No Smoking" signs shall be posted at the entrances/exits to all amusement rides or amusement attractions that require a darkened interior during operation.
- d) Electrical
- 1) Extension cords shall be of heavy commercial type, UL listed and in good condition, and shall be appropriate for the intended use.
 - 2) Only UL listed power strips with over-current protection shall be used when the number of outlets provided is inadequate. Power strips shall be

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

plugged directly into provided outlets and shall not be plugged into one another in series.

- 3) All extension cords and power strips shall be adequately protected from foot traffic ("bridged") if paths of travel cannot be avoided.
- 4) Emergency Lighting. If an amusement attraction requires a darkened interior during operation, each building or structure shall be equipped with a battery powered emergency lighting system.

e) Decorative Materials

- 1) All decorative materials (decorations, drapes, backdrops and props) shall be either inherently flame retardant and labeled as such, or shall be treated with a flame retardant.
- 2) If material is treated by the user, a container and receipt will serve as proof. A flame test may be required.
- 3) Care and consideration shall be used with respect to smoke generator and smoke alarm locations. Use of smoke generators may be restricted if determined to be incompatible with the smoke alarms.

f) Miscellaneous

- 1) Storage or use of flammable or combustible liquids, gasses and solids is prohibited.
- 2) Open flame is prohibited.
- 3) Good housekeeping shall be maintained throughout exhibit and exit pathways at all times.
- 4) There shall be no sharp corners, splintered wood walls or protruding screws or nails that can cause injury.
- 5) Carnival or amusement workers working at haunted houses are not permitted to have physical contact with patrons unless such physical contact is in the course of rendering aid, to remove a patron from the

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

[attraction, or in the interest of avoiding injury to employees, volunteers, or patrons as provided for in Section 2-19 of the Act.](#)

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.352 Aerial Adventure

- a) In addition to the definitions in [Section 2-2 of the Act and](#) Section 6000.10, the following shall apply to and govern this Section 6000.352:

"Acceptance Inspection" means the final inspection of a course performed upon installation completion and before commissioning.

"Anchor System" means a system of anchorages and anchorage connectors that provide a secure termination for a life safety system, personal safety system, belay system, or rope rigging system.

"Anchorage" means the terminating component of a life safety system, personal safety system, belay system, or rope rigging system intended to support any force applied to the system.

"Anchorage Connector" means an interface component coupling any anchor system or system component to an anchorage.

"Aerial Adventure Course" means a patron participatory facility or facilities consisting of one or more elevated walkways, platforms, zip lines, nets, ropes, or other elements that require the use of fall hazard Personal Safety Equipment (PSE).

"Automatic Anchorage Connector" means an anchorage connector that is properly engaged by automatic action without manually applied fasteners in the connector.

"Brake" means a device, method or system used to arrest the traverse of the participant.

"Brake System" means a complete system, comprised of the primary and emergency brakes, that arrests the participant's traverse along an element. Brake systems can be active or passive.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

"Commissioning" means an action by the installer or other competent person of putting a new element or course into service for the owner/operator.

"Competent Person" means a person possessing the skills, knowledge, experience, training and judgment to perform assigned tasks or activities satisfactorily, as determined by a reasonable person.

"Dismount" means the act of disembarking from the element and proceeding away from the landing area.

"Fixed Course" means a course that is designed to be used at a fixed, single location and not readily moved to a different location.

"Landing Area" means the area provided for the participant to arrest and dismount after traversing an element.

"Mobile Course" means a course that is designed or adapted to be moved from one location to another and is not fixed at a single location.

"Mobile Course Manufacturer" means a company responsible for the design, quality, fabrication and delivery of a mobile course.

"Operating System" means the system or systems of processing a patron through the course route used on a particular site. This includes registration, preparation, getting to the landing point, methods of attachment, the rigging and lowering system, and the landing recovery method.

"Operation, Maintenance, Inspection and Training Manual" or "Manual" means a document containing the procedures and forms for the operation of the course activity and equipment on the site.

"Service Proven" means an element, ride, device, structure or major modification to an element, ride or device of which:

units have been in service to the public for a minimum of 5 years; and

units that have been in service without any significant design related failures or significant design related safety issues that have not been mitigated.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

"Third Party Inspector" means a qualified person:

not directly employed by the operator of the course or parent company,
original equipment manufacturer (OEM) or vendor; and

not offering other services to the operator of the course or parent
company.

The person shall be qualified via ACCT accreditation, AIMS certification,
NAARSO certification, PRCA accreditation, or other approval that equally
qualifies that person to provide course inspections.

- b) This Section shall govern all courses in operation on or after January 1, 2021. However, the Director may grant a permit to an operator of a course in operation on December 8, 2020 that does not meet all the standards set forth in this Section if the operator can clearly demonstrate a service-proven element or demonstrate that the applicable safety requirements throughout this Part are substantially satisfied to ensure the safety of the public.
- c) This Section specifies the site, site approval, design, testing of equipment, management of the operation, operating procedures, and emergency provisions and procedures for courses from any mechanically operated platforms that carry participants to the top of the structure. All courses shall meet the manufacturer's standards and specifications.
- d) Site Plan, Equipment Design and Construction
 - 1) All course operating system design documents~~designs~~ shall be reviewed and sealed by a licensed professional engineer and a licensed structural engineer. ANSI, ACCT, ASTM or other applicable standards shall be used as general guidance. The designer of fixed courses and the manufacturer of mobile courses are responsible for preparing the report for the owner. The design report shall contain site plans, safety zones, drawings and specifications of equipment, platform, rigging system, and safety equipment. The report shall be submitted to the Department before the commissioning of fixed courses and operation of mobile courses and shall be maintained on the site where the course is operating. The design evaluation included in the report shall consider the following:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- A) Static and dynamic loads on anchors and components.
 - B) Fatigue limits or absolute component replacement intervals.
 - C) Fatigue limits for structures.
 - D) Protection against metallic corrosion and wood rot.
 - E) Clearances and hazard analysis, including consideration of the effects of heavy crosswinds, rain, fog and other conditions resulting in impaired visibility, maneuverability, loss of traction or grip, and reduced braking capability.
 - F) Platform, walkway, ladder and associated foundation size and load ratings, including factors of safety.
 - G) Anchor and foundation analysis for mobile courses shall consider the load path through the anchor attachment point and shall identify loading through all components, including an identified fixed foundation. Vehicle frames or underframes can be used as fixed foundations, providing a verifiable load analysis is submitted. Alternate qualification, consisting of a statement by the vehicle manufacturer confirming the anchor attachment point and loadings are suitable for the vehicle, is acceptable.
- 2) An inspection by a third-party inspector shall be conducted each time a major component is modified. Scheduled component replacements in accordance with manufacturer or designer maintenance procedures do not constitute a design modification.
 - 3) Fixed courses shall be inspected by a third-party inspector annually. This information shall be presented in a report to the owner in accordance with the ACCT Challenge Course Inspection Standards or equivalent standards approved by the Department. The report shall be submitted to the Department.
 - 4) Differences between the design as detailed in the engineer's report and evaluation and the implemented installation by a competent person shall

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

be reconciled. Appropriate explanations of the differences, which may include modified drawings, procedures, analyses and additional calculations, shall be appended to the original design report or engineering evaluation, as applicable. Owner's manuals shall be updated to reflect the engineer's or manufacturer's acceptance of the modifications.

- 5) A fixed course site commissioning plan, including an acceptance test procedure and report, shall be incorporated in the engineer's report. Commissioning and testing shall be conducted by a competent person
 - 6) Mobile course site setup, pre-start inspection, and test procedures shall be clearly documented and followed by a competent person.
 - 7) The Department shall maintain the confidentiality of the engineer's report as authorized by Section 7(1)(g) of the Freedom of Information Act.
- e) General Compliance Criteria
- 1) Equipment
 - A) When a portion of the course or landing area is not visible from the element departure point, a departure procedure shall be utilized to ensure a clear unobstructed run.
 - B) There shall be adequate clear space above, below and around the course to ensure the participant will not strike or contact any permanent or transient obstruction, object or person.
 - C) Rescue ropes, equipment appropriate to applicable rescue loads, rescue plans, and personnel trained to retrieve a participant from anywhere within course spans shall be present during use.
 - D) Carabiners and snap-hooks shall comply with the gate strength and other applicable requirements of ANSI/ASSP Z359.1 (2007) for the manufacturer's estimated life cycle of the product. Carabiners and snap-hooks shall be auto-closing and auto-locking and require at least two deliberate consecutive actions to open.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- E) Lanyards shall comply with the strength requirements of ANSI/ASSP Z359.1 (2007) for manufacturers estimated life cycle of the product. Lanyards should carry the marking of the manufacturer and the safe working load or breaking strength.
 - F) Hair, clothing that may become entangled in safety equipment or component parts, and items carried by participants, including backpacks and carryalls, shall be secured properly.
 - G) Pulleys and trolleys shall be of the double wheel type construction per the design specification to eliminate derailing during operation.
 - H) All parts and components shall be purchased from the manufacturer or shall only be manufacturer approved replacement parts.
- 2) Course Arrival Point, Protection and Braking
- A) Courses shall have appropriate safety devices, such as impact-absorbing materials, ground cover, load limiters, landing mats, or landing nets, installed per the manufacturer's design specifications at the course arrival point. Descriptions and operating characteristics of the safety devices shall be included in the design drawings.
 - B) One or more of the following methods shall be included in the operating system of the course:
 - i) Impact absorbent ground cover, impact absorber/load limiter, landing mats, nets, water landings, or other protective methods installed in arrival areas to reduce injury potential.
 - ii) Passive braking systems shall not require any action by the user and shall always be in effect through gravity or engineered or mechanical means. In the event gravity braking is designed to result in the participant being removed after arriving at a low point in the course, the removal device or equipment shall be rated for the design

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

reach and loads, as determined by the design plan. In the event mobile equipment is used to remove participants at the arrival point, the approach path shall be free of potential hazards. The stability of the vehicle shall be insured through proper selection of the equipment and the approach.

- iii) Active braking systems with use of a mechanical braking system must also have a secondary braking system or assistance of an operator as a secondary or emergency braking system.
 - C) Parked vehicles shall only be used as secondary tie-off points for portable courses and may be used as primary anchor points when the vehicle meets the weight class and type specified by the manufacturer and engineering requirements of the ride. Additionally, any vehicle used as a primary or secondary anchoring point must be physically prevented from being operated by disabling the electrical system (disconnecting battery) so that the vehicle cannot be started or by other means outlined in the manufacturer's design specifications.
 - D) The use of a tree as an anchor point for the termination of a course or to secure the takeoff platform of a course is acceptable. The tree or trees shall be inspected and approved by a certified arborist to ensure good health and stability of the trees. All trees on fixed installations shall receive this assessment no less than annually.
- 3) Course Takeoff Platform
- A) Takeoff platforms shall be designed to prevent the participant from striking any portion of the platform or lower obstacle during the takeoff.
 - B) Angles of inclination of the landing ramps shall not constitute a tripping hazard for the participant.
 - C) Where necessary, impact-absorbing material shall be utilized to prevent injury.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- D) Unauthorized access to course platforms during periods when the ride is shut down or not attended by a qualified operator shall be prevented by suitable means, including barriers. Hazard warning signs shall be conspicuously placed where applicable.
- f) Site Operating Manual and Documentation
- 1) Each site shall have an operating manual for the safe operation of course activities on that site. The manual and all amendments shall be on-site and freely available to operator staff and governing bodies.
 - 2) The manual shall include the procedures for complying with this Part.
 - 3) The manual shall include, but not be limited to, the following:
 - A) A site plan;
 - B) A description of operating systems and equipment;
 - C) Job procedures, including training, for each task in the operating system. The Staff Training Plan (see Section 6000.120(c)) shall include documentation of training provided by the qualified industry training professional, including certificates verifying competency in technical skills for each challenge course staff;
 - D) Challenge Course Personnel Job Descriptions
 - i) Challenge course managers shall be 21 years of age or older.
 - ii) Challenge course staff shall be 16 years of age or older and shall have training (see Section 6000.120(c)) and general knowledge of the operation of the element to which they are assigned.
 - E) Sample of staff qualifications;
 - F) Staff selection procedures;

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- G) Maintenance standards and procedures;
 - H) Testing procedures and recording;
 - I) Criteria for the periodic replacement of rigging;
 - J) Criteria for the regular planned inspections of ropes, webbings and bindings;
 - K) Emergency plan and procedures;
 - L) Reporting of injuries, damage and incidents;
 - M) Requirements for maintaining logs, including:
 - i) Site;
 - ii) Equipment and rigging; and
 - iii) Personnel;
 - N) Records to be kept;
 - O) Requirements for analysis of records;
 - P) Inspection procedures, standards and follow-up actions; and
 - Q) Examples of forms to be used.
- g) Emergency Provisions and Procedures
- 1) Each site shall have an emergency plan.
 - 2) A medium first aid kit and blankets shall be on site.
 - 3) Emergency lighting shall be provided at sites that operate between ½ hour before sunset and ½ hour after sunrise. The emergency lighting system shall illuminate the takeoff platform, the course, and the arrival point for

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

participants. The emergency lighting system shall have its own power source.

- 4) In inclement weather, including but not limited to lightning, rain, hail, snow or high winds, outdoor operations shall cease and participants shall not be allowed to be on or near the course.
- h) If a course operating system meets all the equipment and inspection requirements of this Section, the Department will issue an operating permit, subject to the applicant submitting the fees required by Section 6000.50(b) and (c).
- i) An owner or operator of a course that is permitted under the Act and this Part may disclose or advertise such permit status. Misrepresentation of permit status shall be a violation of the Act. No owner or operator shall advertise any course as being otherwise endorsed or approved by the Department, in any advertisement, brochure, commercial, TV or radio show, or newspaper, or in any other public manner.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 6000.353 Trampoline Courts

- a) This Section shall govern all trampoline courts (courts) in operation on or after January 1, 2022. Courts subject to the Act must comply with the inspection and permitting requirements of this Part by February 1, 2022.
- b) Trampoline courts must comply with ASTM 2970-20.
- c) In addition to the definitions in [Section 2-2 of the Act and](#) Section 6000.10, the following shall apply to and govern this Section 6000.353:

"Commissioning" means an action by the installer or other competent person of putting a new element or court into service for the owner or operator.

"Competent Person" means a person possessing the skills, knowledge, experience, training, and judgment to perform assigned tasks or activities satisfactorily, as determined by a reasonable person.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

"Major Modification" means a change in either the structural or operational characteristics of an amusement ride or amusement attraction that can alter its performance from that specified in the manufacturer's design criteria.

"Operating System" means the system or systems of processing a patron through the court.

"Operating Manual" means a document containing the procedures and forms for the operation of the court activity and equipment on the site.

"Third-Party Inspector" means a qualified person not directly employed by the operator of the court or parent company, original equipment manufacturer (OEM), or vendor, and not offering other services to the operator of the court or parent company, who is qualified via International Association of Trampoline Parks accreditation, NAARSO certification, or other equivalent certification to provide court inspections, as determined by the Department.

- d) This Section specifies the site, site approval, design, testing of equipment, management of the operation, operating procedures, and emergency provisions and procedures for courts. All courts shall meet the manufacturer's standards and specifications.
- e) Site Plan and Equipment Design and Construction
 - 1) This Section (e) shall apply to courts undergoing a major modification or newly constructed after January 1, 2022. All court operating system ~~design documents~~^{designs} shall be reviewed and sealed by a licensed professional engineer. ASTM 2970-20 and other applicable standards shall be used as general guidance. The designer of the court is responsible for preparing the design report for the owner. The design report shall contain site plans, safety zones, drawings, a design evaluation, and specifications for equipment, platform, rigging system, and safety equipment. The design report shall be submitted to the Department before the commissioning of the court and shall be maintained on-site. The design evaluation included in the report shall consider the following:
 - A) Static and dynamic loads on anchors and components.
 - B) Fatigue limits or absolute component replacement intervals.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- C) Fatigue limits for structures.
 - D) Protection against metallic corrosion.
 - E) Clearances and hazard analysis.
 - F) Platform, walkway, ladder and associated foundation size and load ratings, including factors of safety.
- 2) An inspection by a third-party inspector shall be conducted each time a major design component is modified. Scheduled component replacements in accordance with manufacturer or designer maintenance procedures do not constitute a design modification.
 - 3) Courts shall be inspected by a third-party inspector annually. The information gathered from the inspection shall be presented in a report to the owner in accordance with the ASTM 2970-20 and industry standards or equivalent standards as approved by the Department. The inspection report shall be submitted to the Department at the time the application for a permit is submitted to the Department.
 - 4) Differences between the design as detailed in the engineer's report and evaluation and the implemented installation by a competent person shall be reconciled. Appropriate explanations of the differences, which may include modified drawings, procedures, analyses, and additional calculations, shall be appended to the original design report or engineering evaluation as applicable. Owner's manuals shall be updated to reflect the engineer's or manufacturer's acceptance of the modifications.
 - 5) A court commissioning plan, including an acceptance test procedure and report, shall be incorporated in the engineer's report. Commissioning and testing shall be conducted by a competent person.
 - 6) Any materials or data made available to or received by any agent or employee of the Department that contains information that is exempt from disclosure under Section 7 of the Freedom of Information Act [5 ILCS 140/7] shall not be disclosed.

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

f) General Compliance Criteria

1) Equipment

- A) There shall be adequate clear space above, below, and around the court to ensure participants will not strike or contact any permanent object.
- B) Equipment appropriate for applicable rescue, rescue plans, and personnel trained to retrieve a participant from anywhere within the court shall be present during court operation.
- C) All parts and components shall be purchased from the manufacturer or shall only be manufacturer-approved replacement parts. If the manufacturer is no longer in business, replacement parts shall be procured in a manner consistent with ASTM 2970-20.
- D) Performance trampolines, as the term is used in ASTM F2970-20, shall not be allowed for public use in any regulated trampoline court.

2) Court Protection

Courts shall have appropriate safety devices, such as impact-absorbing materials, landing mats, or nets, installed per the manufacturer's design specifications and ASTM 2970-20. Descriptions and operating characteristics of the safety devices shall be included in the design drawings.

g) Site Operating Manual and Documentation

- 1) Each court shall have an operating manual for the safe operation of court activities on-site. The operating manual and all amendments shall be on-site and freely available to operating staff and governing bodies.
- 2) The operating manual shall include the procedures that will be used by the court to comply with this Part.
- 3) The operating manual shall include, but not be limited to, the following:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- A) A site plan.
- B) A description of operating systems and equipment.
- C) Job procedures, including training, for each task in the operating system. The staff training plan shall include documentation of training provided by a qualified industry training professional, including certificates verifying competency.
 - i) Court managers shall be 21 years of age or older and shall hold a current Red Cross first aid certificate and a current Red Cross cardiopulmonary resuscitation (CPR) certificate, or their equivalent. At least one court manager must be present on-site at all times during court operation.
 - ii) Operating staff shall have complete knowledge of the operation of the court.
 - iii) At no time shall the ratio of participants to attendants and assistants exceed 32:1.
- D) Job descriptions.
- E) Sample of staff qualifications.
- F) Staff selection procedures.
- G) Maintenance standards and procedures.
- H) Testing procedures and recording.
- I) Criteria for the periodic equipment replacement.
- J) Emergency plan.
- K) Reporting of injuries, damage, and incidents.
- L) Requirements for maintaining logs, including:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENTS

- i) Site
 - ii) Equipment
 - iii) Personnel
- M) Records to be kept.
- N) Inspection procedures, standards, and follow-up actions.
- O) Examples of forms to be used.
- h) Emergency Plan and Provisions
 - 1) Each court shall have an emergency plan, including appropriate procedures to be followed in case of emergency, that has been reviewed with the local police and fire departments by court management, and must maintain documentation that such review took place, including any recommendations provided by the police or fire department.
 - 2) Each court shall have a medium first aid kit and blankets on site.
- i) If a court meets all the equipment and inspection requirements of this Part, the Department shall issue an operating permit, subject to the applicant submitting the fees for Amusement Attractions required by Section 6000.50(a)(3) and (b)(3).
- j) An owner or operator of a court that is permitted under the requirements of the Act and this Part may disclose or advertise such permit status. Misrepresentation of permit status shall be a violation of the Act. No owner or operator shall advertise any court as being otherwise endorsed or approved by the Department, in any advertisement, brochure, commercial, TV or radio show, or newspaper, or in any other public manner.

(Source: Amended at 48 Ill. Reg. _____, effective _____)