

# 1 RCNY §3005-10

## CHAPTER 3000

### Elevators and Conveying Systems

#### Subchapter A

#### Amusement Devices

#### §3005-10 Inspections and tests.

(a) **Scope.** Every new altered, rebuilt, or modified amusement device, temporary or permanent, must be inspected and tested in accordance with the manufacturer's manuals, manufacturer's bulletins, and the requirements of this subchapter. In the case where such manuals are not available, a registered design professional must prepare the necessary operation, maintenance, inspection, and test manual(s) in accordance with ASTM F853, F770, F2374, and F2376.

(b) **Inspection and testing notification.** The owner or amusement park operator of a permanent amusement device must provide notice to the Department by phone, fax or email that the device is ready to be inspected and tested. Notice must be provided at least thirty (30) business days prior to the proposed date of inspection and test.

**Exception.** Inflatable rides are not tested. Certificates of competency are issued instead, based on criteria described in paragraph (2) of subdivision (h) of Section 3005-03.

(c) **Fees.** Refer to Section 28-112.8 of the Administrative Code for fees related to inspections and related required filings.

(d) **Initial inspection and testing by the Department.**

(1) **Acceptance test required.** Upon initial installation, the load capacity and safety of permanent amusement devices including, but not limited to all operating protective safety devices, the adequacy of the structural supports and anchorage to floors, walls, ceilings, and foundations must be inspected and tested in accordance with the manufacturer's requirements documented in the operating manual. Inspections and testing must be done by the person or firm installing, assembling, altering or relocating the amusement device, and such tests must be witnessed by the Department.

(2) **Relocated, disassembled and reassembled permanent amusement devices.** Relocated, disassembled and reassembled permanent amusement devices must be inspected and tested. The inspection and tests must be conducted after relocation or reassembly and prior to its use and operation, regardless of the date of the previous inspection and tests. The commissioner may require inspections or tests to be performed during assembly or disassembly of amusement devices when such tests are necessary to ensure safety.

(3) **Portable mechanical amusement devices.** Portable mechanical rides must have an initial Department inspection performed after having registered with the Department prior to public use. During the initial inspection, the owner must submit all maintenance and repair logs. In order to pass inspection, all rides must be in compliance with manufacturer's bulletins, if any. Any other alteration performed on the amusement device must be supported with certification from a registered design professional.

(4) **Temporary devices.** In order to obtain a Certificate of Compliance (green card), every temporary amusement device, except an inflatable and truck mounted amusement devices, must be inspected each time the amusement device is set up or a DCA license is issued.

- (5) **Additional tests and inspections.** The commissioner may require additional tests and inspections of amusement devices regardless of the date of the previous inspection and tests, when such tests are necessary to ensure safety.
- (e) **Periodic Department inspections and testing.**
- (1) **Permanent.** Every new and existing permanent amusement device is subject to periodic inspection and testing as follows:
- (i) Rides operated seasonally. The Department will perform two (2) field inspections of all permanent amusement devices. The first inspection will take place prior to the initial use of the device for the season. The second inspection will take place no sooner than ninety (90) days and no later than one hundred and twenty (120) days after the first inspection. However, the commissioner may extend the periodic inspection and test for an additional two (2) months for such devices.
- (ii) Rides operated year round. The Department will perform a minimum of three inspections on rides operated year round. Each subsequent inspection will take place no sooner than ninety (90) days and no later than one hundred and twenty (120) days after the previous inspection.
- (2) **Temporary.** Every temporary amusement device must be retested by the Department upon renewal of the DCA license in order to receive a new Certificate of Compliance (or “green card”), if applicable.
- (3) **Portable mechanical.** Every portable mechanical amusement device must be inspected and tested every year by the Department upon renewal of the DCA license in order to receive a new Certificate of Compliance (or “green card”).
- (4) **Additional tests and inspections.** The commissioner may require additional tests and inspections of amusement devices regardless of the date of the previous inspection and tests, when such tests are necessary to ensure safety.
- (f) **Daily inspection and test by competent person.** An amusement device must be inspected and tested by a competent person in accordance with the manual each day before it is used. The inspection and test must be performed by the amusement park operator and must include, but not be limited to, evaluation of items such as:
- (1) **Electrical:** Operation of control devices, speed-limiting devices, wiring, lighting, control panel function and indicator lights, and emergency stop switches;
- (2) **Mechanical:** Brakes, proper adjustment of brakes, drive systems, wheels, rollers, chains, bearings, bushings, gears, pulleys, drive-belts, clutches, anti-rollback features, listening for any unusual noises, and looking for unusual movements or actions by the amusement device;
- (3) **Amusement device setup:** Blocking, leveling, ground conditions, fencing clearance, clearance to local hazards, trip hazards, and security issues;
- (4) **Structural components:** Passenger enclosures, welds, cracks, pins, bolts, nuts, fasteners, harnesses, safety belts, lap-bars, hair guards, and passenger restraints; and
- (5) **Additional safety items:** Checking sharp edges and the condition of fire extinguishers.
- (g) **Certificate of Compliance.** A Certificate of Compliance (“green card”) is issued to all amusement devices, except inflatables, as follows:

- (1) **Permanent.** Upon satisfactory completion of an inspection and test of a permanent amusement device, the Department will issue a Certificate of Compliance (“green card”) for ninety (90) to one hundred and twenty (120) days. Such certificate must be posted in plain sight next to the amusement device. The device must be retested to renew the Certificate of Compliance.
- (2) **Temporary.** Upon satisfactory completion of the inspection and test of a temporary amusement device, the Department will issue a Certificate of Compliance (“green card”) for fourteen (14) calendar days. Such certificate must be posted in plain sight next to the amusement device. Green cards may be renewed by filing a license renewal application with the DCA and passing a Department inspection.
- (3) **Portable.** Upon satisfactory completion of the inspection and test of a portable truck mounted amusement device, the Department will issue a Certificate of Compliance (“green card”) for the season. Such certificate must be posted in plain sight next to the amusement device.

(h) **Load tests.**

- (1) **Annual.** Where an annual load test is required by the manual, the following types of passenger-carrying amusement devices may not be used until they have passed an annual load test without material failure as witnessed by the Department:
  - (i) Amusement devices having suspended passenger seats or spaces;
  - (ii) Amusement devices normally operated at speeds or with movements creating severe gravity, inertial or centrifugal forces;
  - (iii) Amusement devices elevated in such a way that structural failure is likely to cause passengers to be injured by falling; and
  - (iv) Amusement devices that the Department has ordered to undergo such a test, when such a test is necessary to ensure safety.
- (2) **Load test procedure.** Each passenger seat or space in the amusement device, other than an amusement device intended only for children, must be weighted with 170 pounds (77.1 kg) of dead weight. Each seat or space in an amusement device intended only for children must be weighted with 90 pounds (40.8 kg). When loaded, the amusement device must be operated at rated speed, as specified in the manual, to test the full operation of all control devices, anti-rollback devices, speed limiting devices, brakes, and other safety equipment. The amusement device must withstand the test without material failure. Additionally, the soil and foundation must not show any signs of breaking, cracking, or deterioration.
- (3) **Other jurisdictions.** A load test complying with the requirements of this section and performed in another jurisdiction will be considered acceptable if the owner or amusement park operator of the amusement device files a statement with the Department that the amusement device withstood the test without material failure and that the manufacturer, or an inspector acceptable to the Department from another jurisdiction, performed the test. The owner or amusement park operator must submit other relevant information as the Department and commissioner may require. Until such a statement is filed and accepted by the Department, the device is presumed to have not withstood the required test.
- (4) **Load test failure.** An amusement device that fails a load test is unsafe and must not be used until it passes a subsequent load test and an additional inspection witnessed by the Department.
- (5) **Rebuilt, altered, or modified amusement devices.** If an amusement device is rebuilt, altered, or modified after the load test is performed, or if the commissioner orders such test, a subsequent

load test must be performed. The rebuilt, altered, or modified amusement device must not be used until it passes such test and an additional inspection witnessed by the Department is completed.

- (6) **Air compressor load test.** Air compressors, tanks and related equipment must be inspected and tested annually or more frequently if required by the manual. Air compressor tanks must be tested to demonstrate their ability to sustain a hydrostatic pressure specified by the manufacturer for a period of at least one (1) hour. A record of each inspection and the results of the air compressor tank test must be kept at the site where the device is used and made available to the commissioner upon request.
- (i) **Welding work.** An inspector certified by the National Association of Amusement Ride Safety Officials (“NAARSO”), an inspector certified by the Amusement Industry Manufacturers and Suppliers (“AIMS”), or a registered design professional, must affirm, in a form acceptable to the Department, that any welding performed (new, replaced, or inspected) was done by a licensed welder. Such certified inspector or registered design professional must also affirm that all necessary weld maintenance, inspections and tests, required by either the ride manual or manufacturer, were performed within the last twelve (12) months prior to the amusement device’s scheduled inspection by the Department and are clearly listed in the amusement device’s maintenance log. Such an affirmation must be kept at the site and made available upon request of the Department.
- (j) **Nondestructive testing (“NDT”).**

  - (1) **Permanent amusement devices.** All permanent amusement devices require nondestructive tests (NDT) in accordance with the manual or pursuant to the commissioner’s request.

    - (i) Personnel performing nondestructive tests. All personnel performing NDT must be qualified by experience, education, and examination in accordance with ASNT/SNT-TC-1A-05 for Level II in the presence of a registered design professional.
    - (ii) Visual inspection. The amusement device must first be inspected in the disassembled configuration, where possible, to enable inspection of critical areas that cannot be seen or reached in the assembled configuration. Once assembled, the entire amusement device and supporting structure must be visually inspected prior to performing any tests.
    - (iii) Test procedures. The parts of the amusement device and supporting structure subject to NDT are those recommended for such testing by the manufacturer. Where the manufacturer’s recommendations are not available, a registered design professional must determine the parts of the amusement device and supporting structure that must be tested in accordance with applicable ASTM standards.
    - (iv) Test report. A special inspection report for the NDT performed must be filed with the Department. The test report must identify the ride by name, serial number and manufacturer and must include the part(s) tested and the location of the tested areas. If the manufacturer or the registered design professional does not recommend NDT for all or part of the device, an affidavit must be submitted by the owner or amusement park operator with evidence acceptable to the commissioner that such testing is not required.
  - (2) **Temporary amusement devices.** The requirements described in paragraph (1) of this subdivision are applicable to temporary amusement devices, unless an NDT was performed on such device within one (1) year prior to use of the amusement device in the city.
  - (3) **Steel roller coasters.** The requirements described in paragraph (1) of this subdivision are applicable to all steel roller coasters.
  - (4) **Failure of test.** An amusement device that fails an NDT is unsafe and must not be used until it passes a subsequent NDT and an additional inspection witnessed by the Department.

- (k) **Unsafe conditions.** If, during inspection or operation, any amusement device or part thereof is found to be unsafe or hazardous to life and safety, the device must be taken out of service immediately by the owner, amusement park operator, amusement device operator, or inspector. Unsafe conditions must be corrected before the device is returned to service. Findings of unsafe conditions and necessary corrective actions taken must be logged and made available for inspection when requested.