

ARTICLE 4. GENERAL OPERATIONS

Rule 1. Concession

80 IAC 4-1-1 Purpose and scope

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 1. The purpose of this rule is to establish and administer uniform policies as they pertain to concession activities within the state fair commission to the full extent of the authority vested in the state fair commission through the provisions of IC 15-1.5 *[IC 15-1.5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008.]* (State Fair Commission; 80 IAC 4-1-1; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2810; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-1-2 Definitions

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 2. The following definitions apply throughout this rule:

(1) "Distribution" means the transmitting of literature, products, or other forms of written communications or commodities either for sale or at no cost to the recipient.

(2) "Sampling" means the distribution of literature, product samples, or other forms of items which is intended to solicit, urge, or entice the purchase or support of a product, goods or services, or ideological or political activity from the general public.

(3) "Solicitation" means the act of soliciting, urging, enticing, or otherwise seeking to obtain through offers, suggestions, or incentives support for products, services, items for purchase, or support for an ideological or political methodology being offered to the general public.

(State Fair Commission; 80 IAC 4-1-2; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2810; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-1-3 Policy statement; violation

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 3. (a) The purpose of this section is to establish uniform standards and guidelines for the distribution, sampling, and solicitation activities conducted on the Indiana state fairgrounds. It is the policy of the state fair commission that all solicitation, distribution of literature, and sales of whatever nature take place from within the confines of a rented booth and that no distribution of literature or any other commodity shall take place anywhere on the Indiana state fairgrounds except from the confines of a limited booth space previously rented by the state fair commission or any of its authorized tenants, lessors, or promoters of events contracted with the state fair commission.

(b) The policy established in subsection (a) shall apply to any events held on the physical grounds of the state fair commission or within the confines of any of the buildings or facilities operated by the state fair commission.

(c) Any tenant, lessor, or promoter of events in which a contract for the use of such facilities owned and operated by the state fair commission is in full force and effect is responsible for the enforcement of the policy in subsection (a) during such term as may be specified in the contract for facilities in which such activities are being or proposed to be held.

(d) Violation of the policy as stated in subsection (a) by exhibitors, vendors, or any other visitors or users of fairgrounds facilities will be sufficient grounds for immediate removal from the property of the state fair commission. (State Fair Commission; 80 IAC 4-1-3; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2810; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-1-4 Requirements and utilization of inflatable displays and devices

Authority: IC 15-13-2-9

Affected: IC 9-24-1; IC 9-24-7; IC 15-13-2

Sec. 4. (a) The purpose of this section is to establish uniform and standard guidelines for the use and display of the various forms of inflatable devices typically used for advertising and similar functions during either indoor or outdoor events on the Indiana state fairgrounds.

(b) The following definitions apply to this section:

(1) "Ground based device" means any inflatable device that is:

(A) mounted or secured to the ground by means of:

(i) stakes;

(ii) rods; or

(iii) other similar materials; and

(B) not intended to be airborne.

(2) "Inert gas" means any form of gas that is not subject to flammability from:

(A) spark;

(B) flame;

(C) compression; or

(D) expansion;

such as helium gas.

(3) "Inflatable" means any device that:

(A) requires the use of air or gas that will cause the device to expand into a recognizable form or shape; and

(B) is intended to attract attendance to displays or conveys an advertising message.

(4) "Nontethered device" means any inflatable device that:

(A) is intended for airborne use;

(B) is not controlled or attached by any means to ground structures; and

(C) has no restriction of movement or flight.

(5) "Piloted" means any airborne inflatable device that requires a provision that will provide control of the device in respect to its:

(A) height;

(B) speed; and

(C) direction.

(6) "Tethered device" means any inflatable device that is intended for airborne use but is secured by means of:

(A) rope;

(B) chain;

(C) polyester line; or

(D) other similar means;

to a fixed structure firmly attached to the ground to restrict movement or flight.

(c) This section does not apply to any of the following:

(1) Small balloons that are:

(A) intended to be either sold or distributed to the general public; and

(B) not capable of holding greater than one (1) cubic foot of air or inert gas when fully inflated.

(2) Hot air balloons that are piloted either tethered or nontethered and intended for sport or recreational purposes or are a part of a competitive event or special event not directly intended to be of an advertising nature.

(3) This section does not apply to any inflatable device that is less than three (3) feet in length when fully inflated.

(d) The following restrictions apply for the use of inflatable devices:

(1) No inflatable device may be tethered or airborne within fifty (50) yards of the outside perimeter of the racetrack.

(2) No airborne inflatable device may be allowed to be extended when tethered higher than one hundred (100) feet above the ground, nor shall the tethering lines be extended beyond one hundred (100) feet in length.

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(3) No airborne inflatable device may be allowed to become airborne regardless of subdivision (2) if the device or its tether may come in contact with any power, telephone, cable, or other overhead wiring or cabling that traverses the area. Airborne inflatable devices may be allowed to be airborne so long as the tethering and the device will not contact any overhead wiring or cabling when tethering is fully extended.

(4) No airborne inflatable device may be allowed within the confines on the racetrack area during periods when harness or horse racing events or training or exercising will be occurring.

(5) No inflatable device tethered, nontethered, or ground based will be inflated with gas that is:

(A) considered volatile or flammable by nature; or

(B) subject to flame or explosive reaction that may be induced by:

(i) static electrical charge;

(ii) friction; or

(iii) open flame.

(e) Any company, organization, or individual desiring to utilize an inflatable device as a part of their display, whether airborne or directly attached to the ground, must make application to the state fair commission's operations department manager.

Any application must include the following information:

(1) The type and size of the inflatable device.

(2) An indication of whether the inflatable device is ground based or tethered.

(3) The overall length (height) of any inflatable device that is intended to be displayed. If an inflatable device is intended to be airborne, the overall length (height), including tethering and the actual device.

(4) A photograph of the inflatable device fully inflated.

(5) An indication of the hours the device will be inflated (from ____ to ____) and of the hours the device will be deflated.

(f) The information requested in subsection (e) is additional to any other applications for exhibit space or other applications currently in place.

(g) If the inflatable device is a part of a display for which a sponsorship program or relationship is an integral part thereof, the application may be coordinated through the marketing director before submission to the operations department manager.

(h) The executive director retains the right to approve or reject any request or application for the use of any inflatable device that does not comply with subsection (d) or (e).

(i) If the inflatable device is:

(1) a ground based device; and

(2) kept inflated by external or internal blowers;

the user must ensure that adjacent areas will not be disturbed or interfered with at any time.

(j) The state fair commission, the state fair board, and their associated staff and personnel are not responsible for the condition of any inflatable device that is either inflated or deflated for storage during periods when the device is not in use or unattended.

(k) Mylar or metallic type balloons are prohibited on the fairgrounds. (*State Fair Commission; 80 IAC 4-1-4; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2810; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA*)

Rule 2. Traffic and Parking Control

80 IAC 4-2-1 Traffic and parking control

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 1. The purpose of this rule is to establish procedures for the handling of vehicular traffic entering, leaving, and parking on the grounds of the state fair commission. The state fair commission has the authority under IC 15-1.5-2 [*IC 15-1.5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008.*] for establishing this rule in the interest of public safety and the requirements to maintain safe, accessible, and reasonable control of parking facilities. (*State Fair Commission; 80 IAC 4-2-1; filed Aug 9, 1993,*

10:00 a.m.: 16 IR 2812; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-2-2 Speed limit

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 2. The speed limit on any:

- (1) road;
- (2) lot;
- (3) alley; or
- (4) other way;

on the property under the control and jurisdiction of the state fair commission that may be used by vehicular conveyance is twenty (20) miles per hour. Local city, county, and state police agencies have the right and full abilities to enforce the speed limit on the grounds. (State Fair Commission; 80 IAC 4-2-2; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2812; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-2-3 No parking zones

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 3. The following areas are identified and designated as no parking zones, and parking in these areas shall result in the impounding and towing of that vehicle:

- (1) No parking zones identified by painted stripes or signage.
- (2) Lawn and grass areas immediately adjacent to any buildings.
- (3) Within twenty (20) feet of any pedestrian or vehicular:
 - (A) entrance or exit gate; and
 - (B) tunnel ways.
- (4) Any prepared surfaces intended to be used for pedestrian foot traffic, ramps, or sidewalks.
- (5) Areas along or adjacent to median islands.
- (6) Any designated loading or unloading docks or zones.

(State Fair Commission; 80 IAC 4-2-3; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2812; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-2-4 Restricted parking areas

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 4. (a) Areas, such as:

- (1) restricted areas;
- (2) temporary restricted parking areas;
- (3) certain designated no parking zones and handicap parking; or
- (4) handicap unloading zones;

will be clearly marked with either signage, yellow paint, traffic cones, barricades, or any combination thereof to clearly indicate that the area is not intended as a parking area or facility. The security or parking department has the responsibility to ensure that when vehicles are parked in a restricted parking zone, the vehicle may be towed out of the restricted area with or without notice to the owner or operator.

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(b) Every reasonable attempt will be made to locate the owner or operator of a vehicle that is parked in a restricted parking area; however, if after a reasonable period of time the owner or operator cannot be located or fails to move the vehicle, the security or parking department will take the necessary steps to remove that vehicle.

(c) Vehicles may unload product, equipment, etc. at a building, but then must move immediately to one (1) of the following designated areas after unloading:

- (1) The infield.
- (2) The lot south of 38th Street.
- (3) Designated areas on the north side of the fairgrounds.
- (d) All box trucks (not vans) and any trailers must park in one (1) of the following lots:
 - (1) The infield.
 - (2) The lot south of 38th Street.
 - (3) Designated areas on the north side of the fairgrounds.

(State Fair Commission; 80 IAC 4-2-4; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2812; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-2-5 Handicap parking; loading or unloading areas

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 5. There are restricted areas designated for handicap parking or handicap loading or unloading. The areas will be clearly and visibly marked with appropriate signage indicating the areas are restricted to handicap usage. Vehicles that are parked in a handicap restricted area must display an authorized license plate or state issued window sticker that clearly indicates that the vehicle is authorized to use handicap areas. Any vehicle not displaying a handicap sign will not be allowed to use that area. *(State Fair Commission; 80 IAC 4-2-5; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2812; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)*

80 IAC 4-2-6 Signage

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 6. The following signage will be displayed:

(1) At all vehicular entrances: "Speed limit: 20 MPH, parking is available in designated areas; improperly parked vehicles will be towed away at owner's expense".

(2) At handicap parking zones: "Handicap Parking Only".

(State Fair Commission; 80 IAC 4-2-6; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2812; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-2-7 Enforcement

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 7. (a) Security and parking personnel will enforce the provisions of this rule. However, on those occasions where the parking attendant or the security officer is unable to enforce this rule, the supervisor of the security and parking department may contact the nearest city, county, or state police office for assistance.

(b) The city, county, or state police have overall jurisdiction and authority to intercede on behalf of the state fair commission in the enforcement of this rule. *(State Fair Commission; 80 IAC 4-2-7; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed*

Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-2-8 Towing and impounding

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 8. (a) The security or parking department will, after a reasonable attempt to locate the owner of a vehicle that is in violation of this rule, cause the impounding, removal, and towing of that vehicle to a designated area.

(b) The security department will designate a location for the storage of impounded vehicles. *(State Fair Commission; 80 IAC 4-2-8; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)*

80 IAC 4-2-9 Expenses for enforcement

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 9. (a) Any and all costs associated with the enforcement of this rule include, but are not limited to, the cost of towing which shall be passed on to the owner or operator of the vehicle.

(b) No vehicle will be released to the owner or operator until such time as all expenses and fees to move the vehicle have been fully paid. *(State Fair Commission; 80 IAC 4-2-9; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)*

Rule 3. Motorized Carts

80 IAC 4-3-1 Policy and procedures

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 1. (a) The purpose of this rule is to set forth procedures regarding the acquisition, operation, and safety requirements for the utilization of motorized carts throughout both the period of the annual state fair and for the remainder of the year.

(b) This rule is applicable to all fair departments, vendors, concessionaires, purveyors, exhibitors, and fairgrounds administration departments and divisions. *(State Fair Commission; 80 IAC 4-3-1; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)*

80 IAC 4-3-2 Statement of policy

Authority: IC 15-13-2-9

Affected: IC 15-13-2

Sec. 2. It is the policy of the state fair commission that when motorized carts are to be used on the fairgrounds property, they shall be approved, acquired, and operated by responsible parties in a safe and effective manner so as to not endanger pedestrians or other vehicular traffic. *(State Fair Commission; 80 IAC 4-3-2; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)*

80 IAC 4-3-3 Definitions

Authority: IC 15-13-2-9

Affected: IC 9-30-7-0.5; IC 15-13-2

Sec. 3. (a) As used in this rule, "electric personal assistive mobility device" means a self-balancing, two (2) nontandem wheeled device that is designed to transport only one (1) person and that has the following:

- (1) An electric propulsion system with average power of seven hundred fifty (750) watts or one (1) horsepower.
- (2) A maximum speed of less than twenty (20) miles per hour when:
 - (A) operated on a paved level surface;
 - (B) powered solely by the propulsion system referred to in subdivision (1); and
 - (C) operated by an operator weighing one hundred seventy (170) pounds.
- (b) As used in this rule, "motorized cart" means any conveyance that is:
 - (1) motor driven, either by gas or electricity;
 - (2) used to carry passengers or equipment; and
 - (3) smaller than normal road type vehicles, such as:
 - (A) cars;
 - (B) recreational vehicles; or
 - (C) trucks.

Motorized carts may be characterized as golf carts, utility carts, or similar forms of vehicles. The term includes an electric personal assistive mobility device.

- (c) The definition of motorized cart in subsection (b) does not apply to any of the following:
 - (1) Motorcycles.
 - (2) Motor scooters.
 - (3) Mopeds.
 - (4) Motorized bicycles.
 - (5) Three-wheel or four-wheel off-road type vehicles.

(State Fair Commission; 80 IAC 4-3-3; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; filed Jul 7, 2003, 3:30 p.m.: 26 IR 3536; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-3-4 Restriction

Authority: IC 15-13-2-9

Affected: IC 9-24-1-1; IC 15-13-2

Sec. 4. Motor scooters, mopeds, motorized bicycles, or three-wheel or four-wheel off-road vehicles not meeting the definition of section 3 of this rule are not permitted to be operated at any time on the fairgrounds property without a valid operator's license under IC 9-24-1-1. *(State Fair Commission; 80 IAC 4-3-4; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)*

80 IAC 4-3-5 Procedures for the annual state fair

Authority: IC 15-13-2-9

Affected: IC 9-24-1; IC 9-24-7; IC 9-30-7-0.5; IC 15-13-2

Sec. 5. (a) The procedures in this section shall be utilized during the period of the annual state fair period.

(b) All users of motorized carts shall make application for the acquisition and utilization of motorized carts, whether procured by the administration or privately leased or owned, directly to the executive director of the state fair commission. The executive director shall:

- (1) determine the validity of the applications; and

(2) either approve or disapprove the application.

(c) Fair departments must make application through the fair board coordinator for approval by the fair board president before approval by the executive director.

(d) Motorized carts that are to be leased from a commercial source or are privately owned must have a certificate of insurance submitted with the application for registration. The certificate of insurance shall show coverage of motorized carts for personal liability and property damage. Under IC 9-30-7-0.5, a person who uses an electric personal assistive mobility device upon the fairgrounds shall be excluded from the insurance requirement of this subsection.

(e) Applications by:

- (1) vendors;
- (2) purveyors;
- (3) concessionaires; and
- (4) all exhibitors;

must forward applications along with proof of insurance through the fairgrounds operations department manager before approval of the executive director. Under IC 9-30-7-0.5, a person who uses an electric personal assistive mobility device upon the fairgrounds shall be excluded from the insurance requirement of this subsection.

(f) If the application is approved by the executive director, all approved motorized carts:

- (1) must be registered with the concession office; and
- (2) shall have a certificate of registration affixed to the front of each approved motorized cart.

All motorized carts, whether leased or privately owned, must be registered in this fashion. No certificate of registration will be issued by the concession office without prior approval of the executive director.

(g) Each applicant will be held responsible for:

- (1) the safe operation of each motorized cart; and
- (2) ensuring compliance with the provisions of this rule.

Any operator found in violation of this rule shall not be allowed to operate any cart for the remainder of the event.

(h) An operator of a motorized cart on the fairgrounds shall be a licensed driver under IC 9-24-1 or IC 9-24-7. (*State Fair Commission; 80 IAC 4-3-5; filed Aug 9, 1993, 10:00 a.m.: 16 IR 2813; readopted filed Sep 11, 2001, 2:45 p.m.: 25 IR 528; filed Jul 7, 2003, 3:30 p.m.: 26 IR 3536; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; filed Mar 18, 2008, 2:19 p.m.: 20080416-IR-080070587FRA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA*)

Rule 4. Items Prohibited at the Annual State Fair

80 IAC 4-4-1 Policy

Authority: IC 15-13-2-9

Affected: IC 15-13-2; IC 15-13-7

Sec. 1. (a) The purpose of this rule is to enhance the security of and to protect the health, safety, and welfare of all persons and animals at the fairgrounds during the annual state fair.

(b) Unless otherwise set forth in this rule or other applicable statute, this rule applies to all visitors, guests, invitees, vendors, concessionaires, purveyors, exhibitors, state fair and fair commission employees, contractors, and agents.

(c) Exceptions to this rule may be made on a case-by-case basis with the advance written approval of the executive director of the state fair commission. The executive director shall maintain a file of all such approvals. (*State Fair Commission; 80 IAC 4-4-1; filed Jul 7, 2003, 3:15 p.m.: 26 IR 3537; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA*)

80 IAC 4-4-2 Definitions

Authority: IC 15-13-2-9

Affected: IC 15-13-2; IC 15-13-7; IC 35-47-1-5; IC 35-47-8-1; IC 35-47-8-3

Sec. 2. The following definitions apply throughout this rule:

- (1) "Alcoholic beverage" means a liquid or solid that:
 - (A) is, or contains, one-half percent (0.5%) or more alcohol by volume;
 - (B) is fit for human consumption; and
 - (C) is reasonably likely, or intended, to be used as a beverage.
- (2) "Deadly weapon" means any of the following:
 - (A) A loaded or unloaded firearm (as defined in IC 35-47-1-5).
 - (B) A destructive device, weapon, device, taser (as defined in IC 35-47-8-3), or electronic stun weapon (as defined in IC 35-47-8-1), equipment, including knives, chemical substance, or other material, that, in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
 - (C) A biological disease, virus, or organism that is capable of causing serious bodily injury.

The term does not include equipment or implements necessary and appropriate for use by commission personnel, contractors, authorized representatives, concessionaires, and exhibitors in the conduct of business related to the fair.

- (3) "Law enforcement animal" means an animal that is owned or used by a law enforcement agency for the principal purposes of:

- (A) aiding in the detection of criminal activity, the enforcement of laws, and the apprehension of offenders; and
- (B) ensuring the public welfare.

The term includes, but is not limited to, a horse, an arson investigation dog, a bomb detection dog, a narcotic detection dog, a patrol dog, a search and rescue dog, or a tracking dog.

- (4) "Possession" means on or about a person's body or clothing, or in any purse, backpack, cooler, sack, carrier, or other container carried by the person or under that person's direct and immediate control.

- (5) "Service animal" means an animal that a person who is impaired by:

- (A) blindness or any other visual impairment;
- (B) deafness or any other aural impairment;
- (C) a physical disability; or
- (D) a medical condition;

relies on for navigation, assistance in performing daily activities, or alert signals regarding the onset of the person's medical condition.

(State Fair Commission; 80 IAC 4-4-2; filed Jul 7, 2003, 3:15 p.m.: 26 IR 3537; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)

80 IAC 4-4-3 Alcoholic beverages prohibited

Authority: IC 15-13-2-9

Affected: IC 15-13-2; IC 15-13-7

Sec. 3. (a) This rule does not apply to alcoholic beverages that are displayed in an exhibit or stored in a manner approved or sanctioned by the fair board or the state fair commission.

(b) No person in possession of an alcoholic beverage shall be permitted onto or be permitted to remain on the fairgrounds during the annual state fair.

(c) Any alcoholic beverage found in the possession of a person while on the fairgrounds during the annual state fair is subject to immediate confiscation by and forfeiture to law enforcement officers or other persons designated by the executive director of the state fair commission. *(State Fair Commission; 80 IAC 4-4-3; filed Jul 7, 2003, 3:15 p.m.: 26 IR 3537; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA)*

80 IAC 4-4-4 Deadly weapons prohibited

Authority: IC 15-13-2-9

Affected: IC 15-13-2; IC 15-13-7

Sec. 4. (a) This rule does not apply to a federal, state, or local law enforcement officer or to a person who has been employed or authorized by the state fair commission to provide security protection and services during the annual state fair.

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(b) No person in possession of a deadly weapon shall be permitted onto or be permitted to remain on the fairgrounds during the annual state fair.

(c) Any deadly weapon found in the possession of a person while on the fairgrounds during the annual state fair is subject to immediate confiscation by law enforcement officers or other persons authorized by the executive director of the state fair commission.

(d) Any person properly licensed to carry a firearm must secure the firearm in a locked compartment of his or her vehicle, and it shall not be visible to passersby. (*State Fair Commission; 80 IAC 4-4-4; filed Jul 7, 2003, 3:15 p.m.: 26 IR 3538; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA*)

80 IAC 4-4-5 Unauthorized animals prohibited

Authority: IC 15-13-2-9

Affected: IC 15-13-2; IC 15-13-7

Sec. 5. (a) The only animals permitted on the fairgrounds during the annual state fair are the following:

(1) Animals registered, boarded, or entered for, or that will be registered, boarded, or entered for, exhibition, show, or other competition at the annual state fair.

(2) Animals that will be used in a scheduled performance or to perform work at the annual state fair.

(3) Law enforcement animals.

(4) Service animals.

(b) No person in possession of or having control over an unauthorized animal shall be permitted onto or be permitted to remain on the fairgrounds during the annual state fair. (*State Fair Commission; 80 IAC 4-4-5; filed Jul 7, 2003, 3:15 p.m.: 26 IR 3538; readopted filed Oct 4, 2007, 10:29 a.m.: 20071024-IR-080070451RFA; readopted filed Sep 18, 2013, 2:12 p.m.: 20131016-IR-080130242RFA*)

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