



MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY JOSEPH E. WAINSCOTT, JR., EXECUTIVE DIRECTOR

Indiana Department of Homeland Security
Indiana Government Center South
402 West Washington Street
Room W246
Indianapolis, IN 46204
317-232-2670

IMPORTANT: PLEASE READ

**PLEASE BE SURE TO READ THIS LETTER IN ITS ENTIRETY
BEFORE FILLING OUT YOUR PAPERWORK**

Dear Applicant:

As we approach a new amusement season, my staff and I wish to thank everyone for their continued support of our program and mission to provide public safety of amusement patrons throughout the State of Indiana.

The following items must be provided prior to scheduling an inspection. This information must be received **NO LESS THAN THIRTY (30) DAYS PRIOR** to your request.

1. APPLICATION that is properly completed.
2. INSURANCE CERTIFICATE ***WITH EACH DEVICE LISTED ON A RIDE LIST.***
3. WRITTEN COMPLIANCE on file in our office for previous correction order (685-IAC-1-4-9 SEC 7). If you have questions concerning us receiving your compliances, e-mail questions to RIDES@DHS.IN.GOV or fax (317) 232-6609.
4. SIGNED AFFIDAVIT.
5. ELECTRICAL GROUNDING FORM SIGNED & DATED
6. FEES.
7. CURRENT AND UPDATED ITINERARY of each location with address and crossroads for each location. Fill out this information on the **Scheduling Request Form**, which is enclosed for each location needing an inspection.
8. NUMBER OF RIDES AND NUMBER OF DESIGNATED INSPECTORS at each location requiring an inspection.
9. ALL INFORMATION FOR OWNERS THAT ARE WORKING UNDER YOUR CONTRACT AT EACH LOCATION.
10. ***IF THIS RIDE IS NEW TO THE STATE OF INDIANA, PLEASE BE SURE TO PUT THAT INFORMATION ON THE APPLICATION FORM. ALSO PROVIDE US THE SERIAL NUMBER AND MANUFACTURER OF THE RIDE & PLEASE BE SURE THIS RIDE IS LISTED ON THE RIDE LIST THAT ACCOMPANIES THE CERTIFICATE OF YOUR INSURANCE.***

After you have complied with ALL of the above requirements, your application will then be processed. To ensure your application and request for inspection is expedited in a timely manner please read carefully and fill out all information accurately.

In order to schedule an inspection after we have processed your application, you must request an inspection **TWO WEEKS** prior to required inspection time. Requests must be made by e-mail, fax, or mail. **NO TELEPHONE** requests for inspections will be accepted. Confirmation from the agency will be returned by e-mail, fax, or mail.

To avoid the possibility of being charged a subsequent and/or re-inspection fee, this office must receive written notification twenty-four (24) hours prior to the scheduled inspection of any cancellations or change in the number of rides to be inspected.

To expedite your inspection process, you shall be prepared to present the following to our inspectors at the appointment time that you are scheduled. All items must be available for each amusement device that you require to be inspected.

- Last years correction orders 685 IAC 1-4-9.
- Owner's manual (operational manuals or maintenance guides)
- Maintenance records-Describing all repairs and modification, to include correction order.685 IAC 1-5-2 (3)
- Preventative maintenance check sheet per manufactures manual with dates performed. 685 IAC 1-5-2 (4) ASTM F853-93 6.1.
- Daily pre-opening inspection. 685 IAC 1-5-2 (4) ASTM F853-93 6.3
- Training records for operator and maintenance staff. 685 IAC 1-5-2 (5) Operator training ASTM F770-93 4.1.3 and F853-93 6.2 Maintenance training.
- Fact sheet. 685 IAC 1-5-9 ASTM F770-93 4.1
- NDT program and reports on site F846-92 Sec8
- First Aid incident reports. 685 IAC 1-2-10 (d) ASTM F1304-94. 4.2
- All safety bulletins

The materials described above shall be made readily available to an inspector from the office (1) upon request; and (2) within a reasonable time (two (2) hours). IC 22-15-7-5 Sec.5.(b)2 The failure by the permittee to have, maintain, or make available for review the materials described above constitutes grounds for the State Code Compliance Officer to temporarily suspend a permit during the term of failure or refusal. Subsequent inspection and /or re-inspection fee may be charged per each device.

It is our hope and intention that this information will help us to work together to assist you in obtaining inspections in a timely and efficient manner.

If you have any questions or concerns please do not hesitate to contact this office at (317) 232-2670.

Sincerely,

Division of Elevator / Amusement Safety
Department of Homeland Security
Fire & Building Safety

IC 22-15-7-2.5

Certificate of insurance; insurance policy; coverage; exceptions

Sec. 2.5. (a) Except as provided in subsection (g) or (h), the division may not issue a permit under this chapter until the applicant has filed with the division a certificate of insurance indicating that the applicant has liability insurance:

(1) in effect with an insurer that is authorized to write insurance in Indiana on the operation of regulated amusement devices; and

(2) except for an applicant that is subject to the provisions of IC 34-13-3, **that provides coverage to a limit of at least:**

(A) one million dollars (\$1,000,000) per occurrence and five million dollars (\$5,000,000) in the annual aggregate;

(B) five hundred thousand dollars (\$500,000) per occurrence and two million dollars (\$2,000,000) in the annual aggregate if the applicant operates only:

(i) a ski lift;

(ii) a surface lift or tow; or

(iii) both items (i) and (ii); or

(C) one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in the annual aggregate if the applicant operates only regulated amusement devices that are designed to be used and are ridden by persons who are not more than forty-two (42) inches in height.

(b) An insurance policy required under this section may include a deductible clause if the clause provides that any settlement made by the insurance company with an injured person or a personal representative must be paid as though the deductible clause did not apply.

(c) An insurance policy required under this section must provide by the policy's original terms or an endorsement that the insurer may not cancel the policy without:

(1) thirty (30) days written notice; and

(2) a complete report of the reasons for the cancellation to the division.

(d) An insurance policy required under this section must

provide by the policy's original terms or an endorsement that the insurer shall report to the division within twenty-four (24) hours after the insurer pays a claim or reserves any amount to pay an anticipated claim that reduces the liability coverage to a limit of less than one million dollars (\$1,000,000) because of bodily injury or death in an occurrence.

(e) If an insurance policy required under this section:

- (1) is canceled during the policy's term;
- (2) lapses for any reason; or
- (3) has the policy's coverage fall below the required amount;

the permittee shall replace the policy with another policy that complies with this section.

(f) If a permittee fails to file a certificate of insurance for new or replacement insurance, the permittee:

- (1) must cease all operations under the permit immediately; and
- (2) may not conduct further operations until the permittee receives the approval of the division to resume operations after the permittee complies with the requirements of this section.

(g) The division may issue a permit under this chapter to an applicant that:

- (1) is subject to IC 34-13-3; and
- (2) has not filed a certificate of insurance under subsection (a);

if the applicant has filed with the division a notification indicating that the applicant is self-insured for liability.

(h) The division may reduce the annual aggregate liability insurance coverage required under subsection (a)(2)(A) to one million dollars (\$1,000,000) in the annual aggregate for an applicant that:

- (1) operates only regulated amusement devices that are bull ride simulators that are multiride electric units with bull ride attachments; and
- (2) otherwise complies with the requirements of this chapter.

As added by P.L.166-1997, SEC.7. Amended by P.L.141-2003, SEC.21; P.L.166-2005, SEC.2; P.L.1-2006, SEC.403