

## DIVISION OF FIRE & BUILDING SAFETY



### AMUSEMENT AFFIDAVIT

State Form 52345 (8-05)

Division of Fire & Building Safety  
Elevators and Amusements Branch  
402 West Washington Street, W246  
Indianapolis, IN 46204

<http://www.in.gov/dhs/fire/branches/elevators/index.html>

fax: (317) 232-6609

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I hereby affirm under penalties for perjury that:

1. All information provided in the application is true to the best of my knowledge and belief after reasonable investigation.
2. All personnel employed having maintenance responsibility for the amusement devices have or will have sufficient background, knowledge, skills, and training to adequately maintain the amusement devices under the rules of the Regulated Amusement Device Safety Board.
3. All persons employed having operational responsibility for the amusement devices have or will have sufficient background, knowledge, skills, and training to adequately operate the amusement devices under the rules of the Regulated Amusement Device Safety Board.
4. Adequate training will be provided to or otherwise made available on an ongoing basis to maintenance and operational personnel to ensure the continuous compliance of the personnel with the standards set forth in subdivisions (2) and (3).
5. All maintenance and operational personnel will be trained to recognize and report any condition that would prohibit the safe operation of the amusement device.
6. Upon discovering a condition that would prohibit the safe operation of an amusement device, both operational and maintenance personnel possess the requisite authority to immediately shut down the amusement device and report the condition of the amusement device to supervisory personnel. An amusement device that is shut down under this subdivision will not be returned to operation until the amusement device complies with 685IAC standards for operation.
7. As the applicant or authorized officer of the applicant, I assume full financial responsibility for:
  - (A) any condition or circumstance occasioned by, caused by, or resulting from noncompliance with the maintenance and operational standards set forth in subdivisions (2) through (6) and

**(B) any death, injury, or other loss occasioned by, caused by, or resulting from noncompliance with the maintenance and operational standards set forth in subdivisions (2) through (6).**

**The execution of this application by an officer of an applicant corporation does not create individual financial liability for the officer.**

**8. The applicant corporation has liability insurance in effect with an insurer that is authorized to write insurance in Indiana on the operation of regulated amusement devices.**

**9. The liability insurance provides coverage to a limit of at least:**

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

**(B) five hundred thousand (\$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 (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.**

**10. Any settlement made by the insurance company with an injured person or a personal representative will be paid as though the deductible clause did not apply.**

**11. Any insurance policy required will provide by the policy's original terms or an endorsement that the insurer may not cancel the policy without:**

**(A) thirty (30) days written notice**

**(B) a complete report of the reasons for the cancellation to the office**

**12. The insurance policy required will provide by the policy's original terms or an endorsement that the insurer shall report to the office 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.**

**(A) If an insurance policy required under this section:**

**(1) is cancelled during the policy's term;**

**(2) lapses for any reason; or**

**(3) the policy's coverage has fallen below the required amount**

**I will replace the policy with another policy that complies with this section.**

**(B) If a certificate of insurance for new or replacement insurance is not filed**

**(1) all operations under the permit will cease immediately and  
(2) no further operations will be conducted until the owner complies with the requirements of this section and approval of the office to resume has been given.**  
**13. Any devices which carry \$2,000,000 annual aggregate insurance are designed to be used and ridden by persons who are not more than forty-two (42) inches in height.**

\_\_\_\_\_  
**(Printed Name)**

\_\_\_\_\_  
**(Signature/Date)**

\_\_\_\_\_  
**(Position with Organization)**

\_\_\_\_\_  
**(Organization)**

**I hereby affirm under penalties of perjury that no manuals have been produced for the following regulated amusement devices:**

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\_\_\_\_\_

\_\_\_\_\_  
**(Date)**

\_\_\_\_\_  
**(Printed Name)**

\_\_\_\_\_  
**(Signature)**

\_\_\_\_\_  
**(Position with Organization)**

\_\_\_\_\_  
**(Organization)**

