

Chapter 120-3-25

Rules and Regulations for Escalators and Elevators

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120-3-25-.01 Authority and Purpose.

(a) Pursuant to O.C.G.A. Section 25-15-1, the Office succeeded to all rules and regulations of the Department of Labor which were in effect on June 30, 2012, or were scheduled to go into effect on or after July 1, 2012, which related to the functions transferred to the Office pursuant to either Chapter 15 of Title 25 or Part 6 of Article 1 of Chapter 2 of Title 8. The Office has the authority to modify the Escalator and Elevator regulations or promulgate new regulations pursuant to O.C.G.A. Sections 8-2-104, 25-15-1, 33-2-9 and 50-13-21.

(b) The primary purpose of these rules and regulations is to promote consumer protection through state regulation of elevators, dumbwaiters, escalators, manlifts, and moving walks.

(c)(1) ASME A17.1, 2010 Edition, American National Standard Safety Code for elevators, escalators, dumbwaiters, moving walks, with such revisions, amendments, and interpretations thereof as are made, approved and adopted by the Council of the Standard. Copies may be

obtained from the American Society of Mechanical Engineers, 22 Law Drive, Box 2300, Fairfield, NJ 07007. The state amendments to this Code are as follows:

Note – Except for Testing and Inspection Requirements, Existing Hydraulic Jack Requirements and QEI Requirements. See Rule 120-3-25-.14.

(2) ASME A17.2, 2010 Edition of the Inspector’s Manual for Elevators, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. (See (c)(1) herein to order copies)

(3) ASME A17.3, 2011 Edition of the Safety Code for Existing Elevators and Escalators, with such revisions, amendments, and interpretations thereof as are made, approved and adopted by the Standards Committee. (See (c)(1) herein to order copies.)

(4) ASME A17.7, 2007 Performance-Based Safety Code for Elevators and Escalators.

(5) ASME A17.6, 2010 Standard for Elevator Suspension, Compensation and Governor Systems.

(6) ICC/ANSI A117.1, 2009 Edition, American National Standard for Building and Facilities, Providing Accessibility and Usability for Physically Handicapped People and Rule 120-3-20 as approved by the State Fire Marshal’s office. Copies may be obtained from the State Fire Marshal’s office. (See note below)

Note – ICC/ANSI A117.1, Section 409 is a recommended Standard only. Exception taken to Section 407.4.6.2.2.

(7) ASME B20.1, 2012 Edition of the Safety Standards For Conveyors and related equipment with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee.

(8) ASME A90.1, 2009 Edition of the Safety Standards for Manlift, with such revisions, amendments and interpretations thereof as are made, approved, and adopted by the Standards Committee. (See (c)(1) herein to order copies.)

(9) ANSI A10.4, 2007 Edition and ANSI A10.5, 2006 Edition for the Safety Requirements for Personnel Hoists and Employee Elevators used for construction and demolition and Safety Standard for Construction Hoist, with such revisions, amendments, and interpretations thereof as are made, approved, and adopted by the Council of the Standard. (See (c)(1) herein to order copies)

(10) National Electrical Code, State adopted Edition, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. Copies may be obtained from the National Fire Protection Association, 1 Battery March Park, Post Office Box 9101, Quincy, MA 02269.

(11) The International Building Code, State approved Edition, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. Copies may be obtained from the International Code Council, Birmingham District Office, 900 Montclair Road, Birmingham, AL 35213-1206.

(12) NFPA Section 101, Life Safety Code, State adopted Edition of the National Fire Protection Association, with such revisions, amendments and interpretation thereof as are made, approved and adopted by the Standards Committee. (See (c)(9) herein to order copies.)

(13) ASME A18.1, 2011 Edition of the Safety Standard for Platform Lifts and Stairway Lifts, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. (See (c)(1) herein to order.)

Authority O.C.G.A. Secs. 8-2-100, 8-2-101, 8-2-102, 8-2-104, 25-15-1, 33-2-9, 50-13-21.

History. Original Rule entitled “Equipment Governed by Codes of ASA or ULI” adopted. F. and

eff. May 18, 1965. Repealed: New Rule entitled “Car Safety Stops” adopted. F. Aug. 22, 1968; eff. Sept. 10, 1968. Repealed: New Rule entitled “Definitions” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Amended: F. Aug. 31, 1988; eff. Sept. 20, 1988. Amended: F. Aug. 12, 1994; eff. Sept. 1, 1994. Repealed: New Rule entitled “Adoption by Resolution” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 22, 1998; eff. Oct. 12, 1998. Amended: F. Sept. 5, 2001; eff. Sept. 25, 2001. Amended: F. Sept. 2, 2003; eff. Sept. 22, 2003. Amended: F. Jan. 13, 2004; eff. Feb. 2, 2004. Amended: F. Mar. 22, 2005; eff. Apr. 11, 2005. Amended: F. Apr. 11, 2006; eff. May 1, 2006. Amended: F. Dec. 11, 2007; eff. Dec. 31, 2007. Amended: F. Mar. 30, 2009; eff. Apr. 19, 2009.

120-3-25-.02 Definitions.

- (1) Accident means an unplanned or unscheduled event that results in property damage and/or personal injury.
- (2) Act is the Georgia Laws Regulating Escalators and Elevators.
- (3) Approved means that which is acceptable to the Office.
- (4) Board is the Advisory Committee as described in Section 8-2-109 of the Act.
- (5) Certified Inspector is an inspector, by reason of experience and knowledge, considered qualified by the Office. The minimum experience shall be established by these rules. Knowledge shall be evidenced by approved written and oral examinations, acceptable to and administered by the Office.
- (6) The Office is “The Office of the Insurance and Safety Fire Commissioner.”
- (7) Dormant Elevator means an elevator that is intact and on the premises and the equipment is entirely disconnected in an approved manner.
- (8) Elevators as used in these Rules means, Elevators, Escalators, Dumbwaiters, Manlifts, Movingwalks, or Wheelchair Lifts, where the Rule is applicable in accordance with the adopted Codes and Standards.
- (9) Hand powered one-man elevator is an elevator having a car platform area of not more than five square feet and a rated load of not more than three hundred pounds and which is operated from the car only by pulling on a stationary rope located in the hoistway and passing through or adjacent to the car platform. It is for the exclusive use of certain designated operating and maintenance employees and installed in a grain or feed mill or similar structure not accessible to the general public.
- (10) Inspection means the official determination by a certified inspector of the condition of all parts of the equipment on which the safe operation of an elevator depends.
- (11) Personnel Hoist is those elevators used during construction to carry workers. Such elevators are temporary and shall not become a permanent part of the structure.
- (12) Personal Injury, as used in O.C.G.A. § 8-2-106(a), means bodily injury, sickness, or disease sustained by any person by reason of the operation or malfunction of an elevator, escalator, manlift moving walk or power dumbwaiter, including death at any time resulting therefrom. Personal Injury does not include false arrest, detention, imprisonment, confinement, slander, libel, violation of privacy or any mental disease, disability or disorder not accompanied by physical injury at the time of the incident.
- (13) Property Damage, as used in O.C.G.A. § 8-2-106(b), means physical injury to, or destruction of tangible property to the structure or operational parts (including safety equipment and devices) of an elevator, escalator, manlift, moving walk or power

dumbwaiter, sustained by reason of accident or malfunction, other than routine wear and tear.

(14) Special Purpose Personnel Elevator is an elevator permanently installed to provide vertical transportation of authorized personnel. Such elevators are typically installed in Grain Elevators, Radio Antennas and Bridge Towers.

(15) Standard means American Society of Mechanical Engineers' Safety Code for elevators, manlifts, dumbwaiters and moving walks A17.1 1993, with such revisions, amendments, and interpretations issued and adopted by the American Society of Mechanical Engineers.

(16) Temporary Inspection is the inspection by a certified inspector of an elevator to be used on a temporary basis.

(17) Elevator Contractor – Any person, firm, or corporation who possesses an “Elevator Contractor’s Certification” in accordance with the provisions of Rule 120-3-25-.21 and who is engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators or related conveyance equipment covered by this chapter.

(18) Elevator Mechanic – Any person who possesses an elevator mechanic certification in accordance with the provisions of Rule 120-3-25-.21.

(19) Certification, Elevator Contractor (Class I, Class IR) – A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining elevators or related conveyance equipment covered by this Chapter.

(20) Certification, Elevator Contractor (Class II) – A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by this Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of servicing, testing, repairing or maintaining elevators or related conveyance equipment covered by this Chapter.

(21) Certification, Elevator Contractor, Limited (Class III, Class IIIR) – A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining residential elevators, platform lifts and stairway lifts.

(22) Certification, Elevator Mechanic (Class I, Class IR) – A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on conveyance equipment. It shall entitle the holder to install, service, repair, test, maintain and perform electrical work on elevators or related conveyance equipment covered by this Chapter. To be effective January 1, 2005.

(23) Certification, Elevator Mechanic (Class II) – A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on conveyance equipment. It shall entitle the holder to service, repair, test and maintain elevators or other conveyance equipment covered in this Chapter. The Class II Mechanic shall be employed by a Class II Elevator Contractor or owner user. To be effective January 1, 2005.

(24) Certification, Elevator Mechanic (Class III, Class IIIR) – A certification issued to a person

who has proven qualifications and ability, and who has been authorized by the Office to work on residential elevators, platform lifts and stair lifts. It shall entitle the holder to install, alter, service, repair, test, maintain and perform electrical work on residential elevators, platform lifts and stair lifts. To be effective January 1, 2005.

(25) Private Residence – A single unit of a multiple unit facility or a detached dwelling designed for, inhabited by, accessible to only one person or that person’s family.

(26) LULA Elevator – A passenger elevator limited in size, capacity, travel and speed. These elevators shall comply with ASME A17.1, Section 5.2 (Capacity, Speed, Travel, Etc.) and ICC/ANSI A117.1, Section 407.4 (Car Size, Power Operation, Signal Location, Etc.).

Authority O.C.G.A. Secs. 8-2-100 to 8-2-102, 8-2-104. History. Original Rule entitled “Latcheson Entrance Gates” adopted. F. Aug. 22, 1968; eff. Sept. 10, 1968. Repealed: New Rule entitled “Identification Plates and Tags” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled “Definitions” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 22, 1998; eff. Oct. 12, 1998. Amended: F. Mar. 22, 2005; eff. Apr. 11, 2005. Amended: F. Apr. 11, 2006; eff. May 1, 2006.

120-3-25-.03 Jurisdiction Numbered Tags.

(1) A jurisdiction numbered tag shall be furnished and shall be permanently attached on or near the elevator or dumbwaiters crosshead by the State Deputy Inspector.

(2) On elevators or dumbwaiters without a crosshead, jurisdiction tags shall be attached to the equipment on the car top. Elevators or dumbwaiters without car tops, escalators, manlifts, movingwalks or wheelchair lifts, the jurisdiction tag shall be attached on or near the control panel.

Authority O.C.G.A. Secs. 8-2-101, 8-2-104. History. Original Rule entitled “Operators—Minors Not Authorized” adopted. F. Aug. 22, 1968; eff. Sept. 10, 1968. Repealed: New Rule entitled “Qualifications of Inspectors” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Amended: F. Aug. 31, 1988; eff. Sept. 20, 1988. Amended: F. June 10, 1991; eff. June 30, 1991. Repealed: New Rule entitled “Jurisdiction Numbered Tags” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.04 Qualification of Inspectors.

(1) All persons inspecting elevator equipment shall be tested for compliance with the Georgia Laws Regulating Escalators and Elevators and shall be certified inspectors.

(2) All persons eligible for certification by the Office must have a minimum of two years’ experience in the installation, repair, maintenance or inspection of elevators and pass the written and oral examination given by the Office.

(3) All private inspection firms inspecting elevators in the State of Georgia shall have a minimum of \$500,000 general liability insurance issued by a company acceptable to the Office.

(4) All private inspection firms certified by the Office to inspect elevators, shall provide the Office of the Insurance and Safety Fire Commissioner a copy of a signed contract for each inspection location. Existing locations shall be exempted from the contract requirements. The contract shall give the initial inspection date and expiration date.

Authority O.C.G.A. Secs. 8-2-101, 8-2-104. History. Original Rule entitled "Freight Elevators Shall Not Transport Personnel — Exceptions" adopted. F. Aug. 22, 1968; eff. Sept. 10, 1968. Repealed: New Rule entitled "Responsibility for Elevator Operation and Maintenance" adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled "Qualification of Inspectors" adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.05 Responsibility of Elevator Operations and Maintenance.

- (1) The person, firm or corporation installing, repairing, relocating or altering an elevator shall be responsible for its safe operation, test and maintenance until the elevator is inspected and approved by a certified deputy inspector.
- (2) The owner of the equipment shall be responsible for the safe operation and proper maintenance of the elevator. Maintenance records required by the Maintenance Control Program shall be maintained at the location for a period of three (3) years, with the exception of the five (5) year testing, which will be kept for five (5) years. The records shall contain, but not be limited to, all tests, inspections and other maintenance duties referred to in the latest adopted version of ASME A17.1. The records that are kept in electronic format shall also be maintained on site as a printed copy.
- (3) The holder of the operating permit shall be responsible for all "Periodic Tests", and Code compliance.
- (4) The company holding a temporary operating permit shall be responsible for the safe operation and maintenance of the elevator during the period that the temporary operating permit is in force.
- (5) All operating permits shall be posted in the elevator car or a sign shall be posted in the car or in the elevator lobby, in a conspicuous location, stating where the permit is located on premises. Operating permits for other equipment shall be posted on or near the control panel or a sign stating where the permit is located.
- (6) A Certificate of Inspection shall be conspicuously placed inside each elevator within 72" of the centerline of frame and 72" inches above the elevator cab floor, in a permanently mounted frame with a clear glass or plastic removable cover. The frame shall be sized to provide full visibility of a 2 1/2" x 3" certificate. The cover shall be secured by one or more tamper resistant screws. The Inspection Certificate shall be signed and dated for each inspection, by the authorized inspector and replaced at each succeeding inspection. The Inspection Certificate is required in addition to the operating permit. On all other equipment (dumbwaiters, escalators, etc.) the Inspection Certificate shall be placed in a location where it will be visible to the users of the equipment.
- (7) All companies performing escalator and moving walk maintenance repair shall have trained personnel and equipment for measuring the "Performance Step Index" on or before January 1, 2003.
- (8) An elevator which is inactive for one year, or as removed from service by the owner/user shall be classified as a dormant elevator and placed out of service in accordance with ASME A17.1 Definition Section for "Installation place out of service".
- (9) Before a dormant elevator can be placed in service it shall be inspected by a certified deputy inspector and shall conform to requirements of the applicable standard.
- (10) Owner who places elevators in dormant status shall notify the Office within 10

days of the change in status.

(11) Escalators shall not be used as stairs in any location. They will be barricaded with a secure barricade at both the top and bottom landing when temporarily shut down for any reason.

Authority O.C.G.A. Secs. 8-2-101, 8-2-102, 8-2-103, 8-2-104 and 8-2-106. History. Original Rule entitled "Reporting of Accidents" adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled "Responsibility of Elevator Operations and Maintenance" adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 22, 1998; eff. Oct. 12, 1998. Amended: F. Sept. 5, 2001; eff. Sept. 25, 2001. Amended: F. Mar. 30, 2009; eff. Apr. 19, 2009.

120-3-25-.06 Reporting of Accidents. Amended.

(1) All incidents involving Personal Injury or Property Damage sustained by reason of the operation or malfunction of an elevator, escalator, manlift, moving walk or power dumbwaiter, including death shall be reported by the owner, operator, lessee, or Maintenance Company as follows:

(a) For incidents in which actual Personal Injury or Property Damage is observed or reported by the owner, operator, lessee, or maintenance company at the scene at the time of the incident, immediately by telephone to the Office on the same day or by noon the next business day. The elevator, escalator, manlift, moving walk, or power dumbwaiter involved shall be taken immediately out of service unless otherwise advised (see subparagraph (2) below).

(b) For all other incidents becoming known as the owner, operator, lessee, or maintenance company not at the scene at the time of the incident (including belated reports of Personal Injury after the person alleging injury has departed the scene without notifying the owner, operator, lessee, or maintenance company) by telephone not later than noon the next business day after the incident becomes known to the owner, operator, lessee, or maintenance company. The elevator, escalator, manlift, moving walk, or power dumbwaiter involved shall be taken immediately out of service unless otherwise advised (see subparagraph (2) below).

(c) For all incidents, the owner, operator, lessee shall file a written report, including witness statements, within seven days of the date of the incident or of the date the incident became known to the owner, operator, lessee, or maintenance company, whichever is later.

(2) Upon receiving a telephonic report, the Office may at its discretion determine whether or not to investigate an incident. At the time of the report, the Office shall inform the owner, operator, lessee, maintenance company, or agent reporting the incident whether the Office be investigating and when the elevator, escalator, manlift, moving walk or power dumbwaiter involved may be repaired or put back in service. In its discretion, the Office may require a telephonic conference with the certified elevator mechanic or Maintenance Company prior to making a decision to investigate an incident.

(3) All telephonic and written reports for accidents involving personal injury shall include the name(s), address and injuries of the person(s) injured.

Authority O.C.G.A. Secs. 8-101, 8-106. History. Original Rule entitled “New, Altered, or Relocated Elevators” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled “Reporting of Accidents” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 22, 1998; eff. Oct. 12, 1998. Amended: F. Apr. 11, 2006; eff. May 1, 2006.

120-3-25-.07 New, Altered or Relocated Elevators.

The installation of a new, altered, or relocated elevator, escalator, dumbwaiter, material lift, manlift, moving walk, wheelchair lift or chair lift shall not begin until a construction permit has been issued by the authority having jurisdiction for the elevators in the installation area. The equipment shall not be placed into service until it has been inspected, all acceptance tests have been successfully completed in the presence of a certified deputy inspector and all violations have been resolved to the satisfaction of the deputy inspector.

Authority O.C.G.A. Sec. 8-2-101. History. Original Rule entitled “Elevators Used During Construction” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled “New, Altered or Relocated Elevators” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Mar. 22, 2005; eff. Apr. 11, 2005.

120-3-25-.08 Temporary Use of Permanent Elevators During Construction.

(1) An elevator contractor may request a temporary operating permit to allow the use of a passenger or freight elevator before its completion for carrying workmen, authorized personnel or materials. Such elevator shall not be used until it has been inspected and approved by a certified deputy inspector and the required fee has been paid. The operating permit shall be issued for a period not to exceed ninety days. Renewals may be granted at the discretion of the Office, and upon inspection by a certified deputy inspector.

(2) Personnel Hoist Used During Construction.

(a) Personnel hoist shall be installed and maintained in accordance with the latest accepted edition of the American National Standard A10.4 or the latest edition of the Rules adopted by the Commissioner.

(b) An operating permit shall be required. Double cage units on a common tower shall require an operating permit for each cage.

(c) Personnel hoist used during construction shall be inspected every ninety days and after each jump, by a certified deputy inspector.

Authority O.C.G.A. Secs. 8-2-101, 8-2-102. History. Original Rule entitled “Existing Freight Elevators Classifications (Not Including Vertical Reciprocating Conveyors)” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled “Temporary Use of Permanent Elevators During Construction” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.09 Existing Freight Elevators.

(1) Existing freight elevators shall comply with the following descriptions:

(a) Freight elevators with operating stations in the car, which allow personnel to ride

shall comply with ASME A17.3, the standards for existing elevators.

(b) Material Lifts that do not allow personnel to ride and does not have an operating station in the car, shall comply with ASME B20.1, the standards for conveyors and related equipment.

Authority O.C.G.A. Sec. 8-2-102(c), (d). History. Original Rule entitled "Correction Orders" was filed on December 17, 1985; effective January 6, 1986. Repealed: New Rule entitled "Existing Freight Elevators" adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.10 Notice of Hearing and Penalties.

(1) Issuance of Citation or Notice of Administrative Proceeding:

(a) If upon inspection by an inspector or deputy inspector;

1. An elevator, escalator, dumbwaiter, manlift, or movingwalk is deemed to be in an unsafe condition,
2. The owner, operator, user, contractor, or installer has not complied with the Elevator Law or Rules, or
3. When a written warning has been issued and the violation continues, then the deputy inspector shall issue the violator a citation stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.

(b) If upon receiving information from any source, the Chief Engineer determines that there is a reasonable belief that:

1. An elevator, escalator, manlift, dumbwaiter, or moving walk may be in an unsafe condition,
2. The owner, operator, user, contractor, or installer has not complied with the Elevator Law or these Rules, or
3. When a warning has been issued, the violation is a continuing violation, the Chief Engineer or the Director, Safety Engineering, on behalf of the Office, may issue Notice of Administrative Proceeding stating the date, time, and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.

(c) The Director, Safety Engineering, upon review of a citation issued under subsection (a) above, may, in his sole discretion, dismiss the citation and substitute therefore a Notice of Administrative Proceeding pursuant to subsection (b) above on the same, similar, or different violation, as required by the evidence.

(d) The Commissioner of Insurance, upon review of a Citation or Notice of Administrative Proceeding, in his sole discretion, may refer the matter to the appropriate prosecuting official for criminal or injunctive relief as permitted under law. In such event, the Commissioner may, in his sole discretion, elect to dismiss, suspend, or continue with the civil penalty proceeding.

(2) Hearing Procedure:

(a) If request for a hearing is not received from the respondent within the allotted time, the Director, Safety Engineering, on behalf of the Commissioner, may without further process impose a civil penalty not greater than the total of civil penalties set forth on the citation or in the Notice of Administrative Proceeding. An administrative order under the authority of the

Commissioner may be issued to collect the civil penalty assessed. If the civil penalty is not paid, the Commissioner may authorize the Director to file appropriate legal action in the name of the Commissioner through the Attorney General to collect the civil penalty.

(b) Upon receipt of a request for a hearing pursuant to any Citation or Notice of Administrative Proceeding, the Director, Safety shall determine, in his sole discretion, whether the hearing shall be held before the Commissioner of Insurance or referred to the Office of State Administrative Hearings. If the hearing is to be before the Commissioner, the Director shall set a date and time for the hearing and shall cause the case file to be referred to the Attorney General for legal representation of the Office. If the Director determines that a hearing before the Commissioner is not warranted, the matter shall be referred to the Office of State Administrative Hearings pursuant to O.C.G.A. § 50-13-41(a)(1). The case file for an OSAH proceeding may be referred to staff counsel within the Department or to the Attorney General for representation of the Office. The Office of State Administrative Hearings will set the date; time and place of the hearing as prescribed by OSAH Rules.

(c) All hearings, whether before the Commissioner or before the Office of State Administrative Hearing, shall be subject to the powers and procedures set forth in the Administrative Procedure Act, including but not limited to O.C.G.A. § 50-13-13 and § 50-13-15.

(d) The decision of an Administrative Law Judge made after a hearing before the Office of State Administrative Hearings shall be initial agency decision as set forth in O.C.G.A. § 50-13-41(d) and shall be subject to review by the Commissioner, Insurance and Safety Fire, as set forth in O.C.G.A. § 50-13-41(e). A hearing before the Commissioner shall be the final agency decision in the matter and shall be subject to judicial review as set forth in O.C.G.A. § 50-13-19.

(3) Guidelines for Imposition of Civil Penalties:

(a) Any person, firm, partnership, corporation or other business entity, which violates this part, shall be subject to the imposition of civil penalties. Each day on which a violation occurs shall constitute a separate offense. Repeat offenders, whom a violation occurs, shall constitute a separate offense. Repeat offenders, including those who refuse to adhere to orders of the inspectors, exceed the limitations of operating permits, or refuse to adhere to the requirements of these rules and regulations, may be referred appropriate prosecuting official for criminal (misdemeanor) or injunction relief as permitted under law. Serious violations, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may also be referred appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law.

(b) Notwithstanding the recommended minimum penalties set forth below, a serious violation, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may receive the maximum penalty of \$5,000.00 for each violation including a first offense. The imposition of a penalty for a violation of this part shall not excuse the violation or permit it to continue.

(c) The deputy inspector issuing a Citation shall, at the time of issuance, specify a recommended civil penalty amount for each specific violation in accordance with these Rules and Regulations. The Director is charged with the responsibility to insure that recommended penalties for violations are graduated with the more serious violations receiving the heavier penalty and with assuring uniformity of recommended penalties

such that offenders in similar circumstances with similar violations receive similar penalty recommendation. In this regard, the Director may dismiss a Citation and issue a Notice of Administrative Proceeding solely for the purpose of making an appropriate penalty recommendation.

(d) The recommended civil penalty set forth in the Citation or Notice of Administrative Proceeding shall be given great deference by the Hearing Officer. The minimum recommended penalties set forth below is normally for the first offense with only one violation being cited. The Hearing Officer shall, after hearing the case, consider factors in mitigation of the violation as well as those in aggravation. The Hearing Officer shall impose a penalty less than the recommended minimum penalty only upon finding unusually significant mitigating factors, and shall set forth those factors in the order. The Hearing Officer may impose a penalty substantially greater than the Office recommended penalty upon finding significant aggravating factors associated with violations, and shall set forth those factors in the order. The Hearing Officer shall consider the provision of these Rules and Regulations guiding the assessment of penalties. In particular, the Hearing Officer shall, in cases involving structural damage, bodily injury, or death; or continued operation after an unsafe condition is detected or after the equipment is taken out of service by an inspector or deputy inspector, consider the imposition of separate penalties for each day of violation. The Hearing Officer shall not assess a penalty exceeding \$5,000.00 for each violation and each day of violation.

(e) The Hearing Officer may, in addition to a civil penalty, recommend in the order that the Commissioner suspend for a period of time or indefinitely, operating certificate, permits to install, or certificates for contractors.

(4) Minimum recommended penalties.

(a) Specific violations:

1. Operating equipment without an operating certificate. (O.C.G.A. § 8-2-103)

First offense \$250.00

Second offense \$500.00

2. Operating equipment in an unsafe condition. (O.C.G.A. § 8-2-101)

First offense \$500.00

Second offense \$1000.00

3. Failure to permit access for the purpose of inspecting or investigating equipment.

(O.C.G.A. § 8-2-102)

First offense \$500.00

Second offense \$1000.00

4. Failing to notify the Chief Engineer of any accidents involving structural damage or injury as defined in the definition section. (O.C.G.A. § 8-2-106)

First offense \$500.00

Second offense \$1000.00

5. Failing to notify the Chief Engineer of an accident which involved death. (O.C.G.A. § 8-2-106)..... \$5000.00

6. Placing unit back in service, which has been Red Tagged and placed out of service by a deputy inspector, without first having the unit inspected. (O.C.G.A. § 8-2-102)

First offense \$1000.00

Second offense \$2500.00

7. Placing a unit which has been involved in an accident back in service prior to having

the unit inspected or otherwise cleared. (O.C.G.A. § 8-2-106, Rule 120-3-25-.06)

First offense \$1000.00

Second offense \$2500.00

8. Turning equipment over for use without a final acceptance inspection. (O.C.G.A. § 8-2-101)

First offense \$500.00

Second offense \$1000.00

9. Installing equipment without a permit. (Rules 120-3-25-.07 & .21)

First offense Double Permit Fee

Second offense..... Triple Permit Fee

10. Inspecting without qualifications. (300-3-6-.21)

First offense \$500.00

Second offense \$1000.00

11. Using construction elevators or personnel hoist without first obtaining a permit or receiving an inspection. (Rule 120-3-25-.21)

First offense Double permit fee

Second offense Triple permit fee

(b) General Violations:

1. Violating adopted Codes, Standards, Rules, Regulations or Order. (Rule 120-3-25-.01)

First offense \$250.00

Second offense \$500.00

2. Certified company performing an activity, which violates the law or regulations.

Any Offense \$2500.00 and

Suspension of Certificate

3. Any third repeated offense might subject the violator to the maximum civil penalty permitted under the Act (\$5000.00).

Authority O.C.G.A. Secs. 8-2-102(b), (d), 8-2-103(b), 8-2-104(b). History. Original Rule entitled “Discontinuance of Operation” was filed on December 17, 1985; effective January 6, 1986.

Repealed: New Rule entitled “Notice of Hearing and Penalties” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 22, 1998; eff. Oct. 12, 1998.

120-3-25-.11 Discontinuance of Operation.

(1) A certified inspector may seal an elevator out of service and void the operating permit if any of the following conditions exist:

(a) The holder of the operating permit fails to pay the required fee.

(b) The holder of the operating permit fails to report an accident as required by these Rules.

(c) Continued use of the elevator presents immediate danger to the user or people exposed to the hazards of the elevator.

(d) The holder of the operating permit fails to comply with Safety Act, Rules, or Codes and Standards within the specified time on the inspection report.

Authority O.C.G.A. Secs. 8-2-102(d), 8-2-103(b). History. Original Rule entitled “Dormant Elevators” was filed on December 17, 1985; effective January 6, 1986. Repealed: New Rule entitled “Discontinuance of Operation” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.12 Reserved.

120-3-25-.13 Fees. Amended.

(1) Fees and civil penalties required under the law or these rules and regulations shall be paid by money order, cashier's check, certified check, or banking institution official check made payable to:

Office of Insurance and Safety Fire Commissioner
Suite 920, West Tower
2 Martin Luther King Jr. Drive
Atlanta, Georgia 30334

(2) Fees shall be paid in accordance with the following schedule:

(a) Certification – Examination:

- 1. Inspector \$60.00
- 2. Elevator Mechanic \$60.00

(b) Certification – Annual:

- 1. Inspector \$25.00
- 2. Class I Elevator Contractor \$300.00
- 3. Class II Elevator Contractor \$200.00
- 4. Class III Elevator Contractor \$100.00

(c) Certification – Bi-Annual Renewal:

- 1. Elevator Mechanic \$25.00

(d) Installation Permits:

- 1. Passenger or Freight base price, per unit \$400.00
- Plus, each opening \$25.00
- 2. Dumbwaiters and material lifts, per unit \$250.00
- 3. Escalator, per unit \$500.00
- 4. Workmen's hoist, initial inspection, per unit \$500.00
- 5. Workmen's hoist, tower rise, per jump \$150.00
- 6. Private residence inclined lifts and elevators \$250.00
- 7. Belt Manlift \$250.00
- 8. Special purpose personnel elevators and wheelchair lifts, per unit \$250.00

(e) One acceptance inspection and the operating permit fees are included in the installation permit fee. All additional inspections shall be at two hundred fifty (\$250.00) dollars per inspection. Elevator Construction Permits shall expire two (2) years from the date of issue, if the permit has shown no action. Elevator Construction Permit Certificates shall expire no more than six (6) months from the date of completion of the permit. If the permit is open more than two (2) years with no action, it will therefore be cancelled.

(f) Major Alteration Permits:

- 1. Each Alteration — One item as outlined in the Standard, per unit \$120.00
- 2. Each additional alteration as outlined in the Standard, per unit..... \$60.00

3. Maximum alteration fee, per unit \$600.00

(g) The acceptance inspection fee is included in the major alteration permit fee. The alterations acceptance inspection will not change the normal inspection or the operating permit due date.

Additional inspections shall be at the rate of two hundred fifty dollars (\$250.00) per inspection.

(h) Operating Permit:

1. Operating permit — one year, price per unit \$65.00

2. Temporary operating permit, per unit..... \$65.00

(i) Inspection by a certified inspector of the Office:

1. Initial inspection of a temporary elevator, per unit \$200.00

2. Periodic inspection of a temporary elevator used during construction,
per unit \$50.00

3. Annual fee for annual and periodic inspection based upon number of openings per unit.

51 to 60 openings \$320.00

41 to 50 openings \$295.00

31 to 40 openings \$270.00

21 to 30 openings \$245.00

11 to 20 openings \$220.00

10 openings \$195.00

9 openings \$170.00

8 openings \$145.00

7 openings \$120.00

6 openings \$95.00

5 openings \$85.00

4 openings \$75.00

3 openings \$65.00

2 openings \$55.00

(j) Appeal hearings before the Board, per Appeal \$500.00

(k) All routine inspections of elevators and escalators and the operating certificate shall be invoiced annually with or at the time of the permit to operate is mailed.

(3) The Office may provide services or perform inspections not otherwise specified in the fee structure. The charge for this service shall be at the rate of \$250.00 per visit, per elevator.

Authority O.C.G.A. Secs. 8-2-102, 8-2-103, 8-2-104. History. Original Rule entitled —Existing Installations—General adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Amended: F. Aug. 21, 1989; eff. Sept. 10, 1989. Amended: F. Feb. 15, 1994; eff. Mar. 7, 1994. Amended: F. Aug. 12, 1994; eff. Sept. 1, 1994. Repealed: New Rule entitled —Fees adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 22, 1998; eff. Oct. 12, 1998. Amended: F. Sept. 5, 2001; eff. Sept. 25, 2001. Amended: F. Sept. 2, 2003; eff. Sept. 22, 2003. Amended: F. Mar. 22, 2005; eff. Apr. 11, 2005. Amended: F. Apr. 11, 2006; eff. May 1, 2006. Amended: F. Dec. 11, 2007; eff. Dec. 31, 2007. Amended: F. Mar. 30, 2009; eff. Apr. 19, 2009.

120-3-25-.14 Existing Installation (General).

(1) The minimum requirements for regular maintenance and safety practices for existing elevators as provided for in the Safety Act and Rules. All existing features or components

of the elevator shall comply with the Rules as adopted by the Commissioner.

(2) All existing elevators having a travel of more than 25' 0" shall have "Fire Emergency Service" complying with ASME A17.1 1987 Edition as a minimum.

(3) A permanent decal or metal tag shall be affixed to the lift equipment, in the machine room, control space, machine space, pits, hoistway required to be tested by ASME A17.1, Section 8.6 of the Standard. This decal or tag shall be affixed to the affected equipment when new installations, alterations, or periodic tests are conducted, as required by the Standard. This decal or tag must indicate the date of the test, and the name of the person or firm which performed the test and type of test performed. A decal will not be acceptable when the Standard requires a metal tag. At the time of new installation, alteration, or periodic tests, additional data shall be provided to the building owner or his representative. This document shall include the date of the test, the name of the person or firm conducting the tests and all pertinent data relating to the test.

(4) Elevator inspection and test shall be in accordance with Appendix N, Table N1.

(Except for residence elevators.), and as modified by OCGA Section 8-2-102.

(5) Existing Hydraulic Elevators are exempted from the requirements of Rule 8.6.5.8 for five (5) years. Elevators shall have all work required for compliance with ASME A17.3, Section 8.6.5.8 completed within five (5) years of the effective date of this regulation. Failure to complete work within the required time period will result in the elevator being removed from service until such work is completed, unless the cylinder is replaced

(6) Existing escalators shall meet the Performance Step Indexing requirements of ASME A17.3, Rule 5.1.11 within two (2) years of the effective date of this Rule revision.

(7) State Elevator Inspectors are not required to meet 8.11, QEI-1 requirements.

(8) Existing passenger elevators shall meet the Restricted Opening of Hoistway Doors or Car Doors as required by ASME A17.3, Rule 2.7.5 within two (2) years of the effective date of this Rule revision.

Authority O.C.G.A. Secs. 8-2-101, 8-2-102, 8-2-104. History. Original Rule entitled "Existing Installations — Passenger Elevators" adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled "Existing Installation (General)" adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 2, 2003; eff. Sept. 22, 2003. Amended: F. Dec. 11, 2007; eff. Dec. 31, 2007.

120-3-25-.15 Existing Installations (Special Purpose Personnel Elevators, Including Wheelchair Lifts).

Existing special purpose personnel elevators, and wheelchair lifts shall meet ASME A17.1, the Safety Code for Elevators and Escalators.

Authority O.C.G.A. Sec. 8-2-101. History. Original Rule entitled "Existing Installations Freight Elevators— Class I" adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled "Existing Installations (Special Purpose Personnel Elevators, Including Wheelchair Lifts)" adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.16 Existing Installations - Belt Manlifts.

All existing belt manlifts shall meet latest adopted version of ASME A90.1 the standards for belt manlifts.

Authority O.C.G.A. Sec. 8-2-101. History. Original Rule entitled “Existing Installations Freight Elevators— Class II” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled “Existing Installations - Belt Manlifts” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.17 Existing Installations - Side Walk Elevators.

All existing side walk elevators shall meet ASME B20.1, the Safety Standard for Conveyors and related equipment.

Authority O.C.G.A. Sec. 8-2-101. History. Original Rule entitled “Existing Installations Freight Elevators— Class III” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled “Existing Installations — Side Walk Elevators” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.18 Existing Installations - Dumbwaiters.

All existing dumbwaiters shall meet ASME A17.1, the standards for dumbwaiters.

Authority O.C.G.A. Sec. 8-2-101. History. Original Rule entitled “Existing Installations—One Man Elevators, Hand Powered” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled “Existing Installations - Dumbwaiters” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996.

120-3-25-.19 New Installation (General).

(1) The following sections outline the minimum requirements, regular maintenance and approved safety practices for elevators as provided for in the Georgia Laws Regulating Elevators. All Existing features or components of the elevators shall comply with this law and the rules proposed by the Board and adopted by the Commissioner.

(2) Certified Inspectors shall use the latest adopted edition of the ASME A17.2 inspector’s manual with such revision, amendments, and interpretation.

(3) All new elevators machine rooms shall not have sprinklers in these rooms if they are separated from the building with a minimum of a two hour fire separation and have smoke detectors in accordance with NFPA. If these rooms do not have the two hour minimum fire separation they shall have sprinkler protection conforming to the requirements NFPA and shall be provided with means to automatically disconnect the main power supply to the affected elevator prior to the application of water as required by ASME A17.1. The machine room door shall swing outward from the machine room. Elevator machine rooms must have conditioned air (heated and cooled) to maintain a temperature range between 55 and 90 degrees Fahrenheit, with a maximum relative humidity of 85%.

(4) All new elevators shall have a Fireman Emergency Keybox. The keybox is to be a minimum 5.375" wide by 9" high by 2" deep. Front cover shall be hinged on the right side. Lock and key shall be uniform with Lock and Key, Catalogue #25460 or equivalent. Box

may either be flush or recessed mounted. Front cover shall be engraved with 1/4" high letters and shall read in capitals "FIRE DEPARTMENT USE ONLY." Engraving shall be filled with color which will be readily conspicuous. Location of key-box shall be at each bank of elevators in the lobby normally used as a place of entrance to the building. As a minimum, the keybox shall contain the key to the elevator machine room, the elevator hoistway access key, and necessary keys to operate Fireman's Emergency Return System. The key shall be given ONLY to the fire department.

(5) All new elevators shall be prohibited from providing side emergency exits as detailed in ASME A17.1 Rule 2.14.1.10 provided the elevators are in full compliance with paragraphs (7) and (8) below.

(6) All new elevators shall have the means in the elevator controller for a qualified elevator mechanic to electrically move a stalled elevator to the nearest landing. Key pads or control boxes used for this function shall be permanently installed.

(7) All elevators shall have emergency key access at all landings.

(8) Other Devices - Gravity elevators, hand elevators, incline elevators, multideck elevators, observation elevators, moving walks, material lifts and dumbwaiters with automatic transfer devices and screw column elevators shall meet the requirements of the Codes, as references by these rules.

(9) All Hydraulic elevators shall be designed to operate at no more than 85% of the nameplate motor horsepower.

(10) All new escalators installed after January 1, 2002, shall comply with the latest adopted edition of ASME A17.1.

(11) All variance requests from the law, rules or standards on new, altered or modernized elevator, escalator, dumbwaiter, material lift, manlift, moving walk, wheelchair lift, or chairlift shall be reviewed by the Elevator Advisory Board Members and recommendations given to the Safety Inspection Section. These variance requests shall be submitted to Board Members by Safety Inspection staff for letter ballot by the quickest means possible, within one (1) week from the date received. Board Members shall return their votes to approve or disapprove within ten (10) days. The majority of the returned votes are to be considered the recommendation of the Board.

(12) Car Emergency Signaling Devices shall comply with ASME A17.1, Rule 2.27.1.1.6 and shall be activated within 45 seconds with loss of phone connection, both audible and visual signals.

Authority O.C.G.A. Secs. 8-2-101, 8-2-102. History. Original Rule entitled "Existing Installations—Incline Lifts" adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled "New Installation (General)" adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 22, 1998; eff. Oct. 12, 1998. Amended: F. Sept. 5, 2001; eff. Sept. 25, 2001. Amended: F. Mar. 22, 2005; eff. Apr. 11, 2005.

120-3-25-.20 New Installation - Wheelchair Lift.

(1) All existing wheelchair lifts and stair lifts installed before January 1, 2002, including temporary installed and portable lifts shall comply with ASME A117.1 and A17.1.

(2) All new wheelchair lifts and stair lifts installed after January 1, 2002, including

temporary installed and portable lifts shall comply with ASME A18.1 and A117. If these lifts penetrate a floor, they shall be in a fire rated hoistway and shall comply with Rule 120-3-25-.19(5).

Authority O.C.G.A. Sec. 8-2-101. History. Original Rule entitled “Existing Installations—Special Purpose Personnel Elevator” adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Amended: Rule retitled “Existing Installations (Special Purpose Personnel Elevators, Including WheelchairLifts)”. F. Jan. 30, 1987; eff. Feb. 19, 1987. Repealed: New Rule entitled “New Installation –Wheelchair Lift” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Sept. 5, 2001; eff. Sept. 25, 2001.

120-3-25-.21 Certificate to Perform Elevator Installations, Alterations, Repairs, Maintenance or Inspections.

(1) Elevator Contractor (Class I): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of elevators, dumbwaiters, escalators, moving walks, residential elevators, platform lifts, and/or stair chairs shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(2) Elevator Contractor (Class IR): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of ASME A17.1, Section 4 and 5.7 elevators, temporary construction elevator and material lifts or separately cab interiors and phones, shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(3) Elevator Contractor (Class II): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of alteration, service, replacement or maintenance of elevators, dumbwaiters, escalators, moving walks, residential elevators, platform lifts, and/or stair chairs shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(4) Elevator Contractor (Class III): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of dumbwaiters, residential elevators, platform lifts, and/or stair chairs shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(5) Elevator Contractor (Class IIIR): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of residential platform lifts, and/or stair chairs shall apply for Certification by the Office a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(6) Elevator Contractor’s Certification shall expire on April 1 of the year following the

year of issue.

(7) Qualifications of Elevator Contractor.

(a) No Certification shall be granted to any person or firm who has not proven their qualifications and abilities. Applicants for Elevator Contractor's Certification must demonstrate the following qualifications:

(b) Elevator Contractor Class I, Class IR and II shall submit proof of Elevator Mechanic Certification. All Class II Elevator Contractors shall employ Class I or Class II Elevator Mechanics.

(c) Elevator Contractor Class III and Class IIIR shall submit proof of Elevator Mechanics Certification.

(d) Elevator Contractors shall have insurance as required by Rule 120-3-25-.22.

(8) The application for Elevator Contractor Certification shall contain the following information:

(a) The Class of the Certification requested.

(b) Name and address of business.

(c) Such other information as the Office may require.

(9) The application for Elevator Mechanic shall contain the following information:

(a) Name and address of the applicant and company where employed.

(b) The Certification class requested by the applicant.

(c) The number of years the applicant has engaged in the business of installing, maintaining and/or servicing elevators, escalators and/or platform lifts.

(d) Documentation of all training or classes applicant has attended in the last year.

(e) Such other information as the Office may require.

(10) All elevator mechanics installing, altering, repairing, maintaining, or servicing elevators, escalators, moving walks, dumbwaiters, material lifts, residential elevators, wheelchair lifts and chair lifts after January 1, 2006 shall have a "Certificate of Authorization" issued by the Office.

(11) Approval of training programs for Certification and Recertification of elevator mechanics. The Elevator Advisory Board shall review and approve all certification and recertification programs. The Office of Insurance and Safety Fire Commissioner shall prepare a testing program.

(12) Renewal applications. Applicants renewing their Certification shall provide the following information:

(a) Certification number.

(b) Documentation of training, certification and classes successfully completed in the previous year [eight (8) hours minimum], including Code updates using a pre-approved or recognized training program.

(13) Qualification of Class I Elevator Mechanic.

(a) Certification shall be granted to any person with a minimum of three (3) years experience and who is employed by a company holding a State Certification and has proven their qualifications and abilities. Applicants must demonstrate the following qualifications:

(b) Certificate(s) of completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program, Certified Elevator Technician Program or the equivalent of an apprenticeship program for the elevator mechanics registered with the

Bureau of Apprenticeship and Training, U.S. Department of Labor or a State Apprenticeship Program.

(c) Any person who furnishes the Office with acceptable proof they have worked as an elevator constructor, maintenance person, or repair person may, upon making application for Certification and paying the fee, be entitled to receive a Certification without an examination at the discretion of the Office. They shall have worked under direct and immediate supervision of an elevator contractor certified to do business in this state. The person must make application within one (1) year of the effective date of these Rules and Regulations.

(d) A Certification may be issued to an individual holding a valid Certification or License from a state having a standard substantially equal to those of this Chapter.

(14) Qualification of Class IR Elevator Mechanic.

(a) Certification shall be granted to any person with a minimum of three (3) years experience and who is employed by a company holding a State Certification and has proven their qualifications and abilities. Applicants must demonstrate the following qualifications:

(b) Certificate(s) of completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program, Certified Elevator Technician Program or the equivalent of an apprenticeship program for the elevator mechanics registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor or a State Apprenticeship Program.

(c) Any person who furnishes the Department with acceptable proof they have worked as an elevator constructor, maintenance person, or repair person may, upon making application for Certification and paying the fee, be entitled to receive a Certification without an examination at the discretion of the Department. They shall have worked under direct and immediate supervision of an elevator contractor certified to do business in this state. The person must make application within one (1) year of the effective date of these Rules and Regulations.

(d) A Certification may be issued to an individual holding a valid Certification or License from a state having a standard substantially equal to those of this Chapter.

(15) Qualification for Class II Elevator Mechanic.

(a) Same as (11)(a).

(b) The mechanic shall provide documentation proving they have been trained in the service, repair and maintenance of the equipment they will be working on.

(c) Same as (11) (c).

(d) Same as (11) (d).

(16) Qualification for Class III Elevator Mechanic.

(a) Same as (11) (a).

(b) Same as (11) (b).

(c) Same as (11) (c). (d) Same as (11) (d).

(17) Qualification for Class IIIR Elevator Mechanic.

(a) Same as (11) (a).

(b) Same as (11) (b).

(c) Same as (11) (c). (d) Same as (11) (d).

(18) Issuance and Renewal of Certification.

- (a) Upon approval of a mechanic's application, the Office may issue Certification(s), all of which shall be renewed bi-annually. The Certification(s) will expire on July 1, not more than two (2) years from the date of issue.
- (b) Whenever an emergency exists, and upon request, the Office may waive all requirements.
- (c) A Certified Elevator Contractor shall notify the Office when there are no Certified personnel available to perform elevator work. The Certified Elevator Contractor may request the Office issue Temporary Elevator Mechanic Certifications to personnel employed by the Certified Elevator Contractor who have an acceptable combination of documented experience and education to perform elevator work. The temporary certification will expire after six (6) months. Only one (1) temporary certification will be issued per person, per company.
- (d) The renewal of all Certifications granted under the provisions of this Section shall be conditional upon the submission of a certificate of completion of a course designed to ensure the continuing education of Certified Personnel. Such course shall consist of not less than eight (8) hours of instruction that shall be attended and completed within one (1) year prior to any Certification renewal.
- (e) The courses shall be taught by instructors who are qualified and approved by the Office.
- (f) A mechanic who is unable to complete the education course required under this Section prior to the expiration of their Certification due to a temporary disability may apply for a waiver from the Office.

(19) Suspension and Revocation of Certification.

- (a) A Certification issued pursuant to this Chapter may be suspended or revoked by the Office upon verification that one or more of the following exists:
1. Any false statement as to material matter in the application.
 2. Violation of any provision of this Chapter.
 3. Fraud or misrepresentation in securing a Certification.
- (b) No Certification for a company or person shall be suspended, or revoked, until after a hearing before the Office upon notice to the person and/or company of a least ten (10) days at the last known address appearing on the Certification, served personally or by registered mail.
- (c) Any company or person whose Certification is revoked or suspended may appeal such determination to the Office within thirty (30) days.
- (d) Any company or person certified to perform an activity, who violates this part, after notice and hearing, may cause such company or person's Certification to be suspended and such company or person may receive a penalty not to exceed \$5,000.00 per violation.

Authority O.C.G.A. Secs. 8-2-101, 8-2-102, 8-2-104. History. Original Rule entitled "Existing Installations—Escalators" adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: New Rule entitled "Certificate to Perform Elevator Installations, Alterations, Repairs, Maintenance, or Inspections" adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: F. Mar. 22, 2005; eff. Apr. 11, 2005. Amended: F. Apr. 11, 2006; eff. May 1, 2006.

120-3-25-.22 Insurance Requirements.

(1) Class I, Class IR and Class II Elevator Contractors shall submit to the Office an original or certified copy of an insurance policy issued by an insurance company authorized to do business in this State to provide general liability coverage of at least one million dollars (\$1,000,000.00) for injury or death of one person and one million dollars (\$1,000,000.00) for injury or death of any number of persons in any one (1) occurrence, with the coverage of at least five hundred thousand dollars (\$500,000.00) for property damage in any one (1) occurrence and the statutory workers compensation insurance coverage.

(2) Class III and IIIR Elevator Contractors shall submit to the Office an original or certified copy of an insurance policy issued by an insurance company authorized to do business in this State to provide general liability coverage of at least five hundred thousand dollars (\$500,000.00) for injury or death of one (1) person and at least five hundred thousand dollars (\$500,000.00) for injury or death of any number of persons in any one (1) occurrence, with the coverage of at least two hundred fifty thousand dollars (\$250,000.00) for property damage in any one (1) occurrence and the statutory workers compensation insurance coverage.

(3) Private Elevator Inspectors shall submit to the Office an original or certified copy of an insurance policy issued by an insurance company authorized to do business in this State to provide Professional Errors and Omissions Insurance coverage of at least one million dollars (\$1,000,000.00) for injury or death of one person and one million dollars (\$1,000,000.00) for injury or death of any number of persons in any one (1) occurrence, with the coverage of at least five hundred thousand dollars (\$500,000.00) for property damage in any one (1) occurrence and the statutory workers compensation insurance coverage.

(4) Such policies must be issued by an insurance company authorized to do business in the State of Georgia by the Insurance Commissioner with a Best Policyholders rating of "A-" or better and with a financial size rating of Class V or larger.

Authority O.C.G.A. Secs. 8-2-101, 8-2-104. History. Original Rule entitled "Existing Installations – Belt Manlifts" adopted. F. Dec. 17, 1985; eff. Jan. 6, 1986. Repealed: F. Feb. 26, 1996; eff. Mar. 17, 1996. Amended: New Rule entitled "Insurance Requirements" adopted. F. Mar. 22, 2005; eff. Apr. 11, 2005.

Chapter 120-3-26

Rules and Regulations for Boiler and Pressure Vessels

Section:

120-3-26-.01	Authority and Purpose.
120-3-26-.02	Definition of Terms.
120-3-26-.03	Administration. Amended.
120-3-26-.04	Certificate of Competency and Examination. Amended.
120-3-26-.05	State Inspection Fees. Amended.
120-3-26-.06	New Installation of Boilers and Installation of Secondhand Boilers or Pressure Vessels. Amended.
120-3-26-.07	Boiler and Pressure Vessel Inspection Requirements. Amended.
120-3-26-.08	Notification of Inspection. Amended.
120-3-26-.09	Notification of Accident. Amended.
120-3-26-.10	Validity of Operating Permit. Amended.
120-3-26-.11	Georgia State Special Boilers and Pressure Vessels. Amended.
120-3-26-.12	Non-Conforming or Non-Standard Boilers and Pressure Vessels. Amended.
120-3-26-.13	Boiler and Pressure Vessel Repair or Alteration. Amended.
120-3-26-.14	Reinstallation of Certain Boilers and Pressure Vessels. Amended.
120-3-26-.15	Boiler and Pressure Vessel Construction. Amended.
120-3-26-.16	Certificate of Authority to Install, Maintain and/or Service Boilers. Amended.
120-3-26-.17	Preparation for Certificate Inspection. Amended.
120-3-26-.18	General Requirements. Amended.
120-3-26-.19	Safety/Safety Relief Valves.
120-3-26-.20	Exceptions. Amended.

120-3-26-.01 Authority and Purpose.

(a) Pursuant to O.C.G.A. Section 25-15-1, the Office succeeded to all rules and regulations of the Department of Labor which were in effect on June 30, 2012, or were scheduled to go into effect on or after July 1, 2012, which related to the functions transferred to the Office pursuant to either Chapter 15 of Title 25 or Part 6 of Article 1 of Chapter 2 of Title 8. The Office has authority to modify the Boiler and Pressure Vessel regulations or promulgate new regulations pursuant to O.C.G.A. Sections 25-15-1, 25-15-13, 33-2-9 and 50-13-21.

(b) The primary purpose of these rules and regulations is to promote consumer protection

through state regulation of the construction, installation, inspection, maintenance, and repair of boiler and pressure vessels.

(c) All Editions of the Codes and Standards shall also include revisions, amendments, and interpretations made, approved and adopted by the Codes or Standards Society.

(1) The 2010 American Society of Mechanical Engineers Boiler and Pressure Vessel Code. Copies of the Code may be obtained from said Society at 22 Law Drive, Box 2300, Fairfield, New Jersey 07007-2300.

(2) The 2011 Edition of the National Board Inspection Code. Copies of this Code may be obtained from the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

(3) ASME B31.1 as adopted by ASME Section I Boiler Pressure Piping and Piping Systems as described in B31.1.

(4) The 2009 Edition of the ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers less than 12,500,000 BTU/hr. and State adopted Edition of the National Fire Protection Association (NFPA) 85, Boiler and Combustion System Hazard Code for boilers 12,500,000 BTU/hr. and over. ASME CSD-1 Boiler Controls and Safety Devices may be obtained from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, and the National Fire Protection Association Standards may be obtained from National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(5) The 2007 ASME PVHO-1 Pressure Vessels for Human Occupancy. This Code may be ordered from ASME, 22 Law Drive, Box 2300, Fairfield, NY 07007.

Authority O.C.G.A. Secs. 25-15-1, 25-15-10, 25-15-13, 33-2-9, 50-13-21. **History.** Original Rule entitled "Application Requirements" adopted. F. Feb. 26, 1971; eff. Mar. 18, 1971. **Repealed:** New Rule entitled "Adoption by Resolution" adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. **Repealed:** New Rule of same title adopted. F. Sept. 28, 1987; eff. Oct. 18, 1987. **Amended:** F. Nov. 14, 1988; eff. Dec. 4, 1988. **Amended:** F. July 12, 1989; eff. Aug. 1, 1989. **Amended:** F. Jan. 30, 1992; eff. Feb. 19, 1992. **Amended:** F. Feb. 15, 1994; eff. Mar. 7, 1994. **Amended:** F. Feb. 26, 1996; eff. Mar. 17, 1996. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000. **Amended:** F. Sept. 5, 2001; eff. Sept. 25, 2001. **Amended:** F. Feb. 24, 2003; eff. Mar. 16, 2003. **Amended:** F. Sept. 16, 2003; eff. Oct. 6, 2003.

120-3-26-.02 Definition of Terms.

(1) Accumulation Test — A test by which the capacity of the safety or safety relief valves are checked to ensure the pressure of the boiler does not rise six percent above the highest setting of any valve, and in no case six percent above the maximum allowable working pressure.

(2) Alteration — A change in any item described on the original manufacturer's data report which affects the pressure capability of the boiler or pressure vessel. Nonphysical changes such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler or pressure vessel shall be considered an alteration. A reduction in minimum temperature such that additional mechanical tests are required shall also be considered an alteration.

(3) Delete.

(4) Approved — Approved by the Commissioner of Insurance or his designee.

(5) Authorized Inspection Agency — one of the following:

- (a) The State of Georgia Safety Engineering Section, of the Office of Insurance and Safety Fire Commissioner, or
 - (b) Any insurance company which has been licensed to write boiler and pressure vessel insurance and to provide all inspection services required by such company in this State, or
 - (c) An Owner-User Inspection Agency.
- (6) Certificate of Competency — A certificate issued to a person who has passed the examination prescribed by the Board.
- (7) Certificate Inspection — An inspection, the report of which is used by the Chief Engineer as justification for issuing, withholding, or revoking the Inspection Certificate.
This certificate inspection shall be as complete an inspection as possible.
- (8) Chief Inspector — The chief boiler and pressure vessel Engineer appointed by the Safety Fire Commissioner.
- (9) Code-ASME Boiler and Pressure Vessel Code Sections I, III Division 1 and Division 2, IV, VIII Division 1, 2 and Division 3, and X, National Board Inspection Code, Controls and Safety Devices (CSD-1), National Fire Protection Association Code (NFPA) Sections 31, 54, 58, 70, 85, and 211 for boilers and pressure vessels Code.
- (10) Commission — National Board — The Commission issued by the National Board of Boiler and Pressure Vessel Inspectors to a holder of a Certificate of Competency who desires to make inspections in accordance with the National Board Bylaws and whose employer submits the Inspector's application to the National Board for such Commission.
- (11) Condemned Boilers and Pressure Vessels — Condemned boilers and pressure vessels declared unfit for further use by the Chief Inspector or Commissioner shall immediately be stamped with three X's over the ASME code symbol stamp or immediately above the front manway, or on the front head of a fire tube boiler, or over the object identification number.
- (12) Deputy Inspector — Any Inspector appointed by the Commissioner under the provision of the Act.
- (13) Electric Boiler — A power boiler or heating boiler in which the source of heat is electricity.
- (14) External Inspection — An inspection made when a boiler or pressure vessel is in operation or idle.
- (15) Existing Installation — Includes any boiler constructed, installed, placed in operation, or contracted for before January 1, 1986; and any pressure vessel constructed; installed, placed in operation, or contracted for before January 1, 1986.
- (16) Fitting or Appliance — The terms "Fittings" and "Appliances" shall be taken to mean such necessary safety devices as are attached to a boiler and/or pressure vessel for safety purposes.
- (17) Georgia State Special — A boiler or pressure vessel which is of a special design which cannot or has not been constructed to the Code.
- (18) Heating Boiler — A steam or vapor boiler operating at pressures not exceeding 15 psig or temperatures not exceeding 250 degrees Fahrenheit.
- (19) Heat Recovery Boiler — A steam boiler for operation at pressures not exceeding 15 psig.
- (20) High Pressure High Temperature Water Boiler — Means a water boiler operating at pressures exceeding 160 psig or temperatures exceeding 250 degrees Fahrenheit.
- (21) Hobby — An activity pursued outside of one's regular work, primarily for pleasure

and receive no monetary gain.

(22) Hot Water Heating Boiler — A boiler in which no steam is generated, from which hot water is circulated for heating purposes and then returned to the boiler, and which operates at a pressure not exceeding 160 psig and/or a temperature of 250 degrees Fahrenheit at or near the boiler outlet.

(23) Hot Water Supply Boiler — A boiler or heater completely filled with water that furnishes hot water to be used externally to itself at pressures not exceeding 160 psig or a temperature not exceeding 250 degrees Fahrenheit for hot water supply boilers, or temperatures not exceeding 210 degrees Fahrenheit for hot water supply heaters.

(24) Inspector — The Chief Inspector, Deputy Inspector, Special Inspector, or Owner-User Inspector.

(25) Installation of Boilers and Pressure Vessels — When referred to in this Chapter shall include all fittings, appliances and/or appurtenances.

(26) Internal Inspection — As complete an examination as can reasonably be made of the internal and external surfaces of a boiler or pressure vessel while it is shut down and manhole plates, handhole plates, or other inspection openings are removed as per the Inspector's requirements.

(27) Insurance Company — An insurance company which has been licensed or registered by the appropriate authority of a state of the United States or a Province of Canada to write boiler and pressure vessel insurance and to provide all inspection services required by this State.

(28) Investigative Board — The Investigative Board shall be made up of the Chief Inspector and two members of the Boiler Board appointed by the Chairman of the Boiler Board.

(29) Jurisdiction — A State, Commonwealth, County, or Municipality of the United States or a Province of Canada, which has adopted one or more sections of the ASME Code, one of which is Section I, and maintains a duly constituted department bureau or division for the purpose of enforcement of such Code.

(30) Lined Potable Water Heater — A water heater with a corrosion resistant lining used to supply potable hot water and exceeding either of the following:

- (a) A heat input of 200,000 BTU per hour;
- (b) A water temperature of 210 degrees Fahrenheit; and
- (c) A nominal water containing capacity of 120 gallons.

(31) Miniature Boiler — A power boiler or high-temperature water boiler which does not exceed the following limits:

- (a) 16 inches inside diameter of shell;
- (b) 20 sq. ft. heating surface (not applicable to electric boilers);
- (c) 5 cu. ft. gross volume exclusive of casing and insulation;
- (d) 100 psig maximum allowable working pressure.

(32) National Board — The National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

(33) National Board Inspection Code. The manual for Boiler and Pressure Vessel Inspectors published by the National Board and adopted by the Board.

(34) New Boiler or Pressure Vessel Installation — All boilers constructed, installed, placed in operation, or contracted for after December 31, 1986. All pressure vessels constructed, installed, placed in operation, or contracted for after December 13, 1986.

(35) Non-standard Boiler or Pressure Vessel — A boiler or pressure vessel that does not

bear the ASME stamp and National Board Number.

(36) Owner or User — Any person, firm, or corporation legally responsible for the safe installation, operation, and maintenance of any boiler or pressure vessel within the jurisdiction.

(37) Owner-User Inspector — An Inspector continuously employed by a company owning and operating pressure vessels in this State for the purpose of making inspections of pressure vessels used or to be used by such company, but not for resale, and providing such company complies with the requirements of the Official Code of Georgia Annotated, Section 25-15-10 of the Boiler and Pressure Vessel Law.

(38) Owner/User Inspection Agency — An owner or user of pressure vessels who maintains a regularly established inspection department, whose organization and inspection procedures shall meet the requirements of the boiler and pressure vessel Rules and are acceptable to the Office Of Insurance and Safety Fire Commissioner.

(39) Portable Boiler — A boiler which is primarily intended for temporary location and the construction and usage permits it to be readily moved from one location to another.

(40) Power Boiler — Means a boiler in which steam or other vapor is generated at a pressure of more than 15 psig.

(41) PSIG — Pounds per square inch gauge.

(42) Reinstalled Boiler or Pressure Vessel — A boiler or pressure vessel removed from its original setting and reinstalled at the same location, or at a new location without change of ownership.

(43) Repair — The work necessary to restore a boiler or pressure vessel to a safe and satisfactory operating condition provided there is no deviation from the original design.

(44) Secondhand Boiler or Pressure Vessel — A boiler or pressure vessel which has changed both location and ownership since last used.

(45) Steam Heating Boiler — A steam boiler for operation at pressures not exceeding 15 psig.

(46) Special Inspection — Any inspection performed by the State other than a regularly scheduled inspection, and includes instances where the original inspection was rescheduled due to the owner's or user's failure to prepare the boiler or pressure vessel after notification.

(47) Special Inspector — An Inspector holding a Georgia Commission, and who is regularly employed by an insurance company authorized to insure against loss of boilers or pressure vessels in this State.

(48) Standard Boiler or Pressure Vessel — A boiler or pressure vessel which bears the ASME stamp and National Board Number, except cast iron boilers which will not be registered with the National Board.

(49) Unfired Steam Boiler — An unfired pressure vessel or system of unfired pressure vessels intended for operation at a pressure in excess of 15 psig steam for the purpose of producing and controlling an output of thermal energy.

(50) Waste Heat Boiler — An unfired pressure vessel or system of unfired pressure vessels intended for operation in excess of 15 psig steam for the purpose of producing and controlling an output of thermal energy.

Authority O.C.G.A. Secs. 25-15-10, 25-15-13. **History.** Original Rule entitled "ASME Compliance Certificate" adopted. F. Feb. 26, 1971; eff. Mar. 18, 1971. **Repealed:** New Rule entitled "Definition of Terms" adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. **Amended:** F. Aug. 4, 1986; eff. Aug. 24, 1986. **Amended:** F. Dec. 30, 1986; eff. Jan. 19, 1987. **Repealed:** New Rule of same title adopted. F. Sept. 28,

1987; eff. Oct. 18, 1987. **Amended:** F. July 12, 1989; eff. Aug. 1, 1989. **Amended:** F. Jan. 30, 1992; eff. Feb. 19, 1992. **Amended:** F. Feb. 26, 1996; eff. Mar. 17, 1996. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000. **Amended:** F. Sept. 5, 2001; eff. Sept. 25, 2001. **Amended:** F. Feb. 24, 2003; eff. Mar. 16, 2003. **Amended:** F. Sept. 16, 2003; eff. Oct. 6, 2003.

120-3-26-.03 Administration. Amended.

(1) The Safety Engineering Section of the Safety Fire Division of the Office of the Insurance and Safety Fire Commissioner administers the provisions of Chapter 15 of Title 25 of the Official Code of Georgia Annotated relating to boiler and pressure vessel safety. The Safety Engineering Section is located at 2 Martin Luther King Jr. Drive, Suite 920, West Tower, Atlanta, GA 30334.

(2) Address correspondence to:
Office of Insurance and Safety Fire Commissioner
Safety Engineering Section
2 Martin Luther King Jr. Drive, Suite 920, West Tower
Atlanta, GA 30334

Authority O.C.G.A. Sec. 25-15-13. **History.** Original Rule entitled "Construction and Testing" adopted. F. Feb. 26, 1971; eff. Mar. 18, 1971. **Repealed:** New Rule entitled "Administration" adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. **Repealed:** New Rule of same title adopted. F. Sept. 28, 1987; eff. Oct. 18, 1987. **Amended:** F. Nov. 14, 1988; eff. Dec. 4, 1988. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000. **Amended:** F. Sept. 5, 2001; eff. Sept. 25, 2001.

120-3-26-.04 Certificate of Competency and Examination. Amended.

(1) Applicants for a certificate of competency shall satisfy the requirements of this Section.

(2) In order to take the Georgia Board of Boiler and Pressure Vessel Rules' Examination, an applicant shall meet one of the following qualifications:

(a) A degree in engineering plus one year of experience in design, construction, operation, or inspection of high pressure boilers and pressure vessels;

(b) An associate degree in mechanical technology plus two years of experience in design, construction, operation, or inspection of high pressure boilers and pressure vessels;

(c) The equivalent of a high school education plus four years of experience in one of the following:

1. In high-pressure boiler and pressure vessel construction or repair;

2. As an operating engineer in charge of high-pressure boiler operations; or

3. As an Inspector of high-pressure boilers and pressure vessels.

(3) Applications for the examination are available from the Commissioner and shall contain an accurate education and employment history.

(4) The Examination for a Certificate of Competency is prepared and graded by the National Board; and

(a) covers the construction, installation, operation, maintenance, and repair of boilers and pressure vessels and their appurtenances;

(b) is given on the first Wednesday and one-half day Thursday in March, June,

- September, and December at a site selected by the Commissioner; and
- (c) Is administered upon payment of a fee of fifty dollars (\$50.00), which is also required when the examination is retaken by an unsuccessful applicant.
- (d) Successful applicants will be issued a Certificate of Competency by the Chief Engineer, when such applicant passes the examination.
- (5) When Commissioned by the National Board, and requested by the employer, Inspection Agency a Georgia Commission bearing the signature of the Chief Inspector, will be issued.
- (6) Request for Georgia Commissions, are processed upon proof of a Commission issued by the National Board and a twenty-five dollar (\$25.00) fee.
- (7) Georgia Commissions are valid through December 31, at which time each inspector or inspection agency shall submit a request to renew and a twenty-five dollar (\$25.00) filing fee.
- (8) The Georgia Commission shall be returned (by the employing company) to the Chief Engineer upon termination of employment of any Inspector.
- (9) A Georgia Commission may be suspended or revoked by the Board for incompetence, untrustworthiness, or willful falsification of any statement in an application or inspection report.
- (10) Owner/User Inspector for unfired pressure vessels.
- (a) Owner/User Inspectors must meet all of the above requirements (1) through (9).

Authority O.C.G.A. Sec. 25-15-13. **History.** Original Rule entitled “Construction and Installation Approval” adopted. F. Feb. 26, 1971; eff. Mar. 18, 1971. **Repealed:** New Rule entitled “Board of Boiler and Pressure Vessel Rules” adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. **Repealed:** New Rule entitled “Certificate of Competency and Examination” adopted. F. Sept. 28, 1987; eff. Oct. 18, 1987. **Amended:** F. July 12, 1989; eff. Aug. 1, 1989. **Amended:** F. Jan. 30, 1992; eff. Feb. 19, 1992. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000. **Amended:** F. Feb.24, 2003; eff. Mar. 16, 2003.

120-3-26-.05 State Inspection Fees. Amended.

- (1) All boilers and hot water heaters:
- (a) Up to and including 30 boiler horsepower..... \$30.00
- (b) 31 boiler horsepower to 50 boiler horsepower \$50.00
- (c) 51 boiler horsepower to 100 boiler horsepower \$75.00
- (d) 101 boiler horsepower to 200 boiler horsepower..... \$100. 00
- (e) All boilers over 200 boiler horsepower \$150.00
- (f) Inspection fees will be charged for any trip made by the inspector for the purpose of certificate inspection, permit inspection, follow-up inspection, insurance cancellation inspection, internal and/ or external inspection.
- (2) In the event a special inspection or hydrostatic test is made, an additional fee of \$100.00 per hour and all traveling expenses incurred in connection with the inspection will be charged. The expenses shall be governed by the regulations for traveling expenses established for State officials. In cases where one trip is made to inspect two or more locations for two or more parties, the traveling expenses shall be prorated between the parties on the basis of the number of objects inspected and the time consumed for each inspection on both.
- (3) Fees for joint reviews of ASME stamps and National Board Repair Stamp Holders.

(a) Fee for all reviews... \$1500.00. The fee will be paid prior to the review being scheduled. Fees include time and expenses up to a maximum of two days. Any review that is extended to more than two days, time and expenses will be charged as stated in (b) below.

(b) All services rendered other than as stated in (a) above, \$100.00 per hour. (The hourly rate with all expenses will be charged and billed after the service is rendered.)

(4) Permit fee for installation of new boilers and insulation of second- hand boilers and pressure vessels: (All boilers, hot water heaters, or used unfired pressure vessels found to have been installed without an installation permit, the installation permit fee will be doubled.)

(a) All pressure vessels and boilers up to and including 30 boiler horsepower \$100. 00

(b) 31 boiler horsepower to 50 boiler horsepower \$200.00

(c) 51 boiler horsepower to 100 boiler horsepower \$300.00

(d) 101 boiler horsepower to 200 boiler horsepower \$400.00

(e) All boilers over 200 boiler horsepower \$500.00

(5) Georgia State Special Permits \$500.00

This fee must accompany the request for a State Special permit. All inspections for a State Special Permit will be conducted by a Deputy Inspector.

(6) Operating Permit Fees:

(a) Power boilers and high pressure, high temperature water boilers, annual fee \$50.00

(b) Low pressure steam or vapor heating boilers, biennial fee..... \$50.00

(c) Hot water heating and hot water supply boilers biennial fee.....\$50.00

(d) Pressure Vessel, triennial fee.....\$30.00

(7) The owner, user, agent, or installer is responsible to ensure accessibility to the equipment for inspection, equipment is ready for inspection (as required), and necessary people are available when scheduled. Failure to meet any of the above requirements will cause owner, user, agent, or installer to be charged \$100.00 per hour including travel time. This fee must be paid prior to any rescheduled or completed inspections at that location.

(8) Penalties and Interest Fees.

(a) Inspection fees or operating permit fees shall be paid to validate the operating permit. Fees not paid within sixty (60) calendar days of completion of such inspection shall cause the suspension of the operating permit until such time that all fees are paid. When an operating permit is suspended for lack of payment, the Deputy Inspector shall reinspect the boiler, water heaters or pressure vessels and the inspection fee will be charged and collected prior to reinstating the operating permit. sixty (60) calendar days of completion of inspection. Inspection fees

(b) Inspection fees or operating permit fees shall be paid within or operating permit fees unpaid within sixty (60) calendar days shall bear interest at the rate of 1.5 percent per month or any fraction of a month. Interest shall continue to accrue until the Commissioner receives all amounts due, including interest.

“Permanent Identification” adopted. F. Feb. 26, 1971; eff. Mar. 18, 1971. Repealed: New Rule entitled “Chief Inspector” adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. Repealed: New Rule entitled “State Inspection Fees” adopted. F. Sept. 28, 1987; eff. Oct. 18, 1987. Amended: F. Nov. 14, 1988; eff. Dec. 4, 1988. Amended: F. July 12, 1989; eff. Aug. 1, 1989. Repealed: New Rule of same title adopted. F. June 10, 1991; eff. June 30, 1991. Amended: F. Jan. 30, 1992; eff. Feb. 19, 1992. Amended: F. July 8, 1993; eff. July 28, 1993. Amended: F. Feb. 15, 1994; eff. Mar. 7, 1994. Amended: F. Aug. 12, 1994; eff. Sept. 1, 1994. Amended: F. Jan. 10, 2000; eff. Jan. 30, 2000. Amended: F. Sept. 5, 2001; eff. Sept. 25, 2001. Amended: F. Feb. 24, 2003; eff. Mar. 16, 2003. **Amended:** F. Jan. 13, 2004; eff. Feb. 2, 2004.

120-3-26-.06 New Installation of Boilers and Installation of Secondhand Boilers or Pressure Vessels. Amended.

- (1) The company or person responsible for the installation of the boiler or secondhand pressure vessel is required to obtain an installation permit for the boiler or pressure vessel prior to any work being performed. A “Request to Install a Boiler or Pressure Vessel” along with the installation fee and any drawings, calculations, or ASME Code Data Reports as applicable will be forwarded to the Office of Insurance and Safety Fire Commissioner, Safety Engineering Section. Boilers or pressure vessels that are ASME Code stamped and National Board registered need only the ASME Data Report. A request for a Georgia State Special must be accompanied by all design documents. No boilers or pressure vessels shall be sold to be installed in the State unless the boiler or pressure vessel meets all adopted Codes, Standards, and/or these Rules.
- (2) All boiler installations shall meet all requirements of ASME, the NBIC, and CSD-1. Boilers 12,500,000 BTU/hr and over shall meet any additional requirements of NFPA-85.
- (3) A Deputy Inspector, prior to the vessel being used must inspect all completely new and secondhand packaged boilers and secondhand pressure vessels installed. The company or person performing the installation is responsible for notifying the Safety Engineering Section when the boiler or secondhand pressure vessel is ready for inspection.
- (4) All Permits that have not had any action toward the installation shall expire 24 months after the issue date. The expiration date shall be shown on the permit. The monies for the expired permit shall be forfeited and the file closed out. The installer shall be required to resubmit for another permit in accordance with paragraph (1) above and Rule 120-3-26-.05(4), when a file has been closed out.
- (5) Water heaters must have a check valve installed in the cold water supply line at the heater.
- (6) All low pressure steam heating, water heating or hot water supply boilers as described in Rule 120-3-26-.02 must have a type “B” vent. The vent must be double wall galvanized or other corrosion resistant material, or as specified by the boiler manufacturer.
- (7) All high pressure power boilers for steam, water or oil as described in Rule 120-3-26-.02 must have a single wall welded stack at least .056 inches thick (16 gage), or double wall manufactured corrosion resistant stack, or as specified by the boiler manufacturer. The double wall must be UL listed for the temperature specified by the boiler manufacturer.
- (8) All stack clearance from combustible material shall be as specified in NFPA Standard 31, 54, or 58 as applicable.
- (9) All steam boilers over 15 psi and over 10 boiler horsepower must be in a 2 hr. fire

rated room, (except for Group F Occupancy). All heating boilers installed in places of Assembly (Group A), or place of Hazardous Occupancy (Group H) must be in a 2 hr. fire rated room.

Authority O.C.G.A. Secs. 25-15-13, 25-15-17, 25-15-18, 25-15-25, 25-15-27. **History.** Original Rule entitled "Design and Certification Expenses" adopted. F. Feb. 26, 1971; eff. Mar. 18, 1971. **Repealed:** New Rule entitled "Deputy Inspectors" adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. **Repealed:** New Rule entitled "New Installation, Reinstallation, or Secondhand Boilers" adopted. F. Sept. 28, 1987; eff. Oct. 18, 1987. **Amended:** F. Nov. 14, 1988; eff. Dec. 4, 1988. **Repealed:** New Rule entitled "New Installation of Boilers, and Installation of Secondhand Boilers or Pressure Vessels" adopted. F. Jan. 30, 1992; eff. Feb. 19, 1992. **Amended:** F. June 17, 1997; eff. July 7, 1997. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000. **Amended:** F. Sept. 5, 2001; eff. Sept. 25, 2001. **Amended:** F. Mar. 4, 2003; eff. Mar. 24, 2003.

120-3-26-.07 Boiler and Pressure Vessel Inspection Requirements. Amended.

(1) On and after January 1, 1986, each boiler and pressure vessel used or proposed to be used within this State, except for boilers and pressure vessels exempted under O.C.G.A. Section 25-15-16, shall be thoroughly inspected as to their construction, installation, and condition as follows:

- (a) Power boilers and high pressure, high temperature water boilers shall receive a permit (certificate) inspection annually. The inspection shall be an internal inspection where construction permits; otherwise, it shall be a as complete an inspection as possible. These boilers will also receive an external inspection while under pressure, if possible.
- (b) Low pressure steam or vapor boilers shall receive a permit inspection biennially.
- (c) Hot water heating and hot water supply boilers shall receive a permit inspection biennially.
- (d) Pressure vessels shall receive a permit inspection triennial with an internal inspection at the discretion of the Inspector.
- (e) The Commissioner, the Chief Inspector, or any Deputy Inspector shall have free access during reasonable hours to any premises in the State where boilers or pressure vessels are being constructed, installed, operated, maintained, or repaired for the purpose of performing any required safety inspections in accordance with the Boiler and Pressure Vessel Safety Act, Chapter 15 of Title 25 and these Rules and Regulations. Any owner, user or other person responsible for boilers or pressure vessels that denies access to Inspectors shall be in violation of the Act.

(2) Cessation orders on unsafe equipment or equipment operating in violation of these Rules.

- (a) The Commissioner or his authorized representative may issue a written order for the temporary cessation of operation of a boiler or pressure vessel if it has been determined after inspection to be hazardous or unsafe. Operation shall not resume until such conditions are corrected to the satisfaction of the Commissioner or his authorized representative.
- (b) If a boiler or pressure vessel is found to be operating after a cessation order has been issued, and/or prior to the required inspections, a penalty may be assessed as specified in Rules 120-3-26-.05 and/or 120-3-26-.18 as applicable.

(c) Any person aggrieved by an order or an act of the Commissioner or the Chief Inspector may appeal in accordance with O.C.G.A. Section 25-15-28.

(3) Reserved.

(4) All boilers or pressure vessels overdue for inspection as specified by Rule 120-3-26-.07, by more than 6 months, a State Deputy Inspector shall inspect such boilers or pressure vessels and may invoice the Owner/User for a special inspection as specified by Rule 120-3-26-.05(2), in addition to the standard inspection fees.

Authority O.C.G.A. Secs. 25-15-13, 25-15-19, 25-15-20. **History.** Original Rule entitled "Special Inspectors" adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. **Repealed:** New Rule entitled "Boiler and Pressure Vessel Rules" adopted. F. Sept. 28, 1987; eff. Oct. 18, 1987. **Repealed:** New Rule entitled "Boiler and Pressure Vessel Inspection Requirements" adopted. F. June 10, 1991; eff. June 30, 1991. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000. **Amended:** F. Feb. 24, 2003; eff. Mar. 16, 2003.

120-3-26-.08 Notification of Inspection. Amended.

(1) All insurance companies shall notify the Chief Inspector, within thirty days, of all boilers or pressure vessels on which Insurance is written or canceled, not renewed or suspended.

(2) Special inspectors to notify Chief Inspector of unsafe boilers and pressure vessels.

(a) If an inspector, upon first inspection, finds that a boiler or pressure vessel, or any appurtenance thereof, is in such condition that he would refuse to issue an inspection certificate, the Inspector shall immediately notify the Chief Inspector and submit a report on the defects.

(b) If, upon inspection, an Inspector finds a boiler or pressure vessel to be unsafe for further operation, he shall promptly notify the owner or user, stating what repairs or other corrective measures are needed. The Inspector shall immediately notify his supervisor or the Chief Inspector. Until such corrections have been made, no further operations of the boiler or pressure vessel involved shall be permitted. If an inspection certificate for the object is required and is in force, it shall be suspended by the Chief Inspector. When reinspection establishes that the necessary repairs have been made or corrective actions have been taken and that the boiler or pressure vessel is safe to operate, the Chief Inspector shall be notified. At that time, an inspection certificate, where applicable, may be issued.

(c) If an Inspector, while making a required inspection, becomes aware of any other boilers or pressure vessels on the premises which are not registered in accordance with applicable law, he shall report this information to the owner or user of the boiler pressure vessel and to the Chief Inspector within thirty days.

(3) Owner-User: Each Owner-User inspection agency as required by the provision of the Act and these Rules and Regulations shall:

(a) conduct inspections of pressure vessels utilizing only qualified inspection personnel, as provided in this Chapter;

(b) retain on file, at the location where the equipment is inspected, a true copy of each of the latest inspection reports signed by the Inspector;

(c) execute and deliver to the Chief Inspector a true report of each inspection together with appropriate requirements or recommendations that result from such inspections;

- (d) promptly notify the Chief Inspector of any pressure vessel which does not meet the applicable requirements;
- (e) maintain inspection records which will include a list of each pressure vessel covered by the Act, showing a serial number and such abbreviated descriptions as may be necessary for identification, the date of last inspection of each unit and approximate date for the next inspection record is compiled. Such inspection record shall be readily available for examination by the Chief Inspector or his authorized representative during business hours.
- (f) If upon an external inspection there is evidence of a leak or crack, sufficient covering of the pressure vessel shall be removed to permit the Inspector to satisfactorily determine the safety of the boiler or pressure vessel. If the covering cannot be removed at that time, he may order the operation of the pressure vessel stopped until such time as the covering can be removed and proper examination made. The Chief Inspector shall be notified immediately.
- (4) All boiler or pressure vessels overdue for inspection as specified by Rule 120-3-.26-.07, by more than 6 months, a State Deputy Inspector shall inspect such boilers or pressure vessels and may invoice the Owner/User for a special inspection as specified by Rule 120-3-26-.05(2), in addition to the standard fee.

Authority O.C.G.A. Sec. 25-15-20. **History.** Original Rule entitled "Examinations" adopted. F. Nov. 19, 1985; eff. Dec. 9, 1985. **Repealed:** New Rule entitled "Notification of Inspection" adopted. F. Sept. 28, 1987; eff. Oct. 18, 1987. **Amended:** F. Mar. 4, 2003; eff. Mar. 24, 2003.

120-3-26-.09 Notification of Accident. Amended.

- (1) When an incident occurs to a boiler or pressure vessel, the owner or user shall promptly notify the Chief Inspector by submitting a detailed report of the incident. In the event of a personal injury or any explosion, notice shall be given immediately by telephone, telegraph, or messenger, and neither the boiler nor pressure vessel, nor any parts thereof, shall be removed or disturbed before permission has been given by the Chief Inspector, except for the purpose of saving human life and limiting consequential damage.
- (2) If an inspection is made as a result of an incident, the inspector will inform the owner or user of the requirements set forth in paragraph (1).

Authority O.C.G.A. Sec. 25-15-21. **History.** Original Rule entitled "Commission Suspension and Revocation" was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled "Notification of Accident" adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** F. Jan. 30, 1992; eff. Feb. 19, 1992.

120-3-26-.10 Validity of Operating Permit. Amended.

The Commissioner or his authorized representative may extend the expiration date of any operating permit. Requests for an extension must be in writing to the Office stating the reason for the extension.

Authority O.C.G.A. Secs. 25-15-20, 25-15-23, 25-15-26. **History.** Original Rule entitled "Certificate of

Competency and Examination” was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled “Validity of Inspection Certificate” adopted. Filed September 28, 1987; effective October 18, 1987. **Repealed:** New Rule entitled “Validity of Operating Permit” adopted F. Jun. 10, 1991; eff. Jun. 30, 1991. **Amended:** F. Feb. 15, 1994; eff. Mar. 7, 1994.

120-3-26-.11 Georgia State Special Boilers and Pressure Vessels. Amended.

If a boiler or pressure vessel is of special design and one that cannot be constructed to the ASME Code. The owner shall forward welding procedures and welder certifications details of the proposed construction, including shop drawing, material specifications, calculations, to the Chief Inspector for approval. All such boilers and pressure vessels must be inspected by hydrostatically tested and documented on forms provided by the Commissioner. The owner’s application shall be certified by a registered professional engineer or an appropriate ASME stamps holder.

Authority O.C.G.A. Secs. 25-15-24, 25-15-13. **History.** Original Rule entitled “Inspection and Fees” was filed on November 19, 1985; effective December 9, 1985. **Amended:** Filed December 30, 1986; effective January 19, 1987. **Amended:** Rule repealed and a new Rule entitled “Georgia State Special Boilers and Pressure Vessels” adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** Filed November 14, 1988; effective December 4, 1988. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000.

120-3-26-.12 Non-Conforming or Non-Standard Boilers and Pressure Vessels. Amended.

- (1) Boilers or unfired pressure vessels that do not conform to the ASME code may be operated as a hobby or for educational or historical purposes only, provided an inspection in accordance with these Rules is made annually. Lapseam boilers under this section are limited to 100 psig.
- (2) Boilers or unfired pressure vessels normally located outside this State may be, upon application to the Commissioner, permitted to operate for a period not exceeding 7 days provided the object has an operating certificate from the State in which it is normally operated.
- (3) Non-standard boilers, or pressure vessels being installed or reinstalled in the State shall receive a State Special Permit and an operating permit prior to the operation of the boiler, or pressure vessel.
- (4) No boiler, or unfired pressure vessel shall be installed in a system or operated in a service that the boiler or pressure vessel is not designed and manufactured to the intended service, (as specified on the data report or receive a State Special Permit for that intended service).

Authority O.C.G.A. Secs. 25-15-28. **History.** Original Rule entitled “Procedure for Contested Cases” was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled “Non-conforming Boilers and Pressure Vessels” adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** Rule retitled “Non-conforming or Non-Standard Boilers and Pressure Vessels.” F. Jul. 12, 1989; eff. Aug. 1, 1989.

120-3-26-.13 Boiler and Pressure Vessel Repair or Alteration. Amended.

- (1) Repairs and alterations to Boilers and Pressure Vessels shall be performed in accordance with the National Board Inspection Code or as otherwise specified by the jurisdiction. All repair facilities must have a valid contract with an approved inspection agency.
- (2) When repairs or alterations are to be made, permission shall be obtained from an inspector and shall be done in accordance with the latest edition of the National Board inspection code by an authorized repair facility holding a valid National Board “R” stamp or jurisdictional approval for owner/users repairing their own boilers or pressure vessels. Welded repairs to cast iron boilers, pressure vessels or parts thereof shall not be allowed.
- (3) A request for permission to restamp the boiler or pressure vessel shall be made to the Chief Inspector and proof of the original stamping shall accompany the request. The Chief Inspector may grant such authorization. Restamping, authorized by the Chief Inspector, shall be done only in the presence of an Inspector and shall be identical to the original stamping except for the ASME Code symbol stamp.
- (4) The repair facility shall provide the Chief Inspector with a copy of a completed repair form with the inspector’s signature when a welded repair has been done.
 - (a) The repair stamp holder shall complete a repair form on all welded repairs. The distribution shall be to the owner/user and jurisdiction and others as required by the National Board Inspection Code.
 - (b) An R-2 report for alternation shall be completed on all alterations and distributed in accordance with the National Board Inspection Code.

Authority O.C.G.A. Sec. 25-15-28. **History.** Original Rule entitled “Restrictions” was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled “Boiler and Pressure Vessel Repair” adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** Rule retitled “Boiler and Pressure Vessel Repairs or Alterations.” F. Jul. 12, 1989; eff. Aug. 1, 1989. **Amended:** F. Jan. 30, 1992; eff. Feb. 19, 1992. **Amended:** Rule retitled “Boiler and Pressure Vessel, Repair or Alteration.” F. Feb. 15, 1994; eff. Mar. 7, 1994. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000.

120-3-26-.14 Reinstallation of Certain Boilers and Pressure Vessels. Amended.

- (1) A Boiler or Pressure Vessel that is not constructed pursuant to the ASME Code or is not registered with the National Board shall not be reinstalled at any location in this State, when the reinstallation is accompanied by a change of ownership of the boiler or pressure vessel unless the Owner, User receives a State Special Permit.
- (2) Secondhand boilers or pressure vessels cannot be installed unless an application for “Permit to Install” has been approved by the Chief Inspector followed by a certificate inspection by a Deputy Inspector.
- (3) When a standard boiler or pressure vessel located in this jurisdiction has been removed outside the jurisdiction for temporary use or repair , application shall be made for permit to install by the owner or user to the Chief Inspector for permission to reinstall the boiler or pressure vessel in the jurisdiction.

Authority O.C.G.A. Sec. 25-15-23. **History.** Original Rule entitled “Boiler and Pressure Vessel Rules” was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled “Reinstallation of Certain Boilers and Pressure Vessels” adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** F. Jul. 12, 1989; eff. Aug. 1, 1989.

120-3-26-.15 Boiler and Pressure Vessel Construction. Amended.

(1) All boilers and pressure vessels must be manufactured in accordance with Sections I, IV, VIII and X of the ASME Code. Shop inspection of boilers and pressure vessels (except cast iron boilers and unfired UM pressure vessels) is mandatory and must be made by Inspectors holding National Board Commissions.

(2) Rules for construction and stamping must comply with the Code and with National Board stamping and registration. In addition to the above requirements, electric boilers shall have the underwriter’s laboratories’ label.

(3) Cast Iron Boilers are not required to be registered with the National Board.

(4) The code stamping shall not be concealed by lagging or paint and shall be exposed at all times unless a suitable record is kept of the location of the stamping so that it may be readily uncovered when required, or there has been a duplicate name plate attached on the outside cover.

Authority O.C.G.A. Secs. 25-15-13, 25-15-14, 25-15-15, 25-15-16. **History.** Original Rule entitled “Exemptions” was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled “Boiler and Pressure Vessel Construction” adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000.

120-3-26-.16 Certificate of Authority to Install, Maintain and/or Service Boilers. Amended.

(1) All companies as contractors or individuals as owner/users, who install, maintain or service boilers shall have a certificate of authority for the activity performed. Certificate of Authority must be renewed every two years, on or before January 1st. The activity performed shall be Class I for power, high pressure boilers, Class II shall be for hot water or steam heating boilers and Class III shall be for hot water supply boilers or hot water heaters. A -1 after the class number shall indicate owner/user location only. An asterisk (**) after the class number shall indicate a restriction, the restriction will be specified on the certificate.

(a) All companies as contractors or individuals as owner/users (except for industries when work is performed on their own boilers) who perform one or more of the above activities on power, high pressure process boilers as defined by O.C.G.A. Chapter 15 of Title 25 and these rules shall be required to show their competency by examination given by Safety Engineering or other approved means, as described in these rules, for the scope of work being performed. 1. Other accepted proof of competency would be, but not limited to:

(i) Five years experience in the scope of work requested.

(ii) Contractors, who install, maintain, or service hot water or steam heating boilers shall

have a Class II, unrestricted Condition Air License issued by the Secretary of State and shall be issued a Class II Certificate of Authority.

(iii) Contractors who install, maintain, or service hot water supply boilers or hot water supply heaters shall have a Class II Master Plumbers' License issued by the Secretary of State and shall be issued a Class III Certificate of Authority.

(iv) In addition to the stipulations mentioned in 1a, 1b and 1c above, the applicant must provide a copy of documentation showing experience and training in the area where certification is requested.

(2) All items listed in 1. above must be documented and each will be evaluated for exemption from taking the required examination.

(3) Installing equipment is the act of connecting piping and/or electrical circuits to the equipment and set the equipment up for use. Electrical circuits may be connected, by the installer, from the electrical disconnect to the equipment. All piping that is not connected to a water supply system, sanitary drainage system or storm drainage systems, may be connected by the installer.

(4) Maintenance and Servicing is defined as keeping the equipment in good working order: Any person or company who performs maintenance and service to equipment, shall be responsible for the following: cleaning, replacement of component parts with like parts, testing, blowing down, checking for proper operation, testing equipment after maintenance and service has been performed and starting or stopping of equipment or any other boiler related activity.

(5) It shall be the responsibility of the owners/users or lessees to ensure the company, contractor and/or persons performing the work has the proper certificate of authority.

(6) It shall be the responsibility of all owners/users or lessees who are not exempted under paragraph (2) to have persons within their organization qualified and have a certificate of authority to perform installations, maintenance or service on their own boilers, or they may contract companies who have a certificate of authority to perform the scope of work requested.

(7) All installations shall meet the applicable ASME Code, CSD-1 and state adopted standards (see 300-6-1-.01).

(8) All maintenance and servicing shall meet the applicable requirements of ASME CSD-1; State adopted Standards, Manufacturer suggestions and good Engineering Practice. Also may meet the requirements of ASME Sections VI and VII.

(9) The fee for the certificate of authority shall be \$50.00 for the original issue and for each renewal.

(10) All procedures to implement the rules in this section shall be approved by the advisory committee.

(11) This section shall be effective January 1, 1998 and required to be fully implemented by January 1, 1999.

Authority O.C.G.A. Secs. 25-15-26, 25-15-13, 25-15-22. **History.** Original Rule entitled "Notification of Inspection" was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled "Installation of Piping" adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** Rule repealed. Filed November 14, 1988; effective December 4, 1988. **Amended:** New Rule entitled "Maintenance Inspection, Testing and Operation of Boilers and Pressure Vessels" adopted. F. Jan. 30, 1992; eff. Feb. 19, 1992. **Amended:** Rule retitled "Certificate of Authority to Install, Maintain and/or Service Boilers." F. Jun. 17, 1997; eff. Jul. 7, 1997. **Amended:** F. Sept. 22, 1998; eff. Oct. 12, 1998.

Amended: F. Jan. 10, 2000; eff. Jan. 30, 2000.

120-3-26-.17 Preparation for Certificate Inspection. Amended.

(1) The owner or user shall prepare each boiler or pressure vessel for inspection, and shall prepare for and apply a hydrostatic or pressure test, whenever necessary, on the date arranged by the Inspector.

(2) Boilers — The owner or user shall prepare a boiler for internal inspection in the following manner:

(a) Water shall be drained off and the boiler washed thoroughly;

(b) Manhole and handhole plates, washout plugs, and inspection plugs in water column connections shall be removed as required by the Inspector, and the furnace and combustion chambers shall be cooled and thoroughly cleaned;

(c) All grates of internally fired boilers shall be removed;

(d) Insulation or brickwork shall be removed as required by the Inspector in order to determine the condition of the boiler, headers, furnace, supports, or other parts;

(e) The pressure gauge shall be removed for testing, as required by the Inspector;

(f) Any leakage of steam or hot water into the boiler shall be prevented by disconnecting the pipe or valve at the most convenient point or any appropriate means approved by the Inspector, and

(g) Before opening the manhole or handhole covers and entering any parts of the steam generating unit connected to a common header with other boilers, the nonreturn and steam stop valves shall be closed, tagged, and preferably padlocked, and drain valves or cocks between the two valves opened. The feed valves shall be closed, tagged, and preferably padlocked, and drain valves or cocks located between the two valves opened. After draining the boiler, the blowoff valves shall be closed, tagged, and preferably padlocked. Blowoff lines, where practicable, shall be disconnected between pressure parts and valves. All drains and vent lines shall be opened.

(3) Pressure Vessels. Pressure vessels shall be prepared for inspections to the extent deemed necessary by the Inspector and the applicable procedures outlined in Rule 120-3-26-.17(2).

(4) No employer or owner/user shall permit entry to nor shall an employee or inspector enter a boiler furnace, drum, or header or pressure vessel until all requirements of the Occupational Safety and Health Administration, Office of Insurance and Safety Fire Commissioner, 29 CFR 1910.146, Permit-Required Confined Space Standard, requirements have been met, and until the plant inspector or supervisor and the person entering the boiler or pressure vessel have confirmed all stop valves on inlet and outlet piping (not vented to the atmosphere have been closed and tagged. Where not valved, the piping shall be disconnected or blanked. In addition, plant personnel shall make appropriate test to assure there is no oxygen deficiency of hazardous or toxic gases in the boiler drums or pressure vessels to be entered by the inspector. Prior to and during entry an approved person must be outside the boiler or pressure vessel to ensure confined space procedures are complied with.

(5) Boilers and pressure vessels improperly prepared for inspection. If a boiler or pressure vessel has not been properly prepared for an internal inspection, or if the owner or user failed to comply with the requirements for a pressure test as set forth in these Rules, the

Inspector may decline to make the inspection or test and the inspection certificate shall be withheld or suspended until the owner or user complies with the requirements.

(6) Removal of covering to permit inspection. If the boiler or pressure vessel is jacketed so that the longitudinal seams of shells, drums, or domes cannot be seen, sufficient jacketing, setting wall, or other form of casing or housing shall be removed to permit reasonable inspection of the seams and other areas necessary to determine the condition and safety of the boiler or pressure vessel provided such information cannot be determined by other means.

(7) Lap Seam Cracks. The shell or drum of a boiler or pressure vessel in which a lap seam crack is discovered along a longitudinal riveted joint, shall be immediately discontinued from use. Patching shall be prohibited. (A "Lap seam crack" is defined as a crack found in a lap seam, extending parallel to the longitudinal joint and located either between or adjacent to rivet holes.)

(8) Pressure Tests.

(a) A hydrostatic pressure test, when applied to boilers, shall not exceed one and one-half times the maximum allowable working pressure. The pressure shall be under proper control so that in no case shall the required test pressure be exceeded by more than six percent.

(b) A hydrostatic pressure test, when applied to pressure vessels, shall be a minimum of one and one-half times the maximum allowable working pressure except as permitted by ASME Code Section VIII, Division 1.

(c) During a hydrostatic test, the safety valve or valves shall be removed or gagged; if gagged, each valve disk shall be held to its seat by means of a testing clamp and not by screwing down the compression screw upon the spring. A Plug device designed for this purpose may be used.

(d) The minimum temperature of the water used to apply a hydrostatic test shall be not less than 70 degrees Fahrenheit and the maximum metal temperature during inspection shall not exceed 120 degrees Fahrenheit.

(e) When a hydrostatic test is applied to determine tightness, the pressure shall be equal to the normal operating pressure but not exceed the release pressure of the safety valve having the lowest release setting.

(f) When the contents of the vessel prohibit contamination by any other medium or when a hydrostatic test is not possible, other testing media may be used providing the precautionary requirements of the applicable section of the ASME Code are followed.

Authority O.C.G.A. Secs. 25-15-13, 25-15-26. **History.** Original Rule entitled "Notification of Accident" was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled "Preparation for Certificate Inspection" adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** F. Jul. 12, 1989; eff. Aug. 1, 1989. **Amended:** F. Feb. 15, 1994; eff. Mar. 7, 1994.

120-3-26-.18 General Requirements. Amended.

(1) Cessation Order.

(a) The Office may issue a written order for the cessation of operation of a boiler or pressure vessel when it has been determined to be hazardous, unsafe, or the failure to comply with any of the provisions of these rules or the safety act. Operation shall not

resume until such violations are corrected to the satisfaction of the Commissioner or the Commissioner's authorized representative.

(b) In the event a person knowingly commits a violation or allows a violation to be committed after being issued a cessation order, or warning the Commissioner or the Commissioner's authorized representative may initiate a Citation as stated below.

(2) Issuance of Citation or Notice of Administrative Procedures:

(a) If, upon inspection by an Inspector or Deputy Inspector,

1. A boiler or pressure vessel is deemed to be in an unsafe condition, or
2. The owner, user, contractor, or installer has not complied with the Boiler Law or these rules, or when a written warning, or

3. Cessation order has been issued and the violation continues, then the Deputy Inspector shall issue the violator a Citation stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.

(b) If, upon receiving adverse information, the Chief Inspector determines:

1. A boiler or pressure vessel may be in an unsafe condition, or
2. The owner, user, contractor or installer has not complied with the Boiler Law or these rules, or

3. When a warning or cessation order has been issued, and the violation continues, the Chief Inspector or the Division Director of the Safety Fire Division, on behalf of the Office, may issue Notice of Administrative proceeding, stating the date, time and place of the violation, the specific violation, the recommended penalty and shall also offer the respondent the opportunity for a hearing as set forth in this section.

(c) The Director of the Safety Fire Division, after reviewing a Citation issued under subsection (a) above, may in his sole discretion, dismiss the Citation and substitute therefor a Notice of Administrative Proceeding pursuant to subsection (b) above on the same, similar, or different violations, as required by the evidence.

(d) The Commissioner of Insurance, upon review of a Citation or Notice of Administrative Proceedings, in the Commissioner's sole discretion, may refer the matter to the appropriate prosecuting official for criminal or injunctive relief as permitted under the law. In such event, the Commissioner may elect to dismiss, suspend, or continue with the civil penalty proceedings.

(3) Hearing Procedure:

(a) If a request for a hearing is not received from the respondent within the allotted time, the Director of the Safety Fire Division, on behalf of the Commissioner, may without further process impose a civil penalty not greater than the total of civil penalties set forth on the Citation or in the Notice of Administrative Proceeding. An Administrative Order under the authority of the Commissioner may be issued to collect the civil penalty assessed. If the civil penalty is not paid, the Commissioner may authorize the Director or Chief Inspector to file appropriate legal action in the name of the Commissioner through the Attorney General to collect the civil penalty.

(b) Upon receipt of a request for a hearing pursuant to any Citation or Notice of Administrative Proceedings, the Director of the Safety Fire Division shall determine, in his sole discretion, whether the hearing shall be held before the Commissioner of Insurance or referred to the Office of State Administrative Hearings. If the hearing is to be with the

Commissioner, the Director of the Safety Fire Division shall set a date and time for the hearing and shall cause the case file to be referred to the Attorney General for legal representation of the Office. If the Director of the Safety Fire Division determines that a hearing before the Commissioner is not warranted, the matter shall be referred to the Office of State Administrative Hearings pursuant to

O.C.G.A. Section 50-13-41(a)(1). The case file for an OSAH proceeding may be referred to staff counsel within the Department or the Attorney General for representation of the Department. The Office of State Administrative Hearings will set the date, time and place of hearing as prescribed by OSAH Rules.

(c) All hearings, whether before the Commissioner or before the Office of State Administrative Hearings, shall be subject to the powers and procedures set forth in the Administrative Procedure Act, including but not limited to O.C.G.A. Sections 50-13-13 and 50-13-15.

(d) The decision of an administrative law judge made after a hearing before the Office of State Administrative Hearings shall be the initial agency decision as set forth in O.C.G.A. Section 50-13-41(d) and shall be subject to review by the Commissioner, as set forth in O.C.G.A. Section 50-13-41(e). A hearing before the Commissioner shall be the final agency decision in the matter and shall be subject to judicial review as set forth in O.C.G.A. Section 50-13-19.

(4) Guidelines for Imposition of Civil Penalties:

(a) Any person, firm, partnership, corporation or other business entity, which violates this part, shall be subject to the imposition of civil penalties. Each day on which a violation occurs shall constitute a separate offense. Repeat offenders, including those who refuse to adhere to orders of inspectors, exceed the limitations of operating permits, or refuse to adhere to the requirement of these rules and regulations, may be referred to the appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law. Serious violations, including those causing serious bodily injury or death, or which exhibits gross negligence or serious disregard for public safety, may also be referred to the appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law.

(b) Notwithstanding the recommended minimum penalties set forth below, a serious violation, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may receive the maximum penalty of \$5,000,00 for each violation including a first offense. The imposition of a penalty for a violation of this part shall not excuse the violation or permit it to continue.

(c) The Deputy Inspector issuing a Citation shall, at the time of issuance, specify a recommended civil penalty amount for each specific violation in accordance with these Rules and Regulations. The Director of the Safety Fire Division is charged with the responsibility to insure that recommended penalties for violations are graduated with the more serious violations receiving the heavier penalty and with assuring uniformity of recommended penalties such that offenders in similar circumstances with similar violations receive similar penalty recommendations.

In this regard, the Commissioner may dismiss a Citation and issue a Notice of Administrative Proceeding solely for the purpose of making an appropriate penalty recommendation.

(d) The recommended civil penalty set forth in the Citation or Notice of Administrative Proceeding shall be given great deference by the Hearing Officer. The *minimum* recommended penalties set forth below is normally for first offenses with only one

violation being cited. The Hearing Officer shall, after hearing the case, consider factors in mitigation of the violation as well as those in aggravation. The Hearing Officer shall impose a penalty less than the recommended *minimum* penalty only upon finding unusually significant mitigating factors, and shall set forth those factors in order. The Hearing Officer may impose a penalty substantially greater than the department's recommended penalty upon finding significant aggravating factors associated with the violation, and shall set forth those factors in the order. The Hearing Officer shall consider the provisions of these Rules and Regulations guiding the assessment of penalties.

In particular, the Hearing Officer shall, in cases involving continued operation of equipment without valid operating certificates; continued operation of equipment after failing to notify the department of an accident involving structural damage, bodily injury, or death; or continued operation after an unsafe condition is detected or after the equipment is taken out of service by an inspector or deputy inspector, consider the imposition of separate penalties for each day of violation. The Hearing Officer shall not assess a penalty exceeding \$5,000.00 for each violation and each day of violation.

(e) The Hearing Officer may, in addition to a civil penalty, recommended in the order that the Commissioner suspend for a period of time or indefinitely, operating certificates, permits to install, or certificates for contractors.

(5) Minimum Recommended Penalties.

(a) Specific Violations:

1. Operating equipment without an operating certificate. (O.C.G.A. Section 25-15-26 & Rule 120-3-26-.08)

First offense \$250.00

Second offense \$500.00

2. Operating equipment in an unsafe condition. (O.C.G.A. Section 25-15-22 & Rule 120-3-26-.08)

First offense \$500.00

Second offense \$1000.00

3. Failure to permit access for the purpose of inspecting or investigating equipment. (O.C.G.A. Section 25-15-23 & Rule 120-3-26-.07)

First offense \$500.00

Second offense \$1000.00

4. Failing to notify the Chief Engineer of any violation involving structural damage or injury. (O.C.G.A. Section 25-15-10 & Rule 120-3-26-.08)

First offense \$500.00

Second offense \$1000.00

Offense involved in death \$5000.00

5. Placing unit back in service, which has been "Red Tagged" and placed out of service by a deputy inspector without first having the unit inspected. (O.C.G.A. 25-15-10 & Rule 120-3-26-.18)

First offense \$1000.00

Second offense \$2500.00

6. Placing unit back in service, which has been involved in an accident prior to first having the unit inspected. (O.C.G.A. Section 25-15-10 & Rule 120-3-26-.09)

First offense \$1000.00

Second offense \$2500.00

7. Turning equipment over for use without a final acceptance inspection. (O.C.G.A. Section 25-15-14 & Rule 120-3-26-.06)

First offense \$500.00

Second offense \$1000.00

8. Installing equipment without a permit. (O.C.G.A. Section 25-15-14 & Rule 120-3-26-.06)

First offense Double Permit Fee

Second offense..... Triple Permit Fee

9. Inspecting without qualifications. (Rule 120-3-26-.10)

First offense \$500.00

Second offense \$1000.00

(b) General Violations:

1. Violating adopted Codes, Standards, Rules, Regulations or Orders. (O.C.G.A. Section 25-15-14 & Rule 120-3-26-.01)

First offense \$250.00

Second offense \$500.00

2. Certified company performing an activity which violates the law or regulations:
(O.C.G.A. Section 25-15-14 & Rule 120-3-26-.16)

Any Offense \$2500.00 and Suspension of Certificate

3. Any third repeated offense might subject the violator to the maximum civil penalty permitted under the Act (\$5,000.00).

Authority O.C.G.A. Secs. 25-15-26, 25-15-13 **History.** Original Rule entitled "Validity of Inspection Certificate" was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed and a new Rule entitled "General Requirements" adopted. Filed September 28, 1987; effective October 18, 1987. **Amended:** Filed November 14, 1988; effective December 4, 1988. **Amended:** F. Jul. 12, 1989; eff. Aug. 1, 1989. **Amended:** F. Sept. 22, 1998; eff. Oct. 12, 1998.

120-3-26-.19 Safety/Safety Relief Valves.

(1) Minimum Relieving Capacity, Safety Valve, and/or Safety Relief Valves.

TABLE 1

MINIMUM POUNDS OF STEAM PER HOUR PER SQUARE FOOT OF SURFACE

	Firetube Boilers	Watertube Boilers
Boiler Heating Surface		
Hand Fired	5	6
Stoker Fired	7	8
Oil, Gas, or Pulverized Fuel Fired	8	10
Waterwall Heating Surface		
Hand Fired	8	8
Stoker Fired	10	12
Oil, Gas, or Pulverized Fuel Fired	14	16

(a) These numbers may not be adequate for boilers installed after 1976 or for boilers with updated fuel burning equipment. If in doubt, an accumulation test is recommended.

(b) When a boiler is fired only by a gas giving a heat value not in excess of 200 BTU per cu. ft., the minimum safety valve or safety relief valve relieving capacity may be based in the value given for hand-fired boilers above.

(2) The minimum relieving capacity of the valve or valves shall be governed by the capacity marking on the boiler vessel, or the minimum valve capacity in pounds per hour shall be the greater of that determined by dividing the maximum BTU output at the boiler nozzle obtained by the firing of any fuel determined on the basis of the pounds of steam generated per hour per square foot of boiler heating surface as given in Table 1. In many cases, a greater relieving capacity of valves will have to be provided than the minimum specified by these Rules.

Example: $\text{BTU/hr} = \text{lbs/hr} \text{ or } \text{lbs/hr} \times 1000 = \text{BTU/hr}$

1000

(3) The minimum safety valve or safety relief valve relieving capacity for electric boilers shall be 3 - 1/2 pounds per hour per kilowatt input.

(4) No person shall attempt to remove or do any work on any safety appliance prescribed by these Rules and Regulations while the appliance is subject to pressure, excluding setting or resetting of safety valves or safety relief valves.

(5) Should any of those appliances be removed for repair during an outage of a boiler or pressure vessel, they shall be reinstalled and in proper working order before the object is again placed in service.

(6) No person shall alter any safety or safety relief devices in any manner to maintain a working pressure in excess of that stated on the boiler or pressure vessel inspection certificate.

(7) Alterations to, resetting, recalibration of, or repairs to safety or safety relief valves shall be made only by an organization which holds a valid certificate of authorization for use of the National Board "VR" stamp or by an owner user's maintenance organization, approved by the Chief Inspector which is limited to repairing of only those valves for its own use.

Authority O.C.G.A. Sec. 25-15-13. **History.** Original Rule entitled "Georgia Standard Pressure Vessels" was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed. Filed September 28, 1987; effective October 18, 1987. **Amended:** New Rule entitled "Safety/Safety Relief Valves" adopted. F. Jul. 12, 1989; eff. Aug. 1, 1989.

120-3-26-.20 Exceptions. Amended.

(1) Boilers and pressure vessels exempted from the requirements of the Safety Act. The following is in addition to the exceptions listed in O.C.G.A. Section 25-15-16.

(2) Espresso coffee and similar machine boilers, providing these boilers meet the following requirements:

(a) The boilers shall be manufactured and tested to a National Standard, and

(b) shall not be more than (3) three U.S. gallons in size, and

(c) shall not operate more than 15 pounds per square inch, (PSI) and have a safety relief valve set to relieve at or below 15 psig.

(d) The boiler shall not be repaired by welding.

(3) Boilers with outlets open to the atmosphere when there are no valves or restriction in the outlet system and pressure cannot rise to above 0 psig at maximum operating

condition and temperature cannot rise above 212 degrees Fahrenheit.

(4) Hot water supply heaters with storage capacity of six gallons or less and 400,000 BTU/hr or less used for spas or swimming pools with open systems (unrestricted flow) shall meet all requirements of an adopted standard and ASME CSD-1 as applicable for construction, installation, repairs, or alterations.

Authority O.C.G.A. Sec. 25-15-13. **History.** Original Rule entitled “Georgia Special Boilers and Pressure Vessels” was filed on November 19, 1985; effective December 9, 1985. **Amended:** Rule repealed. Filed September 28, 1987; effective October 18, 1987. **Amended:** New Rule entitled “Exceptions” adopted. F. Feb. 27, 1996; eff. Mar. 17, 1996. **Amended:** F. Sept. 22, 1998; eff. Oct. 12, 1998. **Amended:** F. Jan. 10, 2000; eff. Jan. 30, 2000.

Chapter 120-3-27

Rules and Regulations for Amusement Ride Safety

Section:

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120-3-27-.01 Authority and Purpose.

(a) Pursuant to O.C.G.A. Section 25-15-1, the Office succeeded to all rules and regulations of the Department of Labor which were in effect on June 30, 2012, or were scheduled to go into effect on or after July 1, 2012, which related to the functions transferred to the Office pursuant to either Chapter 15 of Title 25 or Part 6 of Article 1 of Chapter 2 of Title 8. The Office has authority to modify the Boiler and Pressure Vessel regulations or promulgate new regulations pursuant to O.C.G.A. Sections 25-15-1, 25-15-53, 33-2-9 and 50-13-21.

(b) The primary purpose of these rules and regulations is to promote the safe assembly, disassembly, repair, maintenance, use, operation, and inspection of all amusement rides.

120-3-27-.02 Definition of Terms. Amended.

- (1) “Annual Inspection” is the official inspection of a ride or device made by the Chief Inspector or his designee.
- (2) “A.N.S.I.” means American National Standards Institute.
- (3) “Approved” means acceptable to the Commissioner. Any product certified or classified, or labeled, or listed by a nationally recognized testing agency may be deemed to be acceptable, unless specifically banned by order of the Commissioner.
- (4) “A.S.T.M.” means the American Society of Testing Materials.
- (5) Backwash — The process of thoroughly cleansing the filter media and elements by reverse flow.

- (6) Backwash Cycle — The time required to thoroughly backwash the filter media and elements and the contents of the filter vessel on vacuum systems also the time to drain the filter element and washing of the medium.
- (7) Backwash Rate — The rate of application of water through a filter during the cleaning cycle, normally expressed in U.S. gallons per minute per square foot of effective filter area.
- (8) Cartridge — A replaceable porous element:
- (a) Depth-Type Cartridge: A filter cartridge, with media not less than 3/4 inch (.18 cm) thick, which relies on penetration of particulates into the media to achieve their removal and to provide adequate holding capacity for the cartridge.
- (b) Surface-Type Cartridge: A filter cartridge, with media less than 3/4 inch (.18 cm) thick, which relies on retention of particulates on the surface of the cartridge to achieve their removal.
- (9) “Child” means a person 12 years of age and under.
- (10) “Containing Device” means a strap, belt, bar, gate or other safety device designed to prevent accidental or inadvertent dislodgement of a passenger from a ride which does not actually provide physical support.
- (11) “Commissioner” means the Commissioner of Labor of the State of Georgia or his authorized representative.
- (12) Deck, Above Ground — Any structure that is on top of or adjacent to the outer edges of the landing pool wall that can support one or more persons in a sitting or upright position.
- (13) Splash Pool Decks — Those areas surrounding a pool or flume which are specifically constructed or installed for use by sliders.
- (14) “Department” means Georgia Department of Labor.
- (15) Factor of Safety — The ultimate load divided by the safe load or the ultimate strength divided by the allowable stress.
- (16) Filter — A device that separates solid particles from water by recirculating it through a porous substance.
- (17) Filter Agitation — The mechanical or manual movement to dislodge the filter aid and dirt from the filter element.
- (18) Filter Cycle — The operating time between cleaning or backwash cycles.
- (19) Filter Element — A device within a filter tank designed to entrap solids and conduct water to a manifold collection header, pipe or similar conduit. Filter elements usually consist of a septum and septum support.
- (a) Permanent Filter Media: A finely graded material (such as sand or anthracite) which removes filterable particles from the water.
- (b) Filter Aid: A type of finely divided medium used to coat a septum type filter — usually diatomaceous earth, processed perlite, or similar material.
- (20) Filtration Flow — The rate of flow, in volume per time (gpm, gph), through the filter system installed according to manufacturer’s instructions with new clean media.
- (21) Filtration Rate — The rate of filtration of water through a filter during the filter cycle expressed in U.S. gallons per minute per square foot of effective filter area.
- (22) Floor — The interior bottom surface of the splash pool, consisting of that surface from a horizontal plane up to a maximum of a 46 degree slope.
- (23) “Guardian” means a person 16 years of age and over.

(24) “Guardian Restriction” means a condition placed on a major ride where a passenger must be accompanied on the ride by a guardian.

(25) JTU — Jackson Turbidity Unit, a means of measuring water clarity. (26) Loads — Loads are classified as static and dynamic static loads are forces that are applied slowly and then remain nearly constant. One example is weight or dead load. Dynamic loads are forces that vary with time.

(27) “Major Alteration” means a change in the type or capacity of an amusement ride or amusement device 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 flat-bed mount, and changing its mode of assembly or other operational functions from manual to mechanical or hydraulic.

(28) “Major Breakdown” means a stoppage of operation resulting from damage, failure, or breakage of a stress bearing part of a ride or device.

(29) Pinching Hazard — Any configuration of components that would pinch or entrap the fingers or toes of a child or adult.

(30) Primary Structural Members — Any part of the flume or pool structure that carries or retains any static load or stress caused by water pressure or structure weight.

(31) Puncture Hazard — Any surface or protrusion that would puncture a child’s or an adult’s skin under casual contact.

(32) Recessed Steps — A riser/tread or series of risers/treads extending down from the deck with the bottom riser/tread terminating at the landing pool wall, thus creating a “stair well”.

(33) Recessed Treads — A series of vertically spaced cavities in the landing pool wall creating step holes.

(34) Removable — Capable of being taken away from the main unit with the use of only simple tools, such as a screwdriver, pliers, or wrench.

(35) “Ride Action” — A term which shall be used to describe the movements and/or motions of an amusement ride which are generated for amusement purposes; and/or the bodily actions/reactions experienced by the passengers which are a result of the said movements/motions. Bodily actions/reactions which are a result of the commission of an act(s) of malicious negligence and/or horseplay shall not be construed as resultant of ride action.

(36) “Ride Operator” means any person or persons actually engaged in or directly controlling an amusement ride.

(37) “Rope”, “Wire Rope” and “Cable” are interchangeable, but not interchangeable with the terms for fiber rope and manila rope.

(38) “Safety Factor” or “Factor of Safety” means ratio of the ultimate load for a member or part to the allowable or working load for a member or part.

(39) “Safety Retainer” means a secondary safety wire rope, bar attachment or other device designed to prevent parts of an amusement ride or amusement attraction from becoming disengaged from the mechanism or from tipping or tilting in a manner to cause hazard to persons riding on, or in the vicinity of, an amusement ride or amusement attraction.

(40) Safety Walls — That part of the flume designed to keep a slider within the geometric confines of the flume.

(41) Secondary Structural Members — Any part of the flume or pool structure that is not

subjected to a load caused by water pressure or structure weight (that is, rigidizing members).

(42)(a) “Serious Personal Injury” means death, dismemberment, visible significant disfigurement, visible significant or permanent loss of use of a body organ, member, function or system, compound fractures, visible uncontrolled bleeding, heart attack, stroke, or unconsciousness likely attributable to trauma to the head, as a result of the operation or malfunction of an amusement ride.

(b) “Personal Injury” means sustained bodily harm resulting in medical treatment such as trauma, cuts, bruises, burns and sprains, but does not include Minor Injury/Illness or any mental disease or disorder not accompanied by physical injury at the time of the incident, and further does not include false arrest, detention, imprisonment, confinement, slander, libel, violation of privacy or mental distress.

(c) “Minor Injury/Illness” means physical or mental incidents such as fainting, bruising, or minor lacerations for which treatment is limited to rest, cleansing, dispensation of over-the-counter medication, plastic adhesive bandage strips, fluids by mouth, or similar assistance.

(d) “Property Damage” means physical injury to, or destruction of tangible property to the structure or operational parts (including safety equipment and devices) of an amusement ride, sustained by reason of accident or malfunction, other than routine wear and tear, but does not include damage to personal property.

(43) Septum — That part of the filter element consisting of cloth, wire screen, or other porous material on which the filter medium or aid is deposited.

(44) “Shall” means a mandatory requirement.

(45) Shallow Areas — Portions of a pool ranging in water depth from 3 feet (91 cm) to 5 feet (1.52 m).

(46) Splash Pool — A landing pool at the end of the slide from which bathers exit to the deck.

(47) Stress — Force per unit of area.

(48) Top Pool (or Starting Pool) — A shallow trough or pool at the top of the slide wherein the slider begins his or her descent.

(49) Toxic — Having an adverse physiological effect on humans.

(50) Tread Contact Surface — Foot contact surfaces of ladder, step, stair, or ramp.

(51) Turnover — The period of time (usually in hours) required to circulate a volume of water equal to the volume of water in the landing pool.

(52) Wall — That structure that supports the landing pool liner or the surface of a flume that is within 45 degrees of vertical.

(53) Wall Closure — The fastening device that connects the flume wall ends.

(54) “Water Amusement Ride” is an amusement ride or attraction which utilizes water as the primary entertainment medium, and moreover, the customer is either fully or partially immersed in water.

(55) Water Line — The water line is defined in one of the following ways:

(a) Skimmer System — The water line shall fall in the midpoint of the operating range of the skimmers.

(b) Overflow System — The water line shall be established by the height of the overflow rim.

(56) “Water Flume” — A sloped trough-like or tubular structure of varying slope and

direction usually made of fiberglass or coated concrete which utilizes water as a lubricant and/or the method of regulating rider speed.

Authority O.C.G.A. Sec. 25-15-53. **History.** Original Rule entitled “Definition of Terms” was filed on March 19, 1986; effective April 8, 1986. **Amended:** F. Dec. 15, 1999; eff. Jan. 4, 2000.

120-3-27-.03 Administration.

(1) The Safety Engineering Section of the Safety Fire Division of the Office of the Insurance and Safety Fire Commissioner administers the provisions of Chapter 15 of Title 25 of the Official Code of Georgia Annotated relating to Amusement Ride Safety. The Safety Engineering Section is located at 2 Martin Luther King Jr. Drive, Suite 920, West Tower, Atlanta, GA 30334.

(2) Address correspondence to:

Office of Insurance and Safety Fire Commissioner
Safety Engineering Section
2 Martin Luther King Jr. Drive, Suite 920, West Tower
Atlanta, GA 30334

Authority O.C.G.A. Sec. 25-15-53. **History.** Original Rule entitled “Administration” was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.04 Rules; Regulations; Rider Responsibility; Warnings and Signage.

(1) Every owner, ride operator and the public using an amusement ride shall comply with these rules and regulations as they apply.

(2) An amusement ride which is not in compliance with this Chapter shall not be used or occupied.

(3) Where only individual units of a ride, such as cars, seats, or other carriers are defective and not in compliance with this Chapter, such units shall be taken out of service and clearly marked with a red tag reading “Out of Service”; provided, however, such defects do not jeopardize the safety of the entire ride.

(4) The Chief Safety Engineer or his designee, upon presenting credentials to the owner/operator, is authorized without prior notice to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and manner, any establishment, assembly area, or other area where amusement rides or amusement attractions are assembled or are in use.

(a) Inspection includes, but is not limited to, a review of necessary documents, observance and/or inspection of ride assembly or setup.

(b) Inspection of the ride is to include; foundation, blocking, fuel containers, mechanical condition and safe operation of the ride.

(5) Recommended passenger restrictions and limitations, where applicable, such as but not limited to, height, weight, age, passenger placement, or other appropriate restrictions shall be provided to the end user by the manufacturer or seller of the amusement ride or device. In the event the manufacturer is unwilling or unable to provide said restrictions, thereby rendering himself in non-compliance with this Law and A.S.T.M. Standards, the

said restrictions and/or limitation must be established by the owner and/or manager and shall be acceptable to the Office.

(6) The Commissioner or his designee in accordance with (5) above shall maintain a list containing approved height restrictions for major rides.

(7) All ride patrons shall:

(a) Obey all posted signs, including but not limited to, warning signs, instruction signs, and directions signs, which are not inconsistent with these rules;

(b) Obey the instructions of ride attendants;

(c) Properly use all safety equipment provided;

(d) Act in a responsible manner while using an amusement ride, device or attraction;

(e) Refrain from acting in any manner that may cause or contribute to injury to self or others;

(f) Not participate or use an amusement ride, device or attraction while under the influence of alcohol or any intoxicating substance; and

(g) Be subject to any or all of the following penalties for violation of this Section A:

1. Removal from the ride, device or attraction and barred from returning that day;

2. Removal from the amusement owner's property and barred from returning that day;

3. Subject to a civil penalty up to a maximum of \$100 per infraction to be assessed in accordance with the civil penalty provisions of these rules.

(8) All ride patrons, if the patron is a minor, the patron's parent or guardian, shall report in writing to the amusement owner or his designee any injury sustained on an amusement ride prior to leaving the amusement owner's premises, unless the ride patron (or parent or guardian) is unable to file the report because of the severity of the injuries, in which case the report shall be filed as soon as reasonably possible.

(9) Sign Requirements:

(a) Warnings and directions shall be based upon the standards of the American Society of Testing Materials (ASTM) or the American National Standards Institute (ANSI), or, if expressly approved by the Commissioner, other nationally recognized technical or scientific authority in the amusement ride or carnival ride industry.

(b) Signs shall be displayed in a public and conspicuous place on or near the ride, device or attraction in letters clearly visible from at least a distance of 15 feet.

(c) Rider responsibilities and potential penalties shall be posted in at least one public and conspicuous location on the premises of the amusement owner.

Authority O.C.G.A. Secs. 25-15-53, 25-15-61, 25-15-66. **History.** Original Rule entitled "Rules and Regulations" was filed on March 19, 1986; effective April 8, 1986. **Amended:** F. Aug. 21, 1989; eff. Sept. 10, 1989. **Amended:** Rule retitled "Rules; Regulations; Rider Responsibility; Warnings and Signage" adopted. F. Dec. 15, 1999; eff. Jan. 4, 2000.

120-3-27-.05 Prohibited Use. Amended.

(1) The Office shall order in writing, a temporary cessation of operation of an amusement ride, if it has been determined after inspection to be hazardous or unsafe. Operation shall not be resumed until such conditions are corrected to the satisfaction of the Office.

- (2) No person shall knowingly use or permit to be used, an amusement ride which is not properly assembled or which is defective or unsafe in any of its parts, components, controls, or safety equipment.
- (3) No amusement ride, exclusive of water amusement rides, manufactured after January 1, 1986, shall be placed in service unless:
- (a) It complies with ASTM Standard F698-83.
 - (b) The manufacturer supplies the owner with a manual containing the operation procedures established by ASTM Standard F770- 82.
 - (c) The manufacturer certifies that the ride has been tested to the standards established by ASTM Standard F846-83.
 - (d) The manufacturer supplies the owner with a maintenance procedures manual as established by ASTM Standard F853-85.
 - (e) At which time provisions are made for, and adopted by ASTM Standards pertaining to amusement rides, said standards shall be applicable to water amusement rides immediately upon adoption and approval of said standards.
- (4) During a lightning storm, a period of tornado alert or warning, or fire, or when violence, riot, or other civil disturbance occurs or threatens in an amusement park, or in an area adjacent thereto, passengers shall be unloaded or evacuated from the ride and the ride shall be shut down and secured immediately. Operation shall not resume until the situation has returned to a normal, safe operation condition.
- (5) Exemptions: The following rides or attractions are exempted from the provisions of this Act:
- (a) Unpowered, nonmechanized playground equipment including, but not limited to: swings, seesaws, slides, stationary springmounted animal features, jungle gyms, rider - propelled merry-go rounds, climbers, trampolines, moon walks and live rides, zip lines, and inflatables.
 - (b) Any single passenger manually, mechanically, or electrically operated, coin-actuated ride, which is customarily placed singly, or in groups, in a public location and which does not normally require the supervisions or services of an operator.
- (6) An amusement ride which is exposed to wind or storm with lightning or wind gusts above that recommended by the manufacturer, shall not be operated except to release or discharge occupants.
- (7) If the inspector finds that an amusement ride presents an imminent danger he will attach to such ride a red tag reading "Out of Service" and secure said ride. Such notice shall not be removed until the ride is made safe and then only by the inspector issuing the red tag.
- (8) The amusement ride shall not be used while the inspector's out of service red warning tag is posted.

Authority O.C.G.A. Sec. 25-15-64. **History.** Original Rule entitled "Prohibited Use" was filed on March 19, 1986; effective April 8, 1986. **Amended:** Filed June 7, 1988; effective June 27, 1988.

120-3-27-.06 Medical and First Aid, Fatalities, Personal Injury, and Accidents. Amended.

(1) Medical and First Aid. The owner and operator shall ensure the availability of medical aid.

(a) While the venue is open or has patrons on the site, in the absence of an infirmary, clinic, or hospital available adjacent to the site or within one-half mile of the rides and attractions, one or more adequately trained and certified individuals shall be available on premises at all times with appropriate skills to render first aid and cardiopulmonary resuscitation. In addition, first aid supplies recommended and approved by the American Red Cross or by a consulting physician shall be readily available.

(b) At the site office or other appropriate place, the telephone numbers for physician, hospital, ambulance and local fire and police services shall be conspicuously posted for use by the staff and public in the event of emergency.

(2) Accidents involving fatalities or serious personal injury. In the event of an accident involving fatalities, serious personal injury, or personal injury requiring inpatient overnight hospitalization, and of which the owner or operator has knowledge

(Authority: O.C.G.A. §25-15-61):

(a) The ride or activity shall be shut down and immediately taken out of service;

(b) The ride or activity shall be secured to prevent operation until the Office has conducted a full investigation; and

(c) The accident shall be immediately reported to the Office by telephone, and shall be augmented by a detailed written report submitted by certified mail or similar means not later than the close of the next business day following the accident.

(d) If at the time of the telephonic report, the owner or operator and a qualified repair technician present sufficient information to the Office, the Office may, in its discretion, permit the ride or activity to be promptly repaired and put back into service without an investigation and inspection. The Department shall make a record of such decision and record it upon the written report submitted concerning the accident.

(3) Accidents in which further safe operations may be compromised. In the event of an accident involving either personal injury or property damage and of which the owner or operator has knowledge in which there is a discernible risk that further safe operation of the ride or activity may be compromised (Authority: O.C.G.A. 25-15-53):

(a) The ride or activity shall be shut down and immediately taken out of service;

(b) The ride or activity shall be secured to prevent operation until the Office has conducted a full investigation; and

(c) The accident shall be immediately reported to the Office by telephone, and shall be augmented by a detailed written report submitted by certified mail or similar means not later than the close of the next business day following the accident.

(d) If, at the time of the telephonic report, the owner or operator and a qualified repair technician present sufficient information to the Office, the Department may, in its discretion, permit the ride or activity to be promptly repaired and put back into service without an investigation and inspection. The Office shall make a record of such decision and record it upon the written report submitted concerning the accident.

(4) All other accidents or incidents. In order to evaluate the overall safety of regulated rides and activities, and to permit the identification of trends which may permit the effective prevention of accidents, all other accidents and incidents involving personal injury or property damage, but not including minor personal injury/illness, sustained by reason of the operation or malfunction of a ride or activity shall be reported as follows

(Authority, O.C.G.A. Sec.25-15-53):

(a) The accident or incident shall be reported in writing to the Office within 30 days of the accident or incident, or within 30 days after the owner or operator knows a belated report of personal injury. In the alternative, such reports may be accumulated and submitted on a monthly basis.

(b) The report shall summarize the accident or incident; shall note any equipment repair or adjustment accomplished; and shall include any witness statements taken.

Authority O.C.G.A. Sec. 25-15-61. **History.** Original Rule entitled “Medical and First Aid” was filed on Mar. 19, 1986; eff. Apr. 8, 1986. **Amended:** F. Aug. 21, 1989; eff. Sept. 10, 1989. **Amended:** Rule retitled “Medical and First Aid, Fatalities, Personal Injury, and Accidents” adopted. F. Dec. 15, 1999; eff. Jan. 4, 2000.

120-3-27-.07 Inspection Fee and Permit. Amended.

(1) Before commencing operations in 1986 and in each year thereafter, an owner shall make application to the Office containing information as required by the Office. The application, when filed, shall be accompanied by a certificate of insurance, bond, or other security indicating that the owner has complied with the Amusement Rules and Regulations for the State of Georgia.

(2) No amusement ride or amusement park ride or slide shall be operated without a permit, except that a ride covered by a valid permit to operate for the preceding year may continue to operate for the current year, until reinspected. This carry-over permit shall be known as a temporary permit.

(3) All stationary amusement rides and amusement park slides shall be inspected by the Office before they are originally put into operation for the public’s use and thereafter at least once every year, unless authorized to operate on a temporary permit.

(4) Upon receiving an application there will be a one-time charge of \$50.00 for processing of the permit.

(5) The Office shall charge an annual inspection fee of \$65.00 for each slide, aerial lift or amusement ride.

(6) After inspection, if the amusement ride is found to comply with this Chapter, the Office shall authorize the ride for use by the public provided the inspection fee has been paid.

(7) No amusement ride shall be used at any time or location unless prior notice of intent to use the same has been given to the Commissioner.

(8) Notice of planned schedules shall:

(a) Be in writing;

(b) Identify the ride;

(c) State the intended dates and location of use; and

(d) Be mailed to the Office of Insurance and Safety Fire, Safety Engineering Section on or before January 1 of each year, on a form furnished by the Office.

(e) In the event a special inspection is made, an additional fee of \$75.00 per hour and all traveling expensed incurred in connection with the inspection will be charged.

1. The expenses shall be governed by the regulations for traveling expenses established for state officials. In cases where a trip is made to inspect two or more parties, the traveling expenses shall be prorated between the parties on the basis of time and expenses

incurred for each inspection.

2. A special inspection is any non-routine inspection which includes but is not limited to:

- (i) Failure to report a schedule change after scheduling an inspection.
- (ii) All violation follow-up inspections which require a special trip to verify compliance.
- (iii) Scheduling an inspection with less than 72 hours notice.

(9) A copy of the permit issued by the Office shall be continuously displayed at the entrance to the park when the ride is in use. The permit shall be encased in such a manner as to be protected from weather conditions. Duplicate of such permits shall be issued by the Office.

(10) The owner of an amusement ride shall notify the Commissioner when ownership is transferred to another owner. In such a case, the new owner shall obtain a new permit.

Authority O.C.G.A. Sec. 25-15-53. **History.** Original Rule entitled "Inspection Fee and Permit" was filed on March 19, 1986; effective April 8, 1986. **Amended:** Filed June 7, 1988; effective June 27, 1988. **Amended:** F. Jun. 10, 1991; eff. Jun. 30, 1991. **Amended:** F. Feb. 15, 1994; eff. Mar. 7, 1994.

120-3-27-.08 Insurance, Bond or Other Security. Amended.

(1) No person shall operate a ride unless at the time, there is in existence:

- (a) A policy of insurance in an amount not less than (one million dollars) \$1,000,000 insuring the owner or operator against liability for injury to persons arising out of the operation of the amusement ride; or
- (b) A bond in a like amount provided, however, that the appropriate liability of the surety under such bond shall not exceed the face amount thereof; or
- (c) Cash or other security acceptable to the Office.

(2) The policy shall be procured from one or more insurers acceptable to the Office.

Authority O.C.G.A. Sec. 25-15-62. **History.** Original Rule entitled "Insurance, Bond or Other Security" was filed on March 19, 1986; effective April 8, 1986. **Amended:** Filed June 7, 1988; effective June 27, 1988.

120-3-27-.09 Operation, Amusement Rides.

(1) The ride operator shall be at least 16 years of age.

(2) The ride operator shall operate no more than one mechanical ride at any given time as provided by the A.S.T.M. Standards or manufacturers specifications.

(3) The ride operator shall be properly trained before he is assigned the duties of operating a ride.

(4) The ride operator shall have knowledge of the use and function of all normal and emergency operating controls and the proper use of the ride.

(5) The ride operator shall be in the immediate vicinity of the amusement ride operating controls at all times during normal operations of the ride. This Rule shall not be construed to prohibit passengers from using amusement ride operating controls designed for use by a passenger.

(6) The ride operator shall exercise reasonable control over the amusement ride to prevent dangerous actions by passengers.

(7) The ride operator shall watch for apparent impending mechanical failures of the

amusement ride.

(8) The ride owner of an amusement ride shall insure that his or her ride is operated in a manner which precludes foreseeable mischievous use of the ride.

(9) The ride operator shall not operate any ride when under the influence of drugs or alcohol.

(10) The ride operator or maintenance personnel shall lock-out the electrical disconnect switch when restoration of electrical power to an amusement ride could create a hazard to persons during the performance of maintenance, repair, inspection, or an emergency evacuation of passengers and insure that it remains locked-out until such time that restoration of power will not create a hazard.

(11) An amusement ride shall not be overcrowded or loaded in excess of its safe carrying capacity.

(12) Amusement rides shall not be operated at an unsafe speed or at any speed beyond that recommended by the manufacturer.

(13) Signal systems for the starting and stopping of amusement rides shall be provided where the operator of the ride does not have a clear view of the point at which passengers are loaded or unloaded.

(14) Any code of signals adopted for the operation of any amusement ride shall be printed and kept posted at both the operator's and the signalman's stations. All persons who use these signals shall be carefully instructed in their use.

(15) Signals for the movement or operation of an amusement ride shall not be given until all passengers and other persons who may be endangered are in a position of safety.

(16) Voice communication shall be provided between the ride operators at the entrance, intermediate points and the termination of an amusement ride where voice communication could provide improved control of the ride by reducing a hazardous condition created by distance or lack of visibility between these points.

(17) Where a ride exposes a passenger to high speed, substantial centrifugal force or a high degree of excitement, the owner shall post a conspicuous warning sign at the entrance to the ride advising the public of risk to passengers.

(18) The sign required by (17) above shall be at least two feet by two feet in sharply contrasting colors.

(19) The sign required by (17) above shall read as follows or express an equivalent warning:

(a) The following people should not ride this ride:

1. Those with heart conditions;
2. Pregnant women;
3. Those with back ailments.

(20) The owner or ride operator shall have the right to refuse any member of the public admission to a ride if his bearing or conduct will endanger himself or other members of the public.

(21) The owner or ride operator shall have the right to refuse admittance to any ride if the intended passenger's health or physical condition makes it unsafe for him to use the ride.

(22) The owner or ride operator shall refuse a passenger seeking admission to a major ride if the passenger cannot meet a guardian or height restriction if the ride is subject to such a restriction. Legible signs to this effect shall be posted in full view of the public seeking admission to rides.

(23) The owner or ride operator of an amusement ride shall not permit a person obviously under the influence of alcohol or narcotics to be admitted to any amusement ride.

(24) A suitable number of containers shall be provided in and around amusement rides. Excessive accumulations of trash or refuse shall be promptly removed.

(25) All parts of amusement devices and temporary structures used by passengers or customers shall be maintained in a clean condition.

Authority O.C.G.A. Sec. 25-15-60 **Administrative History.** Original Rule entitled "Operation, Amusement Rides" was filed on March 19, 1986; effective April 8, 1989.

120-3-27-.10 Maintenance and Inspection Records.

(1) The owner shall retain at all times up-to-date maintenance records for each amusement ride.

(2) These records shall contain the following information:

(a) Date and nature of all inspections;

(b) Any violation of the rules and type of action taken to rectify the violation;

(c) All breakdowns or repairs of any major mechanical part.

(3) Maintenance of equipment shall be in accordance with this Chapter; and any replacements thereof shall be in conformity with this Chapter. Only those bolts of grade 5 or better will be used except where stronger grade bolts are required by manufacturer.

(4) Repairs: In accordance with manufacturers recommendations only those procedures acceptable will be allowed.

(5) An amusement ride shall be inspected and tested on each day when it is intended to be used. The inspection and test shall be made by a qualified person experienced and instructed in the proper assembly and operation of the device and shall be performed before the ride is put into normal operation.

(6) The inspection and test shall include the operation of control devices, speed-limiting devices, brakes and other equipment provided for safety.

(7) All amusement rides shall have an operating manual. The owner of an amusement ride shall operate the ride in accordance with the manufacturer's operating manual. In the absence of a manufacturer's operating manual, the owner shall write an approved operating manual. Where any conflict occurs between the operating manual and this Chapter, this Chapter shall prevail. The operating manual shall be kept with the amusement ride and shall be available for use by the office of Safety Engineering at all times.

(8) Welding of parts upon which safe operation depends, will be in accordance to AWS Standards welding & brazing procedures done by welders qualified to those procedures, procedures shall be provide by the manufacturer.

(9) The requirements for welding procedures and welder qualifications use, AWS D1.1, D1.2, D1.3, D1.6 and C3.4 (American Welding Society Standards for the welding of steel, aluminum, sheet metal and stainless steel and torch brazing.)

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Maintenance and Inspection Records" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.11 Rebuilt and Modified Rides.

If an amusement ride is materially rebuilt or so modified as to change its original action:

- (a) The ride shall be re-identified by a different name or identification number or both;
- (b) The ride shall be subject to all other provisions of this Chapter as if it were a new ride not previously used.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Rebuilt and Modified Rides" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.12 Assembly and Disassembly.

- (1) The assembly and disassembly of an amusement ride shall be done by or under the supervision of a qualified person.
- (2) Assembly work shall be performed in a proper and workmanlike manner. Parts shall be properly aligned and shall not be bent, distorted, cut or otherwise injured to force a fit. Parts requiring lubrication shall be lubricated in course of assembly. Fastening and locking devices, such as bolts, cap screws, cotter pins and lock washers shall be installed where required for safe operation. Nuts shall be drawn tight, cotter pins shall be spread and lock nuts firmly set.
- (3) Parts which are excessively worn or which have been materially damaged shall not be used. Close visual inspection of parts shall be made during assembly to discover such wear or damage and immediate inspection of fastening devices shall be made after assembly to assure that they have been properly installed.
- (4) Persons engaged in the assembly or disassembly of amusement rides shall be provided with and shall use tools of proper size and design to enable the work to be done in a proper manner. Broken, damaged and unsuitable tools shall not be used.
- (5) Assembly and disassembly of amusement rides shall be done under light conditions sufficient to permit the work to be properly performed and inspected.
- (6) A sufficient number of persons to do the work properly shall be engaged for the assembly or disassembly of amusement rides. Persons not so engaged shall be prevented from entering the area in which the work may create a hazard.
- (7) The owner of an amusement ride shall comply with the manufacturer's construction manual for the assembly and disassembly of the ride. The manufacturer's construction manual shall be kept with the amusement ride and shall be available for use by the Safety Engineering Section.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Assembly and Disassembly" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.13 Manufacturer's Information.

- (1) No new amusement ride shall be placed in service unless the following information as applicable is provided to the ride owner by the manufacturer of the ride.
- (2) The required information shall be legibly impressed on a metal plate or equivalent and readily visible at the appropriate ride.
 - (a) A manufacturer's unique serial number or code affixed to the ride in a permanent fashion;

- (b) A manufacturer's unique serial number or code assigned to each manufactured ride type of the same structural design or components;
 - (c) The date (month, year) that the given ride met the manufacturer's required construction specifications;
 - (d) The maximum revolutions per minute, the maximum feet per second, or miles per hour;
 - (e) The capacity of the ride in terms of total passenger weight or the number of passengers;
- (3) Water ride data plates shall contain a location number of the ride or flume and the maximum dispatch time interval.
- (4) The ride owner shall maintain all of the information described in (2) above and make it available to the Commissioner upon his request.
- (5) Where any conflict occurs between the manufacturer's information or recommendations of (2) above and other provisions of these rules, the other provisions of this Chapter shall prevail.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Manufacturer's Information" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.14 Brakes and Stops.

- (1) On an amusement ride or amusement attraction where coasting renders the operation dangerous, either during the period while the ride or attraction is being loaded or unloaded or in the case of power failure or other unforeseeable situation a method of braking shall be provided.
- (2) If cars or other components of an amusement ride or amusement attraction may collide in such a way as to cause personal injuries upon failure of normal controls, emergency brakes sufficient to prevent these collisions shall be provided in accordance with the manufacturer's design.
- (3) On amusement rides or amusement attractions which make use of inclined tracks, automatic anti-rollback devices shall be installed to prevent backward movement of the passenger carrying units in case of failure of the propelling mechanism.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Brakes and Stops," was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.15 Internal Combustion Engines.

- (1) Internal combustion engines for amusement rides shall be of adequate type, design and capacity to handle the design load.
- (2) Where fuel tanks of internal combustion engines for amusement rides are not of adequate capacity to permit uninterrupted operation during normal operating hours, the amusement ride shall be closed down and unloaded or evacuated during the refueling procedure. The fuel supply shall not be replenished while the engine is running.
- (3) Where an internal combustion engine for an amusement ride is operated in an enclosed area, the exhaust fumes shall be discharged to the outside.
- (4) Internal Combustion engines for amusement rides shall be located to permit proper

maintenance and shall be protected by guards, fencing or enclosure.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Internal Combustion Engines" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.16 Wire Rope.

(1) Wire rope on amusement rides shall be thoroughly examined periodically. Wire rope found to be damaged shall be replaced with new rope of proper design and capacity as per the manufacturer's data tag. Any of the following conditions shall be cause for rope replacement:

- (a) In running ropes, six randomly distributed broken wires in one rope lay or three broken wires in one strand in one rope lay.
- (b) In pendants or standing ropes, evidence of more than one broken wire in one rope lay.
- (c) Abrasion, scrubbing or peening causing loss of more than 1/3 of the original diameter of the outside diameter of the outside individual wires.
- (d) Severe corrosion.
- (e) Kinking, crushing, birdcaging, or other damage resulting in distortion of the rope structure.
- (f) Heat damage.
- (g) Reduction from normal diameter of more than 3/64 inch for diameters up to and including 3/4 inch, 1/16 inch for diameters 7/8 inch to 1 1/8 inches, 3/32 inch for diameters 1/4 inches to 1 1/2 inches.
- (h) Birdcaging or other distortion resulting in some members of the rope structure carrying more load than others.
- (i) Noticeable rusting or development of broken wires in the vicinity of attachments. When this condition is localized in an operational rope, it may be eliminated by making a new attachment.

(2) Wire ropes used to support, suspend, bear or control forces and weights involved in the movement and utilization of tubs, cars, chairs, seats, gondolas, other carriers, the sweeps, or other supporting members of an amusement ride shall not be lengthened or repaired by splicing except by a licensed cable splicer for aerial tramways.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Wire Rope" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.17 Hydraulic Systems.

(1) Hydraulic systems and other related equipment used in connection with amusement rides shall be free of leaks and maintained to ensure safe operation at all times.

(2) An amusement ride which depends upon hydraulic pressure to maintain safe operation shall be provided with a positive means of preventing loss in hydraulic pressure that could result in injury to a passenger.

(3) Hydraulic lines shall be guarded so that sudden leaks or breakage will not endanger the passenger or the public.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Hydraulic Systems" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.18 Pressure Vessels, i.e., Vacuum Tanks.

- (1) Air compressor tanks, storage tanks and appurtenances used in connection with amusement devices shall be designed and constructed in accordance with Section VIII of the ASME Code; and shall also be equipped and maintained to ensure safe operation.
- (2) Air compressor tanks and other receivers used in connection with air compressors shall comply with the Rules of the National Board Inspection Code of the Boilers and Pressure Vessel Code.
- (3) Air compressor tanks and other air receivers used in connection with air compressors shall be inspected operationally at least once a year and internally when considered necessary by a qualified inspector and a record of each inspection shall be kept.
- (4) Air compressor tanks and other air receivers used in connection with air compressors shall have the maximum allowable working pressure conspicuously marked thereon.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Pressure Vessels, i.e., Vacuum Tanks" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.19 Passenger Tramways.

- (1) Aerial Passenger Tramways, ANSI B77.1 — 2011 and addendum to Aerial Passenger Tramways, ANSI B-77.1a — 2012 are hereby adopted as a rule with the modifications as indicated below.
 - (a) Each owner engaged in passenger tramway operations shall protect the public by complying with ANSI B-77.1 and B-77.1a.
 - (b) Where any conflict occurs between the rule referenced in (1) above and any other rule in this Chapter, the latter shall prevail.

Authority O.C.G.A. Sec. 25-15-59 **Administrative History.** Original Rule entitled "Passenger Tramways" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.20 Electrical Equipment.

- (1) The National Electrical Code, NFPA 70 1984, latest adopted version is hereby adopted as a rule and all future amendments shall be accepted as adopted.
- (2) This document may be purchased from the National Fire Protection Association, Battermarch Park, Quincy, MA 02269.
- (3) All electrical wiring and equipment used for amusement rides or for lighting shall be installed and maintained in accordance with the Rule adopted in (1) above.
- (4) The outlets of electrical power lines carrying more than 120 volts shall be clearly marked to show their voltage.
- (5) All electrical transformer substations shall be properly enclosed and proper warning signs shall be posted.
- (6) Electrical wiring and equipment located outdoors shall be of such quality and so constructed or protected that exposure to weather will not interfere with its normal

operation.

(7) Elevated power lines crossing access or other roads within the grounds of a carnival or amusement park shall be so suspended as to provide a vertical clearance of at least twelve feet from the road surface or three feet above any vehicle used within the grounds of a carnival or amusement park. A horizontal clearance of at least three feet shall be provided on each side of the normal passage space of vehicles.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Electrical Equipment" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.21 Grounding.

(1) No overcurrent protection device shall be installed in neutral or grounding conductors.

(2) Where electrical power is supplied for an amusement ride by a generating system, the generator and all equipment shall be properly grounded.

(3) All receptacles and attachment plugs shall be of the grounding type.

(4) Each electrically powered amusement ride shall be effectively grounded. The grounding shall be made effective as to all non-current carrying metal parts which may become energized and which are exposed to contact by any persons.

(5) Grounding which does not have a resistance to ground of 25 ohms or less shall be augmented by one additional electrode of any of the types specified in Section 250-53 of the Rule referenced in Rule 120-3-27-.21.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Grounding" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.22 Construction.

(1) An owner/operator shall furnish a certified stress analysis and other pertinent data deemed necessary by the Office for new, redesigned and all existing rides for which this information may be requested. Such stress analysis and other data pertinent to the design, structure, factors of safety or performance characteristics shall be acceptable to the Office. Failure of owner/operator to submit the requested information shall be cause for the Chief Safety Inspector to deny issuance of a permit to operate.

(2) Structural materials and construction of rides shall conform to established engineering practices, procedures, standards and specifications. If a designer or manufacturer of equipment wishes to use materials not covered by these regulations or by reference to existing standards, such information concerning these materials or methods shall be submitted to the Office. The design details, materials and construction features shall provide safety factors acceptable to the Office.

(3) All amusement rides shall be designed, constructed and installed so as to withstand any normal stresses to which they may be subjected.

(4) Before being used by the public, amusement rides shall be placed or secured with blocking, cribbing, outriggers, guys or other means necessary to be stable under all operating conditions.

- (5) All amusement rides, such as, but not limited to, passenger tramways, where restoration of electrical power could create a hazard, shall be provided with a main disconnect switch capable of being locked only in the "Off" position.
- (6) The path of travel of an amusement ride shall have a clearance adequate to ensure that a passenger on the ride cannot be injured by contacting any structural member or other fixed object when the passenger is in the riding position.
- (7) All amusement rides, buildings, tents or trailers excluding water flumes with enclosed sides used for amusement assembly shall be provided with emergency lighting fixtures clearly marking exit routes with suitable lighting to allow safe exit from same in the event of a power failure or fire.
- (8) Location. General layouts shall be established so that continuous traffic patterns will exist. Box canyons formed by rides and attractions or concession booths may not be located immediately in front of hazardous equipment. The layouts shall be such to prevent traffic patterns through the concession booth back yards. The intermingling of water lines and electrical lines shall be avoided. Long guy wires or narrow braces utilized for ride, attraction or booth support shall be clearly marked with streamers or other devices to attract attention when located in traffic patterns.
- (9) All structures used in connection with amusement rides shall be so designed and constructed as to carry safely all loads to which such structures may normally be subjected.

Authority O.C.G.A. Sec. 25-15-56. **Administrative History.** Original Rule entitled "Construction" was filed on March 19, 1986, effective April 8, 1986.

120-3-27-.23 Means of Access and Egress.

- (1) Safe and adequate means of access and egress from amusement rides shall be provided.
- (2) At least two means of egress remote from each other shall be provided from each floor, tier, room or balcony in structures which house amusement rides.
- (3) Access to the means of egress shall be marked by readily visible signs in all cases where the egress is not immediately visible to the passengers.
- (4) No egress shall be less than 22 inches in width.
- (5) The width of a stairway shall be taken as the length of the treads between the stringers. The width of a doorway shall be taken as the width of the door.
- (6) The maximum travel distance from the most remote point in any room or enclosed space to an open safe outside space shall be not greater than that listed below:
 - (a) 100 feet in unsprinklered construction;
 - (b) 150 feet in sprinklered construction; and
 - (c) 25 feet in dead ends.
- (7) Means of access and egress shall have protection from adjacent hazards and protection from falling by use of rails, enclosures, barriers or similar means.
- (8) Means of access and egress shall be free from debris, obstructions, projections, slipping, tripping and other hazards.
- (9) The head clearance in passageways shall not be less than seven feet.
- (10) Means of access or egress shall have either stairways or ramps and connecting

landings or platforms where the public enter or leave an amusement ride that is above or below grade.

(11) Stairways, passageways, ramps, landings, or platforms shall be not less than 22 inches in width for single lane passages or 44 inches width for double lane passages. Landings or platforms shall not be less than three feet long measured in the direction of travel.

(12) Stair treads shall be at least eight inches deep exclusive of nosing and the height of rise shall not exceed eight inches. Between any two connecting levels the treads shall be of uniform depth and the risers shall be of uniform height.

(13) Handrails shall be provided on both sides of all stairways of four or more risers connecting adjoining levels whose difference in elevation is 30 inches or more.

(14) Handrails shall be provided on both sides of landings, platforms or ramps 30 inches or more above grade.

(15) Handrails shall be at least 30 inches above the ramp surface or nose of step and 42 inches above the landings.

(16) The distances between handrails shall not be less than 18 inches for a single lane passage and 36 inches for a double lane passage.

(17) Two intermediate rails spaced equally apart or equivalent construction to prevent a passenger from falling through shall be provided with all handrails.

(18) Stairways and ramps requiring handrails in accordance with (13) and (14), which are more than eight feet wide, shall be provided with railings dividing the widths into not more than eight feet and not less than the widths of (11) above.

(19) When ride entrances are provided, ride entrances shall have a passenger waiting line retaining chain, bar, gate or device.

(20) All stairways, ramps, accesses and egresses shall be lighted sufficiently to allow for safe entry and exit.

(21) Fencing of all rides is mandatory and will be kept at a normal distance of 36 inches from the ride and must meet the manufacturers recommendations or Office approval.

Authority O.C.G.A. Sec. 25-15-63. **Administrative History.** Original Rule entitled "Means of Access and Egress" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.24 Walkways and Ramps.

(1) Walkways and ramps shall be erected with a slope not greater than one in ten except that when approved nonslip surfaces are provided, the grade may be increased to a maximum of one in eight.

(2) Elevators, Dumbwaiters, Escalators and Moving Walks, ANSI/ASME Code 17.1 latest adopted version is hereby adopted as a rule and all future amendments shall be accepted as adopted.

This document may be purchased from the American National Standards Institute, 25 W 43rd Street, 4th Floor, New York, NY 10036.

(3) Each owner of an amusement ride which uses an elevator, escalator or moving walk as part of ride shall comply with (2) above.

Authority O.C.G.A. Sec. 34-12-5. **Administrative History.** Original Rule entitled "Walkways and Ramps" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.25 Buildings and Structures as Part of an Amusement Ride.

- (1) The subchapter shall apply to the construction of buildings and structures that are a functional part of an amusement ride. To be a functional part of an amusement ride, the building or structure shall be a contributing factor to the amusement, pleasure, thrill or excitement of the ride.
- (2) The maximum height of any amusement device in which passengers are transported shall not exceed forty feet in frame construction, one hundred feet in unprotected noncombustible and heavy timber mill construction, and shall not be limited in fireproof construction.

Authority O.C.G.A. Sec. 25-15-53. **Administrative History.** Original Rule entitled "Building and Structures as Part of an Amusement Ride" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.26 Fire Prevention.

- (1) All enclosed amusement park buildings over one story in height shall be constructed or protected to furnish not less than one hour fire resistance rating; except where roof framing and decking are specifically permitted to be of non-combustible or mill type construction. No styrofoam will be used inside buildings such as spook houses, etc.
- (2) All structures located within 20 feet of lot lines or within 20 feet of other structures on the same lot, shall be of protected noncombustible or protected masonry enclosed construction or better.
- (3) In addition to the fire extinguisher and firefighting equipment required by the use and occupancy of each building and structure under the provisions of the Rule every amusement ride building or structure, when required by the Commissioner, shall be provided with a system of fire hydrants and fire lines.
- (4) Fabrics constituting part of an amusement ride shall be flame resistant to meet the following field test: the application of a flame from a 3/4 inch paraffin candle for a period of one minute which does not cause the fabric to flash, nor support combustion, nor continue to flame for more than two seconds or glow for more than 30 seconds after the removal of the test flame.
- (5) Approved fire extinguishers in accordance with NFPA 10, 2002 shall be provided at the following locations to secure reasonable and adequate protection from fire hazards:
 - (a) At or near all operating gasoline or diesel engines;
 - (b) At or near all Operators' Stands excluding water flumes;
 - (c) At each food handling booth where cooking is done.
- (6) Flammable waste such as oily rags and other flammable materials shall be placed in covered metal containers which shall be kept in easily accessible locations. Such containers shall not be kept at or near exit.
- (7) Gasoline and other flammable liquids and flammable gases when stored shall be kept in reasonably cool and ventilated places. Such liquids shall be in approved containers. Smoking and the carrying of lighted cigars, cigarettes, or pipes is prohibited within 50

feet or in any area where such liquids or gases are stored, or are transferred from one container to another.

(8) The fire limits shall comprise the areas containing congested business, commercial manufacturing and industrial uses or in which such uses are developed.

(9) All other areas not included in the fire limits shall be designated as outside fire limits.

(10) Fire wall separation: The building or structure or addition thereto shall be so located and constructed that every exterior wall with an adjacent fire separation of less than three feet shall be a noncombustible fire wall or shall be protected by a noncombustible fire wall having a fire resistant rating of at least four hours. The roof covering shall have at least a Class "B" rating.

(11) Open space with fire rated walls separation: The building or structure or addition thereto shall be so located and constructed that every exterior wall with an adjacent fire separation of more than three feet but less than 30 feet, shall be a noncombustible fire resistance rated wall. The fire resistance rating of the wall and the fire resistance rating of opening protectives for all openings in the wall shall be as shown in the table below.

(12) The fire resistance rated wall shall be so constructed that it will remain structurally in place, against an exterior exposing fire, for the duration of time indicated by the required fire resistance rating. When the fire rated wall is adjacent to a flat roof, it shall be constructed with a parapet, and the roof covering shall be at least Class "B" roofing.

Fire Resistance Rating of Exterior Walls

Width of fire separation adjacent to exterior wall	Fire resistance rating of exterior wall	Fire resistance rating of exterior opening protectives
More than 3 ft. but less than 6 ft.	3 hour	3 hour
6 ft. or more but less than 11 feet	2 hour	1 ½ hour
11 ft. or more but less than 30 ft.	1 hour	¾ hour

(13) Storm enclosures: Storm enclosures may be erected of frame construction not more than 10 feet in height and not more than 3 feet wider than the entrance doors which they serve, provided they do not project more than 6 feet beyond the building line.

(14) Roof coverings: All roof coverings shall be constructed of Class "A", Class "B" or Class "C" roofings.

Authority O.C.G.A. Sec. 25-15-53. **Administrative History.** Original Rule entitled "Fire Prevention" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.27 Water Flumes, Structural Design.

(1) Structural Design. The slides structural design and materials shall be in accord with generally accepted good structural engineering practices and shall provide a durable structure which will safely sustain all weights and pressures (dead load, live load, liquid, hydrostatic and earth pressures) for the expected operating life of the structure. The flumes and pools shall be watertight and their surfaces shall be inert, nontoxic, smooth and easy to clean. The flumes shall be designed or ventilated, or both, to prevent a possible hazardous concentration of toxic disinfectant fumes.

(2) Dimensional Design: All curves, turns and tunnels within the path of a slide flume shall be designed so that body impact with the walls of the flume or ceiling of a tunnel does not present a hazard. The slide flume shall be banked to keep the slider's body safely inside the flume or curve under all foreseeable circumstances.

(3) All slopes within the path of the slide flume shall be designed so that the slider's speed does not exceed a level where a safe equilibrium of dynamic forces cannot be maintained on any curve or turn within that path, as specified by (2) above.

(4) In sections of the elevated flumes where, contrary to intended use, a slider may stop, there shall be safety walls or other provisions to keep the slider from falling out of the flume.

(5) The construction, the dimensions and the mechanical attachment of slide flume bed components shall be such that the surface of the slide flume is continuous and smooth for the entire length.

(6) Wall thickness of flumes should be designed so that the continuous and combined action of hydrostatic, dynamic and static loads and normal environmental deterioration do not cause structural failures which could result in injury.

(7) Flume exit sections shall be designed to assure safe entry speeds, angles and stopping distances.

(8) The distance between the centerline of a flume exit and a splash pool side wall shall be at least 5 feet. The distance between sides of adjacent flume terminuses shall be at least 6 feet center line to center line. The distance between a flume exit and the opposite side of the splash pool, excluding steps, shall be at least 20 feet.

(a) High-Speed Slides: Special provisions shall be made in flume exit design, pool depth and pool width, measured from flume exit, to safely accommodate slide specifically designed with greater slopes or other special features which allow an unusually rapid descent.

(b) Multiple-exit slides: Multiple-exit slides shall have parallel exits or be constructed so that their centerlines do not intersect for a distance of at least 20 feet from the exits of each flume. If slides with nonparallel exits discharge bathers at a high speed, the centerlines should not intersect for at least 30 feet.

(9) A flume exit system shall provide safe entry into the splash pool. Present practices for safe entry include a water backup, a deceleration distance and an altitude control. Other methods are acceptable as long as safe exit velocities and proper user attitudes are

assured under normal use.

(10) Splash pool depth at the end of a flume shall be at least 3 feet. This depth shall be maintained in front of the flume for a distance of at least 20 feet, from which point the splash pool floor may have a constant slope upward to the minimum water depth. These slopes shall be no more than 1 foot in 7 feet. If special exit systems that assure safe exit from the flume and safe entry to the splash pool are used, the 3-foot depth and minimum maintenance distance for this depth can be waived.

(11) Decks along the exit side of the splash pool which have the function of providing an exit route only for sliders, shall be a minimum of 5 feet in width. If the deck is utilized by both sliders exiting the plunge pool and observers, the said deck shall be a minimum of 10 feet in width. All deck surfaces shall have a slip-resistant surface and shall be sloped away from the plunge pool so as to prohibit surface water from entering the plunge pool. The said slope shall not exceed 1 foot in 7 feet.

(a) Provisions shall be made to eliminate standing water at all deck areas adjacent to the entrance at the top of the flume.

(b) Decks along the side opposite the pump reservoir shall be at least 4 feet wide and shall have the same slip resistance and drainage requirements as top and splash pool decks.

(c) The pump reservoir area shall be accessible, for cleaning and maintenance, by a 3-foot minimum width walkway deck.

(12) A 4-foot minimum width walkway, walkway steps, or stairway shall be provided between the plunge pool and the top of the flume. Walkways and steps shall be well drained, non-slippery and separated from the flume by a physical barrier, set back far enough from the operating flume so that users cannot contact it on the way down.

(13) All stairways used as part of a slide shall not retain standing water and should conform to the requirements of local building codes.

(14) Visitor and Spectator Areas: The spaces used by visitors and spectators shall be distinctly and absolutely separated from those spaces used by sliders. Visitors and spectators in street clothes may be allowed within the perimeter enclosure if they are confined to an area separated from the space the sliders use.

(15) Typical Posted User Safety Warnings for Slide Operational Use:

(a) No running, standing, kneeling, rotating, tumbling, or stopping in flumes or tunnels.

(b) No diving from flume at any time.

(c) Never use this slide when under the influence of alcohol or drugs.

(d) Only one person at a time. Obey instructions of top pool supervisor and lifeguard at all times.

(e) Never form chains unless authorized by slide manager or by posted instructions.

(f) Keep hands inside the flume.

(g) Leave the landing pool promptly after exiting from slide.

(h) Keep all glasses, bottles and food away from pools.

Authority O.C.G.A. Sec. 25-15-53. **Administrative History.** Original Rule entitled "Water Flumes, Structural Design" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.28 Circulation Systems.

- (1) All water impounding flumes or rides using lakes with adequate fresh water inlets and outlets to prevent contamination shall not be required to comply with the following requirements on circulation.
- (2) The filtration system shall be of adequate size to maintain water quality/clarity at a level not to exceed .5 J.T.U.'s (Jackson Turbidity Units) at all times.
- (3) All equipment shall have installation and operation instructions posted in the immediate area of the equipment.
- (4) Appropriate gauges shall be provided on both the influent and effluent sides of the filtration pumps/filters in order to assess the efficiency of said filter.
- (5) Materials used in the circulation system shall comply with the requirements of the latest joint National Swimming Pool Institute — National Sanitation Foundation standards.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Circulation Systems" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.29 Filters.

- (1) All water impounding flumes or rides using lakes with adequate fresh water inlets and outlets to prevent contamination shall not be required to comply with the following requirements on filtration.
- (2) Filters shall be designed to maintain pool water under anticipated operating conditions in accordance with guidelines.
- (3) A means for releasing air which enters the filter tank shall be provided. This may be automatic or manual. Where an upflow design is used, air must be expelled through the filter tank. Any filters incorporating an automatic internal air release as their principal means of air release must have lids which provide a slow and safe release of pressure. Any separation tank used in conjunction with a filter tank shall have a manual means of air release or a lid which provides a slow and safe release of pressures.
- (4) A statement warning personnel not to start the filter pump without first opening the air release shall be clearly visible on the separation tank in the area of the air release.
- (5) Piping furnished with the filter shall be capable of withstanding three times the working pressure. The suction piping shall not collapse when flow on the suction side of the pump is completely shut off.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Filters" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.30 Pumps.

- (1) Pumps and motors shall be provided to circulate the water in the splash pool and slide. Performance of all filter pumps shall meet the conditions of flow required for filtering and cleaning (if applicable) the filters against the total head developed by the

complete system. Flume pumps and motors shall be of adequate size, as specified by the flume manufacturer, and shall meet all National Swimming Pool Institute standards for swimming pool pumps.

(2) The pump suction header shall have a gauge which indicates vacuum. The gauge shall be installed as close to the pump inlet as possible.

(3) All pressure filter systems shall have suitable removable strainers or screens before all circulation pumps to remove solids, debris, hair, lint, and other materials.

(4) Pump units shall be accessible for inspection and service.

(5) All motors shall be, as a minimum, an open drip-proof enclosure (as defined by the latest National Electrical Manufacturers Association standards).

(6) All motors shall have thermal overload protection.

(7) The motor frame shall be properly grounded.

(8) Pumps used on slides shall comply with the latest joint National Swimming Pool Institute—National Sanitation Foundation performance standards in effect at the time the pump is installed.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Pumps" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.31 Inlets and Outlets.

(1) Pool inlets and outlets shall produce a uniform circulation of water to maintain a uniform disinfectant residual.

(2) The number and location of pool inlets shall be adequate and appropriate to insure that uniform water quality, as described herein, is maintained at all times.

(3) At least one outlet shall be provided at the lowest point of the floor to completely drain the entire floor. When the main outlets for pool pump suction are installed in the pool floor near one end, the spacing shall not be greater than 20 feet (6.1 m) on centers, and an outlet shall be provided not more than 15 feet (4.57 m) from each side wall. The total velocity through grate openings shall not exceed 2 feet per second (61 cm/second). Grate openings shall be designed to prevent fingers and toes, etc., from being trapped in the openings.

(4) Outlets on pump suction, except those for skimmers shall be covered with suitable protective grates that cannot be removed except with tools.

(5) An over-the-rim spout, if used shall not create a hazard. Its open end shall have no sharp edges and shall not protrude more than 2 inches (5.1 cm) beyond the edge of the pool.

(6) Inlets from the circulation system shall not project enough to cause harm to the splash pool user.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Inlets-and-Outlets" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.32 Piping.

- (1) The size of the slide circulation piping shall permit the rated flows for filtering and cleaning without exceeding the total head developed by the pump at the rated flow.
- (2) The water velocity shall not exceed 10 feet per second (3.05 m/second) for discharge piping, except for copper pipe where the velocity shall not exceed 8 feet per second (2.4 m/second) and asbestos cement pipe, where the velocity shall not exceed 6 feet per second (1.83 m/second). Suction velocity for all piping shall not exceed 6 feet per second (1.88 m/second).

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Piping" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.33 Waste Water Disposal.

- (1) Overflow water shall be returned to the filter system or discharged to a waste system approved by local authorities. Where perimeter overflow water discharges into a sanitary sewer, a suitable air gap at least 1 ½ times the discharge diameter shall be provided to create a gravity drip which has no direct mechanical connection into the sewer.
- (2) When an air gap is impractical, a relief manhole with a grated cover shall be constructed in the perimeter overflow main waste line, the clear area of which shall be twice the area of the main waste piping. It shall be at a level so that the waste flow in the line will rise in the manhole and overflow at ground level not less than 2 feet (61 cm) below the level of the perimeter overflow lip.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Waste Water Disposal" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.34 Water Quality.

- (1) Water impounded by the ride owner and used as an integral part of a water amusement ride, whether it be a part of a water contact ride or a water noncontact ride, which could expose the public to a safety or health hazard shall be maintained in a safe and sanitary condition in accordance with this section.
- (2) The owner of any water amusement ride as described in (1) above shall provide evidence of the sanitary condition of such water when requested by the Safety Engineering Section.
- (3) In order to maintain the safe and sanitary condition of water in a water amusement ride the owner of a water amusement ride shall disinfect with chlorine or other approved disinfecting agent.
- (4) Impounded water, when in use, shall be:
 - (a) Sufficiently clear to permit the bottom of the water reservoir at its deepest point to be visible from an outside edge of the reservoir;
 - (b) Aesthetically pleasing; and
 - (c) Free of floating or suspended matter, except those items used specifically as part of the amusement.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Water Quality" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.35 Disinfectant and Chemical Feeders.

- (1) Disinfectants used in flume and pool water shall provide a disinfecting residual in the pool water. Chlorine or chlorine compounds are most frequently used for this purpose, but other bactericidal agents or apparatuses are acceptable if registered by the U. S. Environmental Protection Agency.
- (2) Adequate and appropriate equipment for introducing a disinfectant into the recirculating system shall be provided. This equipment shall be of sufficient capacity to maintain appropriate disinfectant residual levels at all times. The DPD (diethyl-p-phenylene-diamine) or other suitable free chlorine test method is suggested as a means of testing for the free chlorine residual.
- (3) Feeding equipment shall be capable of permanently and precisely feeding the required quantity of disinfecting agent to the pool water. The disinfecting material used shall be subject to field-testing procedures.
- (4) Chemical Operational Parameters; National Swimming Pool Institute Standards set forth the suggested operational parameters for proper chemical treatment and maintenance of both flume and pool waters. Because of high aeration rates and potentially high slider loads in the lower pool, tests for water quality and chemical balance shall be made every two hours the facility is operating. Proper water balance shall be obtained each day before the facility is opened to the public.
- (5) Recommendations on the Use of Elemental Chlorine and Operational Procedures: Although chlorine solution (hypochlorite) is preferable from a safety standpoint, gaseous chlorine may be approved as the disinfectant.
- (6) Hypochlorinators or other adjustable-output rate chemical-feeding equipment shall conform to the joint National Swimming Pool Institute-National Sanitation Foundation Standard #19, relating to "Adjustable Output Rate Chemical Feeding Equipment and Flow Thru Chemical Feeding Equipment for Swimming Pools."
- (7) Equipment and Installation: Chlorination equipment shall be located so that an equipment failure or malfunction will have a minimum effect on an emergency evacuation of patrons.
- (8) The chlorinator, cylinders of chlorine, hypochlorite and associated equipment shall be housed in a reasonable open building with a leak detection system set at or slightly above ground for the detection of chlorine gas. Cylinders shall be securely fastened to a wall or post. Except for chemicals used to check chlorine leaks, no other chemicals shall be stored in the chlorine enclosure.
- (9) Chlorine cylinders must be handled with care. Valve protection caps and valve outlet caps must be in place at all times, except when the cylinder is connected for use. Cylinders must not be dropped and shall be protected from falling objects. Cylinders shall be used on a first-in, first-out basis. Fresh washers shall be used each time a cylinder is connected.
- (10) As soon as a container is empty, the valve shall be closed and the lines disconnected. The outlet shall be promptly capped and the valve protection hood attached. The open

end of the disconnected line shall be plugged or capped promptly to keep atmospheric moisture out of the system.

(11) Although chlorine suppliers make every effort to furnish chlorine in properly conditioned cylinders, chlorine gas leaks may still occur. Operating personnel shall be informed about leak-control procedures.

(12) Enclosures shall be located at ground or above ground level. If the enclosure must be installed below grade, it shall have airtight ducts from the bottom of the enclosure to atmosphere in an unrestricted area, a motor-driven exhaust fan capable of producing at least one air change per minute and automatic louvers of good design near the top of the enclosure for admitting fresh air. The enclosure shall be inaccessible to casual slide users and, if possible, locked. All keys shall be kept on the premises so that they will be readily available when needed by servicing personnel.

(13) Containers may be stored indoors or outdoors. Full and empty cylinders shall be segregated and tagged.

(14) An automatic chlorine leak detector shall be installed, especially in below-grade installations.

(15) Respirators approved by the National Institute for Occupational Safety and Health shall be provided for protection against chlorine.

(16) At least one approved self-contained breathing apparatus shall be provided. Respiratory equipment shall be mounted outside the chlorine enclosure and filter cartridges replaced after each use.

(17) Elemental chlorine feeders shall be activated by a booster pump, with recirculated water. The booster pump shall be electrically or mechanically interlocked to the filter pump to prevent the feeding of chlorine when the recirculation pump is not running.

(18) Connections from the cylinders to the system depend on the type of chlorinator used and shall comply with the chlorinator manufacturer's recommendation.

(19) Electrical switches for the control of artificial lighting and ventilation shall be on the outside of the enclosure, adjacent to the door.

(20) Responsibility for Chlorination and Water Treatment: A specific person on each shift shall be responsible for disinfection and water treatment operations and shall be thoroughly trained in the performance of routine operations, including emergency procedures and leak-control problems. If possible, these people should complete training courses on swimming pool operations, given through local departments of health. A typical reference text available for such training is *Swimming Pool Operators Handbook*, published by the National Swimming Pool Foundation. This text is available through the National Swimming Pool Institute, 200 K Street, N. W., Washington, D.C. 20006. Another reference is *Swimming Pools—Safety and Disease Control Through Proper Design and Operation*. This manual is available through the Environmental Health Services Division, Center for Environmental Health, Centers for Disease Control, Atlanta, Georgia 30333. As an alternative, they should be trained by a professional operator. The facility shall not be in operations without such a person in attendance. No one else shall be responsible for chlorination or water treatment operations.

(21) A safety chart shall be posted in or near the chlorine enclosure, and a second chart shall be in the pool office near the telephone. Such charts are available from many suppliers and from the Chlorine Institute, 342 Madison Avenue, New York, New York 10017. The telephone number of the chlorine supplier shall be shown on these charts.

(22) Responsibility for Circulation and Filter System Operation. A specific person on each shift shall be made responsible for circulation and filter system operation, checks, maintenance, backwash and cleaning. This person shall be trained by a professional operator or an expert in swimming pool operations and shall carry out all scheduled cleanings and maintenance on the circulation and filter systems.

Authority O.C.G.A. Sec. 25-15-12. **Administrative History.** Original Rule entitled "Disinfectant and Chemical Feeders" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.36 Electrical Safety and Lighting.

(1) The latest National Electrical Code, as published by the National Fire Protection Association, or a local code, whichever is more restrictive, shall be used for the wiring and grounding of all electrical equipment associated with a slide and for the grounding of all metallic appurtenances.

(2) Whenever slides are operated after dark, artificial lighting shall be provided in upper and lower pool and deck areas, walkways, stairways, and flumes, as recommended by local codes or The Illuminating Engineering Society Lighting Handbook.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Electrical Safety and Lighting" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.37 Operation, Water Slides.

(1) Personnel responsible for the operation of disinfecting equipment shall be properly trained in equipment operation, field test procedures, and emergency procedures.

(2) The manufacturer or the general contractor of the slide shall provide the operator with a detailed written operational manual, or guide, for all phases of operations and normal maintenance of each component of the system. The guide shall be kept in a secure area and made available to each employee as needed. This guide shall include, as a minimum, the following information:

- (a) Customer safety rules to be posted at the entrance to flumes;
- (b) Required training or certification levels of upper and lower pool supervisors;
- (c) The number and type of operating personnel;
- (d) Specific work statements for each employee;
- (e) Recommendations on the safe handling of crowds during emergencies;
- (f) Slide maintenance and cleanup;
- (g) Disinfectant operation;
- (h) Chlorine cylinder changing procedure (if applicable);
- (i) Pump operating instructions;
- (j) Backwash procedure;
- (k) Operating instructions for vacuum filters (if applicable);
- (l) Filter pit draining and cleaning procedure;
- (m) Water test instructions — frequency of testing, method of test, interpretation of results;

- (n) Filter checks;
- (o) Record-keeping for health department;
- (p) First-aid reports;
- (q) Emergency phone numbers;
- (r) Equipment and operational trouble-shooting instructions;
- (s) Safe repair practices for flume and decks.

Authority O.C.G.A. Sec. 25-15-59. **Administrative History.** Original Rule entitled "Operation, Water Slides" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.38 Competence of Operators.

- (1) Having properly trained and conscientious employees on site is the most important safety factor in the operation of slides.
- (2) At least one person who has completed the Standard First Aid and Personal Safety course, as offered by the American National Red Cross, or the equivalent shall be on duty at all times during operating hours. This person shall also be competent in carrying out any emergency procedures peculiar to the slide he or she is operating.
- (3) Splash Pool Supervisor: The principal function of the lower pool supervisor is to serve as a lifeguard. The lower pool supervisor shall be qualified in life-saving techniques through Red Cross training or the equivalent. He or she shall also control crowds in the splash pool by keeping sliders moving into and out of the lower pool as quickly and in as orderly a manner as possible; and shall control any horseplay, running, or unsafe behavior in the lower flumes, the splash pool and on the pool decks.
- (4) Upper Pool Supervisor: The principal functions of the pool supervisor are to control crowds and sliders starting from the upper pool and flume, control the timing of each person on the slide and supervise all visible portions of the flumes.

Authority O.C.G.A. Sec. 25-15-60 **Administrative History.** Original Rule entitled "Competence of Operators" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.39 Emergency Procedures.

- (1) The need for emergency planning in areas of public recreation has been demonstrated by past experience. Being prepared for problems is the best method of minimizing their consequences. Therefore, a written plan for emergencies shall be carefully devised and kept up-to-date. All employees shall be trained and drilled periodically in the execution of the plan. During operational hours, a person qualified through American National Red Cross training in both first-aid and life-saving techniques shall be on duty at all times.
- (2) The emergency plan shall encompass crowd control and safe evacuation, drownings, electrical shock, heat prostration, fractures, poisonings, cuts and burns, neck and back or spinal injuries and exposure to chlorine gas. Each of these situations is addressed in the latest American National Red Cross handbook on first aid, a copy of which shall be on hand at the same location as the emergency plan, the first-aid kit, and the emergency telephone numbers.

- (3) Each park shall have available the following first-aid supplies:
- (a) First-Aid Kit. A standard 24-unit kit stocked and readily accessible for use;
 - (b) A stretcher and blankets;
 - (c) A standard plywood backboard or other acceptable splint, made to the specification of the American National Red Cross, for persons with back and neck injuries;
 - (d) An area or room shall be set aside for the emergency care of casualties.
- (4) Every park shall have posted by the phone a list of current emergency numbers, such as the nearest available facilities, ambulance service, hospital, rescue squad, police department, fire department, and the nearest local facility with capabilities to handle a major chlorine gas leak. One of the most effective methods of control of emergencies is to plan for them in the original design of the facility. Health and safety officials should review and comment on the original plans and layouts before a building permit is issued.
- (5) Two types of emergency situations for which evacuation procedures shall be developed are:
- (a) Major release of chlorine gas;
 - (b) Power outage during night time operation.

Authority O.C.G.A. Sec. 25-15-53. **Administrative History.** Original Rule entitled "Emergency Procedures" was filed on March 19, 1986; effective April 8, 1986.

120-3-27-.40 Power Outage.

Each facility shall have an emergency plan for use in the event of a night time power outage. Battery-operated emergency lighting packs are available as standard building electrical items. In addition, portable lights and bullhorns shall be available to personnel at all times, and an evacuation plan shall be devised. Personnel shall be drilled regularly in execution of the plan.

Authority O.C.G.A. Sec. 25-15-53. **Administrative History.** Original Rule entitled "Power Outage" was filed on March 19, 19, 1986; effective April 8, 1986.

120-3-27-.41 Kart Rules and Regulations.

(1) Mandatory rules and regulations for every owner, manager, and operator who provides for the operation and use of all types of mechanically operated karts which carry or convey passengers along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills or excitement shall comply with the Georgia Amusement Ride Safety Act, the Georgia Laws and Rules for Regulating and Licensing Amusement Rides Chapter 15 of Title 25 and this Section.

(a) Definition of terms used in this section:

1. The term "kart" means a powered vehicle used for amusement along, around or over a fixed restricted route or course or within a defined area including vehicles commonly called go karts and similar vehicles.
2. The term "kart ride" includes all karts, kart track, refueling areas, spectator areas, and

all other areas used in any manner for the operation of karts.

(b) Where a kart is defective and not in compliance with this provision, such units shall be taken out of service and clearly marked with a red tag reading "Out of Service."

(c) The Chief Safety Inspector or his designee, upon presenting credentials to the owner/operator, is authorized without prior notice to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and manner, any kart, kart track, or other area of the kart rides.

1. Inspection includes, but is not limited to, a review of necessary documents, observance and/or inspection of the karts, kart track or any portion of the kart ride.

2. Inspection of the ride is to include: track design, track operation, kart design, fuel containers, mechanical condition and safe operation of the ride.

(d) The Office shall order in writing, a temporary cessation of operation of the kart ride, if it has been determined after inspection to be hazardous or unsafe or the failure to comply with any of the other provisions of the Chapter or the regulations promulgated thereunder including, but not limited to, the requirements set forth in Section .04 of this Chapter. Operation shall not be resumed until such conditions are corrected to the satisfaction of the Office.

(2) Track Operations.

(a) All karts that are operated on a kart track shall have bumpers, wheels and body parts that are compatible.

(b) No kart shall be operated during a lightning storm, a period of tornado alert or warning, fire, riot or other civil disturbance in the amusement park or in an area adjacent thereto. Passengers shall be unloaded and evacuated from the ride and the ride shut down until normal, safe operational conditions are established.

(c) All kart tracks shall be monitored during its operation either directly by attendants or indirectly by electronic visual and audio means acceptable to the Office.

(d) A kart that is losing oil or fuel shall immediately be removed from the kart track and be repaired prior to returning to operation on the kart track.

(e) Karts may only be operated by persons within the heights limits set by the manufacturer. If no height limit is set by the manufacturer, height limit shall be no less than 52 inches.

(f) Karts designed for single or dual riders shall use a shoulder harness and belt restraint system acceptable to the Office.

(g) All loose clothing and hair longer than shoulder length must be secured prior to operating any kart. Fully enclosed shoes must be worn by operators and passengers at all times during operation of a kart.

(h) A person who is smoking shall not be permitted to operate a kart.

(i) Track attendants shall not allow riders to leave their vehicles either in the pit or on the track unless assisted by a track or pit attendant.

(j) Where a kart track exposes a passenger or operator to high speed, or a high degree of excitement, the owner shall post a conspicuous warning sign at the entrance to the kart track advising the public of risk to passengers.

(k) The sign required by (j) above shall be at least two feet by two feet in sharply contrasting colors.

(l) The sign required by (j) shall read as follows or express an equivalent warning:
"The following people should not ride this ride.

1. Those with heart conditions
2. Pregnant women
3. Those with back or neck ailments"

(m) Every kart track shall have a sign posted at the ticket window or track entrance and in the pit area that conveys at least the following rules and regulations.

1. Height limit as specified by manufacturer, or no less than 52 inches.
2. Keep both hands on the wheel and both feet in the kart at all times. Do not get out of kart unless track attendant is present.
3. All loose clothing and hair longer than shoulder length must be secured. Fully enclosed shoes must be worn by operators and passengers at all times during operation of kart.
4. No smoking in karts or pit area.
5. Persons under the influence of intoxicants will not be allowed to operate karts.

(n) The use of private karts or vehicles will be prohibited on kart or other vehicle tracks while open to the general public.

(3) Kart Designs:

(a) The speed of every kart shall be set at a limit of not more than 20 mph, and not to exceed the maximum speed for which the track is designed and acceptable to the Department.

(b) Where the design of a kart enables the readjustment of its speed, the means of adjusting the speed shall not be accessible to the operator of the kart.

(c) The seat, back rest, seat belts and leg area of every kart shall be so designed as to retain the driver inside the kart in the event of a collision or overturn.

(d) No more than one person shall occupy a kart at one time unless the kart is designed and equipped with a seat belt system that is intended for two persons.

(e) All karts shall be provided with sufficient guards to prevent anyone from coming in contact with drive chains, belts, hot muffler, engine parts or any rotating parts.

(f) The steering wheel and its hub and all exposed components on a kart shall be padded to minimize the risk of injury to an occupant in the event of a collision or overturns.

(g) All karts shall have headrests of roll bars which must be of sufficient height and strength so as to provide the occupant with protection in the event a kart should roll over.

(h) A kart shall be provided with impact absorbing bumpers, or energy absorption body parts.

(i) Kart wheels shall be so enclosed or guarded so that the wheels of another kart cannot interlock with or ride over the wheels of another kart.

(j) The kart fuel tank shall be so designed and mounted that it cannot be damaged or spill any fuel in the event of collision or the kart overturning.

(k) All karts shall have sufficient muffler systems installed so as to prevent any undue noise levels which will interfere with the track operations, adjacent businesses, residential areas or damage the hearing of employees or patrons.

(l)1. Daily inspections shall be made on all karts prior to operation. It shall include but not limited to: tires, padding, steering, frame welds, spindles, axles, safety belts, roll bars, gasoline tank condition, brake and gas pedal operation, etc., as recommended by the kart manufacturer and acceptable to the Office.

2. Weekly as recommended by manufacturer and acceptable to the Office.

3. Monthly as recommended by manufacturer and acceptable to the Office.

4. Annually as recommended by manufacturer and acceptable to the Office.

(4) Track Design:

(a) The design of the kart track shall be consistent with the kart manufacturer's recommendations and acceptable to the Office.

(b) A kart track shall:

1. Have a hard and smooth surface as recommended by kart manufacturer.
2. Provide road grip sufficient to enable a kart to be driven safely at maximum speed and be free of ruts, holes or bumps, water, oil, etc.
3. Track Bank—may be banked on turns only, minimum of 2 degrees and maximum 4 degrees.
4. Straight-away length must be flat, except two (2) degrees allowed for drainage.
5. Track width must be a minimum of 16 feet wide and maximum 25 feet wide. On an oval track the turns should be a minimum of 5 feet wider than straight-away. The minimum radius of the turns is 15 feet.
6. Signs that indicate one direction of travel of karts shall be posted at various locations around the kart track perimeter. Signs that indicate no "U" turn must be posted at various locations.

(c) White or yellow lines at least four inches in width shall be used to mark all inside and outside edges of a kart track except where barriers are provided along the inside and outside edges of the kart track.

(d)1. A kart track shall be equipped with ABC dry chemical fire extinguishers of a minimum of 5 pounds capacity.

2. A fire extinguisher shall be located within seventy feet of all areas of the track and one fire extinguisher shall be kept in the pit and in the refueling area.

3. The location of each fire extinguisher shall be prominently marked and the fire extinguisher easily accessible.

(e) Refueling of karts shall be at a designated location remote from any area that is accessible to the public and must comply with NEC 70-510, 511, 514 and other applicable codes.

(f)1. The shoulder of every kart track shall be level with the kart track or guarded to prevent the kart from leaving the track.

2. The spectator area shall have a smooth and firm surface up to at least 15 feet from the edge of the kart track.

3. Each barrier on a kart track shall:

(i) Be so constructed that a kart colliding with a barrier at maximum speed will:

(I) Safely come to a full stop, or

(II) Be guided safely back to the proper part of the kart track;

(ii) Be so designed as to prevent a kart from overturning or running over or under the barrier after its contact with the barrier, and;

(iii) Be constructed of materials that will not readily ignite.

(g)1. Every kart track shall be surrounded by a fence that is at least 48 inches in height and be set back from the track at least 36 inches from the inside face of the barrier.

2. The requirements above may be met by natural barriers that provide the same degree of protection as the fence.

3. Gates will be located for easy supervision by attendants while the track is open, and locked when track is closed.

(5) Pit or pit areas:

(a) Must be fenced or have a barrier.

- (b) Separate entrance and exit lanes required.
- (6) Spectator Area must be separated from track and pit areas by fence or barriers that are built sufficient to withstand full impact from kart or other type of vehicle traveling at full speed.
- (7) Electric — Lighting:
 - (a) All electric will comply with NFPA 70 and all revisions.
 - (b) Lighting for night operation will comply with all applicable codes acceptable to the Office.
- (8) In addition, track design will incorporate all industry accepted standards of safety. Proposals for construction in the State of Georgia will be submitted to the Office of Insurance and Safety Fire Commissioner Safety Engineering Section and other appropriate agencies before construction begins. All building support items, etc., must be approved by appropriate agencies. These items listed above are minimum requirements.

Authority O.C.G.A. Sec. 25-15. **History.** Original Rule entitled “Kart Rules and Regulations” adopted d. F. Apr. 11, 1990; eff. May 1, 1990.

120-3-27-.42 Imposition of Civil Penalties.

- (1) Issuance of Citation or Notice of Administrative Proceeding:
 - (a) If, upon inspection by an inspector or deputy inspector,
 - 1. An amusement ride is deemed to be in an unsafe condition,
 - 2. The owner, operator, user, contractor, or installer has not complied with the Amusement Ride Safety Law or these rules, or
 - 3. When a written warning has been issued and the violations continues, then the deputy inspector shall issue the violator a Citation stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.
 - (b) If, upon receiving information from any source, the Chief Inspector determines that there is a reasonable belief that:
 - 1. An amusement ride may be in an unsafe condition,
 - 2. The owner, operator, user, contractor, or installer has not complied with the Amusement Ride Laws or these rules, or
 - 3. When a warning has been issued, the violation is a continuing violation, the Chief Inspector or the Director, Safety Engineering, on behalf of the Office, may issue Notice of Administrative Proceeding stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.
 - (c) The Director, Safety Engineering, upon review of a citation issued under subsection (a) above, may, in his sole discretion, dismiss the Citation and substitute therefore a Notice of Administrative Proceeding pursuant to subsection (b) above on the same, similar or different violations, as required by the evidence.
 - (d) The Commissioner of Labor, upon review of a Citation or Notice of Administrative Proceeding, in his sole discretion, may refer the matter to the appropriate prosecuting

official for criminal or injunctive relief as permitted under law. In such event, the Commissioner may, in his sole discretion, elect to dismiss, suspend, or continue with the civil penalty proceeding.

(2) Hearing Procedure:

(a) If a request for a hearing is not received from the respondent within the allotted time, the Director, Safety Engineering, on behalf of the Commissioner, may without further process impose a civil penalty not greater than the total of civil penalties set forth on the Citation or in the Notice of Administrative Proceeding. An administrative order under the authority of the Commissioner may be issued to collect the civil penalty assessed. If the civil penalty is not paid; the Commissioner may authorize the Director to file appropriate legal action in the name of the Commissioner through the Attorney General to collect the civil penalty.

(b) Upon receipt of a request for a hearing pursuant to any Citation or Notice of Administrative Proceeding, the Director, Safety Engineering, shall determine, in his sole discretion, whether the hearing shall be held before the Commissioner of Insurance and Safety Fire, or referred to the Office of State Administrative Hearings. If the hearing is to be before the Commissioner, the Director shall set a date and time for the hearing and shall cause the case file to be referred to the Attorney General for legal representation of the Office. If the Director determines that a hearing before the Commissioner is not warranted, the matter shall be referred to the Office of State Administrative Hearings pursuant to O.C.G.A. 50-13-41(a)(1). The case file for an OSAH proceeding may be referred to staff counsel within the Department or to the Attorney General for representation of the Department. The Office of State Administrative Hearings will set the date, time and place of hearing as prescribed by OSAH Rules.

(c) All hearings, whether before the Commissioner or before the Office of State Administrative Hearings, shall be subject to the powers and procedures set forth in the Administrative Procedure Act, including but not limited to O.C.G.A. 50-13-13 and 50-13-15.

(d) The decision of an administrative law judge made after a hearing before the Office of State Administrative Hearings shall be the initial agency decision as set forth in O.C.G.A. 50-13-41(d) and shall be subject to review by the Commissioner of Insurance and Safety Fire, as set forth in O.C.G.A. 50-13-41(e). A hearing before the Commissioner shall be the final agency decision in the matter and shall be subject to judicial review as set forth in O.C.G.A. 50-13-19.

(3) Guidelines for imposition of civil penalties:

(a) Any person, firm partnership, corporation or other business entity, which violates this part, shall be subject to the imposition of civil penalties. Each day on which a violation occurs shall constitute a separate offense. Repeat offenders, including those who refuse to adhere to orders of inspectors, exceed the limitations of operating permits, or refuse to adhere to the requirements of these rules and regulations, may be referred appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law. Serious violations, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may also be referred appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law.

(b) Notwithstanding the recommended minimum penalties set forth below, a serious violation, including those causing serious bodily injury or death, or which exhibit gross

negligence or serious disregard for public safety, may receive the maximum penalty of \$5,000.00 for each violation including a first offense. The imposition of a penalty for a violation of this part shall not excuse the violation or permit it to continue.

(c) The deputy inspector issuing a Citation shall, at the time of issuance, specify a recommended civil penalty amount for each specific violation in accordance with these Rules and Regulations. The Director, Safety Engineering, is charged with the responsibility to ensure that recommended penalties for violations are graduated with the more serious violation receiving the heavier penalty and with assuring uniformity of recommended penalties such that offenders in similar circumstances with similar violations receive similar penalty recommendations. In this regard, the Director may dismiss a Citation and issue a Notice of Administrative Proceeding solely for the purpose of making an appropriate penalty recommendation.

(d) The recommended civil penalty set forth in the Citation or Notice of Administrative Proceeding shall be given great deference by the Hearing Officer. The *minimum* recommended penalties set forth below are normally for first offenses with only one violation being cited. The Hearing Officer shall, after hearing the case, consider factors in mitigation of the violations as well as those in aggravation. The Hearing Officer shall impose a penalty less than the recommended *minimum* penalty only upon finding unusually significant mitigating factors, and shall set forth those factors in the order. The Hearing Officer may impose a penalty substantially greater than the department's recommended penalty upon finding significant aggravating factors associated with the violation, and shall set forth those factors in the order. The Hearing officer shall consider the provisions of these Rules and Regulations guiding the assessment of penalties. In particular, the Hearing Officer, shall, in cases involving continued operation of equipment without valid operating certificates; continued operation of equipment after failing to notify the department of an accident involving structural damage, bodily injury, or death; or continued operation after an unsafe condition is detected or after the equipment is taken out of service by an inspector or deputy inspector, consider the imposition of separate penalties for each day of violation. The Hearing Officer shall not assess a penalty exceeding \$5,000.00 for each violation or each day of a continuing violation. (e) The Hearing Officer may, in addition to a civil penalty, recommend in the order that the Commissioner suspend for a period of time or indefinitely, operating certificates, permits to install, or certificates for contractors.

(4) Minimum recommended penalties:

(a) Specific violations:

1. Operating equipment without a certificate of inspection or permit.

(Authority: O.C.G.A. Secs. 25-15-55 and 25-15-56)

First offense\$250.00

Second offense \$500.00

2. Operating equipment in an unsafe condition. (Authority: O.C.G.A. Sec. 25-15-66)

First offense\$500.00

Second offense\$1000.00

3. Failure to permit free access for the purpose of inspecting or investigating equipment.

(Authority: O.C.G.A. Sec. 25-15-67)

First offense\$500.00

Second offense\$1,000.00

4. Failure to notify the Chief Inspector of any accidents involving serious personal injury.

(Authority: O.C.G.A. Sec. 25-15-61)

First offense\$500.00

Second offense\$1000.00

5. Failing to notify the Chief Inspector of an accident which involves death. (Authority:

O.C.G.A. Sec. 25-15-61)

First offense\$2500.00

Second offense\$4500.00

6. Placing ride back in service which has been “Red-Tagged” or placed out of service by a deputy inspector, without first having the unit inspected. (Authority: O.C.G.A. Sec. 25-15-66(a))

First offense\$1000.00

Second offense\$2500.00

7. Placing ride back in service which has been involved in an accident prior to first having the unit inspected or otherwise cleared.

First offense\$1000.00

Second offense\$2500.00

(Authority: O.C.G.A. Sec. 25-15-61)

(b) General violations:

1. Violating adopted Code, Standards, Rules, Regulations or Order.

(Authority: O.C.G.A. Sec. 25-15-66(c)(2))

First offense\$250.00

Second offense\$500.00

2. Failure to file a required report. Each report constitutes a separate violation.

(Authority: O.C.G.A. Secs. 34-12-18(c)(2) and 25-15-66(c)(2))

First offense\$250.00

Second offense\$500.00

3. Any third repeated offense may subject the violator to the maximum civil penalty permitted under the Act (\$5,000.00).

(Authority: O.C.G.A. Sec. 25-15-61)

Authority O.C.G.A. Secs. 25-15-66(c)(2), 25-15-53. **History.** Original Rule entitled “Notice of Hearing and Penalties” adopted. F. Feb. 26, 1996; eff. Mar. 17, 1996. **Repealed:** New Rule entitled “Imposition of Civil Penalties” adopted. F. Dec. 15, 1999; eff. Jan. 4, 2000.

120-3-27-.43 Special Situations.

Exemptions from Standards and Regulations approved by the Office. The owner/operator of the following equipment shall be exempt from applying for a permit or inspection. The owner/operator shall meet all other requirements of the Safety Act and these Rules.

(a) Mechanical bulls, climbing walls, human powered equipment or attractions, including but not limited to space balls, orbitrons, air supported structures, paddle boats, water cycles, bicycles and all rental boats.

(b) Playground equipment located at businesses, including but not limited to soft play

areas, single or multi-passenger rides which are passenger operated or controlled, and may be electrically, mechanically, or manually powered, which do not normally require the supervision or services of an operator or attendant.

(c) Single waterslides and similar non-mechanical attractions at municipal, county, state or community operated swimming pools.

Authority O.C.G.A. Secs. 25-15-1 *in seq.* **History.** Original Rule entitled "Special Situations" adopted. F. Dec. 15,

120-3-27-.44 Bungee Jumping. Amended.

This rule specifies and gives guidance on the site, design, testing of equipment, management of the operation, operating procedures, emergency provisions, and procedures for Bungee Jumping. Bungee Jumping will be restricted to permanent structures, constructed solely for the purpose of Bungee Jumping. **BUNGEE JUMPING FROM HOT AIR BALLOONS, BLIMPS, CRANES, OR OTHER MOBILE FACILITIES ARE PROHIBITED.** This shall include stationary towers that are utilizing construction baskets and construction hoisting equipment. This rule is applicable to all operators of Bungee Jumping for public use.

Authority O.C.G.A. Sec. 25-15-53. **History.** Original Rule entitled "Bungee Jumping" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992. **Amended:** ER 120-3-27-.45 F. Sept. 24, 1992; eff. Sept. 18, 1992, the date of adoption, to remain in effect for a period of 120 days or until the adoption of a permanent Rule covering the same subject matter superseding this ER, as specified by the Agency. **Amended:** Permanent Rule adopted. F. Feb. 8, 1993; eff. Feb. 28, 1993.

120-3-27-.45 Definitions. Amended.

The definitions in the Official Code of Georgia Annotated Sections 25-15-51 and 120-3-27-.45, of the Georgia Rules will apply and in addition the following shall apply:

(a) **AIR BAG** - A device which cradles the body and which uses an air release breather system to dissipate the energy due to a fall, thereby allowing the person to land without an abrupt stop or bounce.

(b) **BINDING OF CORD** - Material used to hold the bungee cord threads in place.

(c) **BUNGEE CATAPULTING** - The jumper is held on the ground while the bungee cord is stretched. When the jumper is released, he/she is propelled upwards. **BUNGEE CATAPULTING IS PROHIBITED.**

(d) **BUNGEE CORD** - The elastic rope to which the jumper is attached. It lengthens and shortens and thus produces the bouncing action.

(e) **BUNGEE JUMPING** - When a person falls from a height and the descent is limited by attachment to the bungee cord.

(f) **CORD** - See Bungee Cord.

(g) **DEFINED AREA** - The area designated for the bungee jump by the owner or operator and approved by the Department.

(h) **DYNAMIC LOADING** - The load placed on the rigging and attachments by the initial free fall of the jumper and the bouncing movements of the jumper.

(i) **EQUIPMENT** - Power or manually operated devices to raise, lower and hold loads.

- (j) **FENCE** - A permanent or temporary structure designed and constructed to restrict people, animals and objects from entering the designated bungee jumping area.
- (k) **INCIDENT** - An event that results in injury to a person, or an event that causes damage or loss of process (jumping interrupted or stopped).
- (l) **JUMP AREA** - The maximum designed area in all directions for the movement of the jumper.
- (m) **JUMP DIRECTION** - (Forward or Backward) The direction in which a jumper jumps upon leaving the platform from the jump point.
- (n) **JUMP HARNESS** - An assembly to be worn by a jumper, which is attached to a bungee cord.
- (o) **JUMP HEIGHT** - The distance from the jump platform to the bottom of the jump zone.
- (p) **JUMP MASTER** - A person who has responsibility for the bungee jumping operation and who prepares the jumper for the actual jump.
- (q) **JUMP OPERATOR** - A person who assists the jump master to prepare a jumper for jumping and operates the lowering system.
- (r) **JUMP POINT** - The position from which the jumper leaves the platform.
- (s) **JUMP ZONE** - The space bounded by the maximum designed movements of the jumper or any part of the jumper.
- (t) **JUMPER** - The person who falls or jumps from a height attached to a bungee cord.
- (u) **JUMPER WEIGHT** - The weight of the jumper only, determined by the jump master on a calibrated scale, traceable to a National Standard.
- (v) **LANDING AREA** - The surface area of a net, pad, air bag or water directly under where the jumper lands.
- (w) **LATERAL DIRECTION** - The area measured at 90 degrees to the designed jump direction.
- (x) **LOWERING SYSTEM** - Any manual or mechanical equipment capable of lowering a jumper to the designated landing area.
- (y) **LOADED LENGTH** - The length of the bungee cord when extended to its fullest designed length.
- (z) **PLATFORM** - The area attached to a structure from which jumper falls or jumps.
- (aa) **PREPARATION AREA** - The area where the jumper is prepared for jumping. The preparation area shall be separate from the jump area.
- (bb) **RIGGING SYSTEM** - The bungee cord plus any webbing or rope connected to the bungee cord which is of variable lengths set by the jump master for each jumper.
- (cc) **RECOVERY AREA** - An area next to the landing area, where the jumper may recover from the jump before returning to the public area.
- (dd) **SAFE WORKING LOAD (SWL)** - The maximum rated load as determined by the manufacturer which can be safely handled under specified conditions, by a machine, equipment or component of the rigging system.
- (ee) **SAFETY BELT** - A belt designed to fit around the waist of a person which can be attached to either an anchor point or safety line.
- (ff) **SAFETY HARNESS** - An assembly to be worn by an operator. It is designed to be attached to a safety line and prevent the jump site operator from falling.
- (gg) **SAFETY HOOK** - A hook with a latch to prevent rigging or loads from accidentally slipping off the hook.

- (hh) **SAFETY LINE** - A line used to connect a safety harness or belt to an anchor point.
- (ii) **SAFETY SPACE** - A space extending beyond the jump zone as a safety factor.
- (jj) **SITE OPERATING MANUAL** - The document containing the procedures and forms for the operation of all bungee jumping activities and equipment.
- (kk) **STRUCTURE** - A permanent structure constructed solely for the purpose of bungee jumping.
- (ll) **TANDEM JUMPING** - The practice of two people harnessed together while jumping simultaneously from the same jump platform. **TANDEM JUMPING IS PROHIBITED.**
- (mm) **TESTING AUTHORITY** - An organization acceptable to the department for the purpose of testing the performance of bungee cords.
- (nn) **UNLOADED LENGTH** - The length of the bungee cord without load or stress applied.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Definitions" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992. **Amended:** ER 300-8-3-0.1-.02. 120-3-27-.45 – 120-3-27-53 F. Sept. 24, 1992; eff. Sept. 18, 1992, the date of adoption, to remain in effect for a period of 120 days or until the adoption of a permanent Rule covering the same subject matter superseding this ER, as specified by the Agency. **Amended:** Permanent Rule adopted. F. Feb. 8, 1993; eff. Feb. 28, 1993.

120-3-27-.46 Site and Operating Approval.

- (1) The operator shall obtain a permit from the Department of Labor, Safety Engineering Section to operate on the site. The initial permit fee shall be \$5,000.00. Each permit shall be renewed annually, at a cost of \$1,000.00.
- (2) Each site shall be inspected by the Department quarterly, at a cost of \$500.00. The cost of one quarterly inspection shall be included in the annual permit renewal.
- (3) Site Plan and Equipment Design and Construction:
 - (a) A report shall contain site plans, safety zones, drawings and specifications of equipment and structures which shall be submitted to the department prior to construction.
 - (b) Inspections shall be conducted at the discretion of the department.
- (4) The owner shall provide a certificate of insurance to the department covering any spectator, and any patron in bungee jumping in the amount of one million dollars (\$1,000,000.00) per occurrence.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Site and Operating Approval" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992.

120-3-27-.47 Safety Space.

- (1) Each bungee jump site shall maintain a side safety space of twenty (20) feet in all directions.
- (2) Where jumps occur over water, the water shall be at least nine (9) feet deep. The vertical safety space shall be at least sixty (60) inches above the water. However, if the depth of the water is greater than nine (9) feet, no vertical safety space is needed.
- (3) Where jumps occur over land an air bag or net is used. The vertical safety space shall

be at least sixty (60) inches above the air bag or net.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Safety Space" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992.

120-3-27-.48 Permanent Platform.

- (1) The Safe Working Load (SWL) shall be determined by the maximum weight on the platform at any one time, with a safety factor of not less than five (5) times the maximum designed platform weight.
- (2) When the platform is not an integral part of the structure, the attachment devices and the part of the structure to which they are attached, shall have a safety factor of at least five (5) over the total load.
- (3) The platform shall have a non-slip surface.
- (4) The platform shall have anchor points for safety harnesses, designed and placed to best suit the movements of anyone on the platform.
- (5) The platform shall be fitted with a permanent fence separate from the jump point to contain the jumper during preparation.
- (6) There shall be a gate across the jump point which shall remain closed when a jumper is not present.
- (7) The jump master shall stop the jumping operation when the wind speed affects the safe operations on the jump platform and/or the recovery area.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Permanent Platform" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992.

120-3-27-.49 Lowering System.

- (1) The system for lowering the jumper to the landing pad shall be operated by either the jump operator or jump master.
- (2) There shall be an alternative method of jumper recovery should the main lowering system fail.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Lowering System" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992.

120-3-27-.50 Bungee Cord Requirements.

- (1) The operating length of a bungee cord at its maximum designed dynamic load shall not exceed four (4) times its unloaded length.
- (2) The cord material and sheathing to be used shall be clearly specified in the site operating manual.
- (3) The cord and its non-metallic connectors shall be destroyed when one of the following conditions occur:
 - (a) Exposure today light exceeds 250 hours. This does not apply when the cord cover or sleeve fully protects all of the cord from visible and ultra-violet exposure.
 - (b) Six (6) months from the date of manufacture.
 - (c) Evidence of threads exhibiting wear, such as bunched threads, uneven tension

between threads or thread bands.

(d) Broken threads in excess of five percent (5%).

(e) After contact with solvents, corrosive or abrasive substances.

(f) Any other flaws found.

(g) As the bungee cord stretches over the course of its jump life, the dynamic load required to extend the bungee to four (4) times its unloaded length will reduce. When this dynamic load reduces to less than the maximum designed dynamic load, the cord shall be destroyed.

(h) After a maximum of five hundred (500) jumps using that cord.

(i) When the cord or its connectors are not in compliance with the manufacturer's specifications.

(j) Any particular cord shall not be used for successive jumps. At least five (5) minutes must be provided between jumps from a particular cord, to allow the cord to fully return to its original unloaded length.

(4) Bungee cords must be examined daily. Before starting the day's operations, the jump master shall visually inspect the entire length and circumference of the bungee cord for signs of wear. The inspection shall be repeated at least four (4) times during daily operation and recorded in the site log.

(a) When unexpected changes in bungee cord performance occur, the bungee cord is to be replaced immediately. The bungee cord shall be subjected to inspection and testing as required in these regulations.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Bungee Cord Requirements" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992.

120-3-27-.51 Jump Harness.

(1) A jump harness shall be either a full body harness or a seat harness with shoulder straps.

(2) A jump harness shall be available to fit the range of patron sizes accepted for jumping.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Jump Harness and Ankle Strapping" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992. **Amended:** ER 120-3-27-.45 – 120-3-27-.52 retitled "Jump Harness". F. Sept. 24, 1992; eff. Sept. 18, 1992, the date of adoption, to remain in effect for a period of 120 days or until the adoption of a permanent Rule covering the same subject matter superseding this ER, as specified by the Agency. **Amended:** Permanent Rule of same title adopted. F. Feb. 8, 1993; eff. Feb. 28, 1993.

120-3-27-.52 Ropes.

All ropes for holding and/or lowering the jumper shall have a breaking load of at least 6,000 pounds.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Ropes" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992.

120-3-27-.53 Hardware.

- (1) Carabineers shall be the screw gate type, manufactured of hardened steel, with at least a minimum breaking load of 6,000 pounds.
- (2) Pulleys and shackles shall be manufactured of hardened steel and shall have a minimum breaking load of at least 6,000 pounds.
- (3) All pulleys shall be compatible with the rope size.
- (4) Webbing shall be flat or tubular mountaineering webbing or equivalent with a minimum breaking load of at least 6,000 pounds. If military specification cords are used, all webbing will have redundant connections.

Authority O.C.G.A. Sec. 25-15-53 **History.** Original Rule entitled "Hardware" adopted. F. Jan. 10, 1992; eff. Jan. 30, 1992.