

Regulation on amusement devices

Part I. General provisions

Chapter 1. Initial provisions

§ 1-1. Purpose

The regulations will ensure that the amusement devices and rides are fitted, built, operated, maintained and removed so that the device does not cause damage to person, property or the environment.

§ 1-2. Scope

The regulation applies to the actor offering the amusement ride or device to the use of the public.

The regulation does not apply to the part of the amusement ride or device that is covered by the planning and building legislation.

Chapter 5 applies to go kart rentals with a maximum speed of 50 km/h, that are not covered by other legislation.

§ 1-3. Definitions

In this regulation the following is meant by:

- a) *Amusement ride or device*: installation to use for amusement purposes which involves risk and that set minimal requirements for skills and where users are either brought in motion or situations where they partially or completely do not have control over their own movement, or both.
- b) *Undertaking*: undertakings, sole proprietorships or administrative agencies which has an operating permit for one or more amusement devices.
- e) *Accident*: unwanted or sudden event or a specific number of such events that lead to death or serious injury, substantial material damage to property or the environment, and all other similar accidents.
- f) *Serious incident*: unwanted event that under other circumstances might have led to an accident.
- g) *Event*: any other unwanted event than an accident, which is connected with the operation of the amusement device and that affect the safety of operations.

h) *Operational personell*: Personell with tasks affecting operational safety.

§ 1-4. Exceptions

The Norwegian Railway Authority can in particular cases make exceptions to this regulation.

Chapter 2. General requirements to the undertaking

§ 2-1. The responsibility of the undertaking

The undertaking has is responsible for the safe operation, maintenance and risk control of the amusement device.

§ 2-2. Operating permit and notice of changes of importance to the operating permit

Operation of an amusement device requires operating permit. An amusement facility shall not be put in use prior to obtaining an operating permit. An operating permit is granted by The Norwegian Railway Authority after the applicant has proven that all the technical and operational requirements are met.

Removal of non-mobile amusement devices require a new operating permit. Any other changes of an amusement ride or device, shall be notified in writing to the Norwegian Railway Authority before the change is made. The Norwegian Railway Authority shall assess, based on the notification, if the change is of such a nature that it is necessary to apply for a new operating permit.

The amusement ride or device shall be marked with the device number issued by the Norwegian Railway Authority while the undertaking has an operating permit for the device.

§ 2-3. Application for operating permit

Application for operating permit is sent to the Norwegian Railway Authority using a prescribed form. The application shall include, *inter alia*, a technical description of the amusement ride or device with drawings or pictures and specify which standards have been used. The relevant parts of the safety management system shall also be included.

Application for operating permit will be determined as soon as possible and no later than four weeks-after the date on which all the necessary information is submitted to the Norwegian Railway Authority.

§ 2-4. The insurance obligation

The undertaking shall be insured and have a guarantee for any liability that may arise due to the amusement device. Without a guarantee the Norwegian Railway Authority shall revoke the operating permit. An insurance agreement may be made for each individual amusement facility, or collectively for all the undertaking' amusement devices.

When calculating the size of the insurance cover and safety guarantee the emphasis is on the potential damage the facility holds.

The insurance company where the amusement facility is insured to notify the Norwegian Railway Authority about the annulment of the guarantee.

§ 2-5. Notification obligation of accidents and serious incidents

If an accident resulting in serious personal injury occurs, the undertaking shall immediately notify the police. The notification shall be given verbally

If an accident or serious incident occurs, the undertaking shall also notify the Norwegian Railway Authority.

§ 2-6. The reporting obligation about accidents, serious incidents and events

The undertaking shall report in writing to the Norwegian Railway Authority on accidents and serious incidents. The report is to be sent the Norwegian Railway Authority as soon as possible and at the latest within 72 hours from the accident or serious event. Event should be reported to the Norwegian Railway Authority within 8 days. Reporting can be done electronically.

Reporting shall be made on the form established by the Norwegian Railway Authority.

§ 2-7. Annual report

The Norwegian Railway Authority can require that undertakings submit an annual report on matters that affect the safety. Norwegian Railway Authority defines demands of the content of the report and set deadlines for submission.

§ 2-8. Prohibition of transfer of operating permit etc.

An operating permit is not transferable, including rented, leased, lent or otherwise be left to others.

§ 2-9. Claims about the safety management system

The undertaking shall have a safety management system. The purpose of the safety management system is to manage the undertaking in order to operate in a safe manner.

§ 2-10. Requirements for safety management system

Safety management system should be documented, and known by all who have safety tasks in the undertaking. The documentation shall be in Norwegian, Swedish or Danish. For personnel that do not master Norwegian, Swedish or Danish the relevant parts of the documentation shall be translated into the language the personnel masters.

The safety management system should be adapted to the nature and extent of the relevant undertaking, and will contain the provisions that are required to control risks associated with the undertaking.

The safety management system shall at minimum describe:

- a) who can make decisions affecting operational safety.
- b) the system for handling nonconformities
- c) how regular risk assessments and associated action plans is to be implemented. The risk assessment shall be carried out in accordance with recognized methods. Nonconformities shall be part of the basis for the risk assessments.
- d) instructions for

- i) the safe operation of the amusement ride or device
- ii) control of the amusement ride or device
- iii) maintenance of the amusement ride or device

Any instructions from the supplier shall be used as a basis for the instructions.

The instructions shall indicate who is responsible for their implementation

- e) competence and training requirements for operational personell, including requirements for competence in first aid and rescue.
- f) Contingency plan for emergency situations. The plan should at least contain:
 - i) emergency notification list (internal and external)
 - ii) Overview of equipment for first aid and rescue, and the placement of this

Contingency plans for amusement devices where self rescue is not an option due to height or other factors make it unfeasible, shall in addition include:

- iii) detailed evacuation plan
- iv) procedures for the planning and conduct of regular rescue exercises
- v) procedures for the subsequent evaluation and follow-up of rescue exercises
- vi) description of communication equipment and equipment for evacuation or lowering of passengers, and where the equipment is located
- vii) documents on technical data and operational data, records of repair, remodelings, inspections, tests and controls, and reports of these.

§ 2-11 Rental of amusement facility

The undertaking that rents out an amusement ride or device is obliged to ensure that the tenant is familiar with the contents of the safety management system for the relevant ride or device. In the event of an accident the duty of tenant is to notify as defined in § 2-5.

The undertaking that rents out an amusement ride or device must give the tenant adequate training about assembly, operation and maintenance.

§ 2-12. *Acceptable safety level*

An amusement ride or device that is constructed and operated in accordance with the recognized standard will be deemed to have acceptable level of safety, unless the regulation contains stricter provisions. If an amusement ride or device have risk aspects that are not included in recognized standards, these must be considered separately. Such a consideration shall be documented. Risk assessments shall be conducted in accordance with recognized standard.

If parts of recognized standards are combined it shall be documented that an acceptable level of safety is achieved.

Safety requirements can also be met if:

- a) the undertaking can document that the amusement ride or device keeps a similar level of safety as in the recognized standard, or
- c) the amusement ride or device meets the requirements in the draft of international standard.

The Norwegian Railway Authority can require that the undertaking uses and employs an independent body to verify that the safety is taken care of, if necessary. The Norwegian Railway Authority may require that an independent body should be accredited.

§ 2-13. *Demands for annual use of independent inspection body*

The undertaking shall yearly use and pay for an independent inspection body for the technical control of amusement ride or device. Norwegian Railway Authority may require that the inspection body should be accredited.

The technical inspection shall include the entire amusement ride or device with additional equipment. The intervals between the inspections shall be as the maximum be as set out in the current standard or by the vendor if these are shorter.

Procedure and content of a technical control should follow the rules of the relevant standard.

The Norwegian Railway Authority can make exceptions from the requirement of technical inspections.

Chapter 3. Requirements for the operation, the operating controls and maintenance

§ 3-1. *General requirements to the operations staff*

The operations staff should have the necessary knowledge, skills, experience and personal qualities for the tasks to be performed. Personnel that perform work that involves communication with users or that need to know the undertakings safety management system shall have sufficient language skills.

If not otherwise expressly determined in this regulation, operating personnel must be at least 18 years of age.

§ 3-2 *The staffing requirements for the amusement ride or device*

The individual devices shall have sufficient number of qualified operations staff present. The operations staff shall be over 18 years. For simple amusement devices the age limit is 16 years.

§ 3-3 *Tasks of the operating personnel*

The operations staff should make sure that the ride or device is operated in a secure way. The operations staff shall stop the device or otherwise intervene to prevent damage if dangerous situations arise.

§ 3-4 *Operating procedures*

The undertaking shall have procedures for the safe operation of the amusement ride or device. The procedures shall ensure that the device is operated in accordance with the descriptions from the supplier. In addition, the undertaking shall regularly evaluate the procedures to ensure the safe operation of the device.

Where the device has no operational procedures from the supplier, the undertaking shall make procedures that describe the safe operation of the device. In addition, the undertaking shall consider what events that can result in emergency situations, and create procedures to prevent them.

§ 3-5 Control and maintenance

The undertaking shall have procedures for control and maintenance of the amusement ride or device.

For amusement rides or devices where the supplier provides descriptions of control and maintenance, these instructions shall be complied with. In addition, the undertaking shall consider the need for additional and more frequent control and maintenance than recommended by the supplier.

For amusement rides or devices where the supplier has not provided descriptions and frequency of control and maintenance, the undertaking shall conduct daily, weekly and annual controls. A main revision should be carried out at least every five years.

Control and maintenance shall be executed by qualified personell, and be organized to prevent accidents and serious incidents.

Controls and maintenance work shall be documented.

When the device is operated during normal functional trials, test drive or other types of control, where the safety of the device may be reduced, the amusement ride or device shall not be available to the public.

§ 3-6. Operational inspection

Before a amusement ride device is taken into use for the public, it shall be necessary that the safety functions is in a reliable condition and that all safety features are acting properly.

The amusement ride or device shall be supervised during operation.

Operational inspection shall be performed by qualified personell. Operational inspection shall be documented.

When ending the operating of the amusement ride or device it shall be checked that all users have left the amusement ride or device.

The amusement ride or device shall be closed and locked when not in use. If the device cannot be sufficient locked it should be clearly signed that the amusement ride or device is closed.

In the event of accidents, serious incidents or other unforeseen disruption of operation, the amusement ride or device shall be subject to inspection to determine that it is secure before it is taken into use again.

§ 3-7 Signage

Amusement rides and devices shall be equipped with signes with concise instructions on howusers are to act, including any health restrictions to the use of the amusement ride or device.

Chapter 4. Common requirements for performance

§ 4-1 Placement

The ground conditions must be such that the amusement ride or device is stable.

Amusement rides or devices shall be placed in relation to other amusement rides and devices, constructions and buildings in such a way that it can be run safely.

An amusement ride or device that is set in motion shall be shielded so that the public/patrons does not get access to any moving parts when the device is in operation.

For mobile rides and devices it shall be ensured that users can be safely evacuated.

§ 4-2 Assembly and disassembly

The undertaking is responsible to ensure that the assembly and disassembly of the amusement ride or device is carried out according to the manufacturer's instructions and to any eventual terms and conditions in the operating permit.

When the assembly is carried out, one shall inspect that all components that affect the safety are free from defects and is properly assembled. During disassembly it shall be checked that these are without dangerous wear and tear and do not have defects.

Chapter 5. Additional requirements for the rental of go-karts

§ 5-1. Requirements for courses and karts

Courses and go-karts for rental shall be designed and built so that riders and the public are not exposed to undue risk.

Karts that is used by children shall be adapted to age, abilities and skills of the user.

Karts shall be equipped with brakes on the rear wheels.

Karts for children between 8 and 10 years shall have reduced axle base and be adapted to children down to 110 cm of height.

Karts for children from 8 to 15 years shall have an average speed not exceeding 25 km/h.

Karts for children under 8 years old shall not exceed 10 km/h.

Karts from different speed groups cannot be used at the same time on the same course.

§ 5-2. Personal protective equipment

While driving, the rider and, if any, potential passenger shall use personal protective equipment.

§ 5-3. Staffing requirements

The path shall be staffed with at least two people who are familiar with the go-karts.

§ 5-4. Signage

The facility shall have a system for signaling to the users.

Chapter 6. Other provisions

§ 6-1. Supervision and enforcement

Norwegian Railway Authority shall supervise that the provisions of this regulation, and those in the regulations and individual decisions given in pursuance of this, are being complied with.

§ 6-2. Complaint

Complaints about individual decisions taken by the Norwegian Railway Authority in accordance with this regulation, are determined by the Ministry of Transport.

§ 6-3. The entry into force

The regulation will take effect January 1st 2017. From the same date the following regulations are repealed: