

Keeping Fun Safe

**A public discussion paper on a new
Amusement Ride Regulation for
Manitoba**



October 2016

This information is available in alternate formats upon request.

Overview:

The Government of Manitoba is developing a new amusement ride regulation. Work in this area is being led by The Manitoba Office of the Fire Commissioner (OFC), which is the Agency responsible for the administration and enforcement of legislation and regulations governing amusement rides. The goals of the new regulation are to:

- Ensure the safety of all Manitobans that use amusement rides.
- Move towards the harmonization of our amusement ride safety standards with other Canadian provinces and across North America.
- Limit unnecessary red tape and administrative burden on Manitoba's amusement ride industry.
- Ensure that any fees charged related to amusement device permits or inspections reflect the actual costs associated with the services provided.

Changes are being proposed in the following key areas:

1. Adopting up-to-date amusement ride safety standards.
2. Establishing safety standards for zip lines and larger water slides.
3. Requiring operating permits for all amusement devices, and operating and installation permits for water slides and zip lines.

What is an Amusement Ride?

For the purposes of this regulatory review, an amusement ride refers to a device (or combination of devices or device components) that carries, conveys, or otherwise physically moves a person over fixed course or within a defined area for the purpose of entertainment or amusement. This also includes any structure or installation required to operate the amusement ride (eg, platforms, stairs, fencing, etc.).

Examples of devices that are included within the scope of this regulatory review include:

- Mechanical rides – Ferris wheels, roller coasters, Tilt-a-whirls, bumper cars, etc.
- Go karts
- Zip lines and cable wakeboarding systems
- Water slides
- Bumper boats

Examples of devices that are not included in the scope of this regulatory review include:

- Coin operated rides or rides on a non-moving base designed to accommodate only 1-2 persons.

- Rides that are operated primarily or only using muscle power (eg, inflatable bouncers, trampolines, children’s playground equipment, climbing walls, animal rides, etc.).
- Motor vehicles as defined under *The Highway Traffic Act* (eg, cars, snowmobiles, motor cycles, etc.)
- Other motorized vehicles not operated on a fixed course or track (eg, all-terrain vehicles or cycles, motorboats)
- Hot air balloons
- Amusement rides operated at private residences that are not open to the public or at private clubs for the exclusive use of club members.

How did we get here?

The OFC has been consulting with industry stakeholders over the last several months to identify changes that are needed to the way that amusement rides are regulated in Manitoba.

This consultation process is part of a larger review of Manitoba’s technical equipment safety regulations being conducted for the new *Technical Safety Act*.

The *Technical Safety Act* was passed by the Manitoba Legislature on June 30, 2015, and replaces six separate equipment safety Acts, including:

- *The Amusements Act (Part II)*
- *The Elevator Act*
- *The Gas and Oil Burner Act*
- *The Electricians’ Licence Act*
- *The Power Engineers Act*
- *The Steam and Pressure Plants Act.*

Part of the process for implementing the new Act will involve the repeal and replacement of regulations under each of the former Acts, including the Amusement Ride Inspection Fees Regulation under *The Amusements Act (Part II)*. This Regulation and Act provide the OFC with the authority to operate its amusement ride inspection programs and enforce safety standards for amusement ride operators.

Why we want your input

The regulation of amusement rides affects many Manitobans and their families, as well as those that own businesses or work in the amusement ride industry. Manitobans have access to many different types of amusement devices, including mechanical rides like

roller coasters or Ferris wheels, zip lines, water slides and go karts. The goal of this regulatory review is to ensure that everyone that uses this equipment is able to do so safely.

Several options are being considered that would potentially change the way amusement rides are regulated in Manitoba. These options are presented within this document for your review and feedback.

Proposed Changes in a new Amusement Ride Regulation

1. Adopting up-to-date amusement ride safety standards

Manitoba currently adopts the Z267-00 Safety Code for amusement rides and devices developed by the CSA Group (CSA).

CSA Codes are developed to help define best practices for products, services and processes. CSA Codes are often adopted by governments to help address safety concerns for consumers and businesses.

The Z267 Safety Code for amusement rides and devices, which was approved in 2001, and reaffirmed in 2011, establishes safety requirements for amusement rides in the following areas:

- The design and manufacture of rides;
- Ride installation;
- Testing and inspection;
- Ride maintenance procedures; and
- Ride operations.

Provincial amusement ride inspectors use these requirements as a basis for ensuring rides are installed, maintained, and operated safely.

At this time, most Canadian jurisdictions have adopted the CSA Z267 Safety Code. However, not all jurisdictions have adopted the same version of the Code, and some do not adopt portions of the Code related to water slides and go karts. In addition, some types of devices such as zip lines and inflatables are not addressed in the Code, resulting in inconsistent standards for these devices being applied across Canada.

The CSA recently announced that the Z267 Code would be replaced by the new ASTM F2783-14 Standard for Amusement Rides. This new Canada-United States harmonized standard is based on the ASTM F24 Committee Standards for Amusement Rides and Devices, which is adopted throughout the United States and in 25 other countries around the world.

What we are proposing: *Adopting sections of the new ASTM F2783-14 Standard for Amusement Rides in Manitoba that are within the scope of the proposed new Amusement Ride Regulation, including sections related to:*

- *Ownership, operation, maintenance and inspection of amusement rides*
- *Design, manufacturing, and construction standards for amusement rides*
- *Individual device standards for mechanical rides, zip lines, bumper boats, go karts, and larger water slides.*

Adopting these sections of the new Standard will help Manitoba move towards the harmonization of our amusement ride safety standards with other Canadian and North American jurisdictions. At this time, many Canadian provinces are working to adopt the new Standard in their jurisdictions.

In consultations with the amusement ride industry we heard that adoption of the new Standard will benefit Manitoba's amusement ride operators by:

- Harmonizing amusement ride safety standards across North America. This is important because most amusement rides are not manufactured in Manitoba or Canada, and rides manufactured in the United States are generally built to ASTM F24 Committee Standards.
- Increasing the value of amusement ride equipment in Manitoba. This will make it easier for business owners to buy or sell equipment outside of Manitoba.
- Simplifying the process for amusement ride operators in one jurisdiction to find work or open a business in another.

2. Establishing safety standards for zip lines and larger waterslides

The amusement ride industry has seen many changes since Manitoba's amusement ride regulations were created almost 30 years ago. One of these changes has been an increase in the number and variety of rides and devices available to Manitobans.

In order to keep pace with the changing amusement ride industry, Government is proposing to widen the scope of amusement devices that will be included in the new Amusement Ride Regulation to include zip lines and larger water slides.

Like all amusement rides, zip lines and water slides are generally safe to use and enjoy. However, these devices can pose safety risks if they are not installed, maintained, and operated safely. Without inspections or safe operation requirements, members of the public can be left in the difficult position of trying to determine whether a ride is safe to use or not.

More information about each of these device types is provided below:

Zip Lines

Currently, the OFC inspects zip lines at the request of the owner. Owners are not required to have a safety inspection or obtain a permit prior to operating these devices.

What we are proposing: *That all zip lines that meet specified size and speed criteria will be regulated and inspected.*

A zip line is a device that consists of a pulley suspended on a cable that is designed to enable a person to travel from the top to the bottom of an inclined cable by holding onto, or attaching to, a freely moving pulley.

Under this proposal, zip lines that are over 2.5 metres in height with a trolley speed of over 5 metres per second would be regulated. Regulating zip lines of this size and speed would be consistent with the zip lines that are regulated in British Columbia and Ontario.

Zip lines would be inspected in accordance with the ASTM F2959-14 Standard for Aerial Adventure Courses.

Water Slides

Currently, the OFC does not inspect or enforce safety or construction standards for any water slides in Manitoba.

A water slide is a slide kept continuously wet through flowing water that is used for sliding down into a swimming pool.

Public and semi-public swimming pools are regulated by Manitoba Health under the Swimming Pools and Other Water Recreational Facilities Regulation. Pools are issued operating permits by public health inspectors to ensure compliance with the regulation, and are inspected 2-3 times per year. Inspections include water quality testing and visually inspecting the area for possible safety concerns.

Water slide structures are not regulated under the Swimming Pools and Other Water Recreational Facilities Regulation. However, if a complaint is received regarding a water slide structure, a public health inspector will investigate and, if an issue is found that may result in a danger or injury to the public, the inspector will make recommendations to the facility operator to resolve the issue.

What we are proposing: *That all water slides operating in public and semi-public recreational water facilities that are larger than 6 feet (2m) in height, other than slides that do not operate using flowing water (e.g., single-piece flume slides installed on a pool deck), will be regulated and inspected under a new Amusement Ride Regulation.*

Water slides larger than 6 feet in height would be required to be built and inspected in accordance with the F2376-13 Standard Practice for Classification, Design, Manufacture, and Construction and Operating of Water Slide Systems. Manitoba Health will continue to inspect all aquatic facilities, including those with larger water slides, for water quality and other safety concerns.

Similar to other amusement rides, owners of zip lines and larger water slides would be required to do the following in order to operate in Manitoba:

- Obtain operating permits for each amusement device, and an installation permit prior to construction. (See pages 8-9 for more information on amusement device permits.); and
- Have their device(s) subject to inspection by the OFC.

Some of the benefits of regulating and inspecting zip lines and water slides include:

- Ensuring that Manitobans who use these devices are safe;
- Ensuring consistent safety standards for the installation, operation, and maintenance of these devices;
- Protecting Manitobans by requiring operators to obtain liability insurance; and
- Allowing the OFC to track injuries that may occur with these devices and take steps to work with industry to correct safety issues that are identified.

3. Requiring operating permits for all amusement devices and operating and installation permits for water slides and zip lines

In Manitoba, amusement ride operators are currently required to arrange for an inspection of their devices once per year at the beginning of the ride season. The OFC conducts inspections of devices and issues a certificate after a ride has passed

inspection. Rides cannot be operated in Manitoba until this inspection has been completed and passed.

The inspection process is important, because it allows inspectors to order amusement ride operators to address mechanical or safety concerns, or to issue an order to stop the ride from operating if a safety hazard is discovered. Inspections also ensure that the ride complies with the safety codes and standards adopted in Manitoba, as well as with the requirements set out in Acts and Regulations.

However, the way that amusement ride inspections are conducted has created issues for industry, as amusement ride operators often set up their equipment and request inspections at the same time. This may lead to inspection delays and result in lost revenue for business owners.

In addition to requiring rides to pass an inspection and obtain a certificate, ride operators are asked to provide an itinerary for all portable amusement rides to the OFC at the beginning of ride season. This is intended to allow the OFC to know where rides will be located at any given time.

However, only having an itinerary for portable rides has made it difficult for the OFC to track the amusement rides being operated in Manitoba, as well as who owns or is responsible for each ride. Having this information is important, as it helps the OFC to track safety issues with individual rides when these devices are sold or ownership is transferred.

What we are proposing: *Formalizing the current inspection process by requiring operating permits for all amusement rides, as well as operating and installation permits for water slides operating in public and semi-public recreational water facilities and zip lines.*

Under the proposed new process, all amusement ride operators will be required to apply for an operating permit for each of their amusement devices. The initial application for an operating permit will require the following information to be submitted to the OFC:

- The name and contact information for the device owner;
- The manufacturer's operating manual for the device (for a new ride only);
- An itinerary for portable rides;
- Proof of a valid liability insurance policy; and
- A permit fee.

Amusement rides will also need to pass an inspection prior to receiving an operating permit for the first time. Business owners will need to apply for a new operating permit if they purchase or acquire new or used equipment, and permits will not be eligible for transfer between device owners.

The process to renew a permit will be much simpler, and operators will only be required to submit an updated itinerary for portable rides, and pay a fee for the renewal of the permit. This fee will cover the cost of the permit and the required inspection(s). In addition, if owners apply for and receive a renewed operating permit prior to the beginning of the ride season, their valid operating permit will allow them to open and operate their rides without needing to wait for an OFC inspection. Inspections will continue to occur annually; however inspection priority will be determined based on a risk assessment approach, with the highest risk equipment being inspected first. The OFC will also have the ability to conduct unscheduled inspections to check that rides are being operated safely. This will help to reduce inspection delays and ensure that operators are able to maximize Manitoba's short operating season.

Some additional benefits of requiring operating permits for all amusement rides will include:

- Providing a better mechanism for tracking the ownership of rides in Manitoba, which will allow the OFC to more effectively enforce safety standards and ensure businesses are operating their equipment safely; and
- Better aligning Manitoba's requirements with most other Canadian jurisdictions that also require operating permits for amusement rides.

For water slides and zip lines, in addition to a valid operating permit, a person wanting to construct a new water slide larger than 6 feet in height or a new zip line over 2.5 metres in height with a trolley speed of over 5 metres per second in Manitoba will need to obtain an installation permit from the OFC.

Unlike other amusement rides, water slides and zip lines often include large, permanently built structures that are custom-designed for the facility they will operate in or the equipment they will operate on. Installation permits will help to ensure that all components of these structures including slides, towers, stairs, railings, and platforms are built properly and safely.

In order to obtain an installation permit for a new water slide or zip line in Manitoba, a business owner will be required to:

- Provide engineer-stamped drawings to the OFC demonstrating that the water slide has been designed in accordance with the F2376-13 Standard Practice for

Classification, Design, Manufacture, and Construction and Operating of Water Slide Systems or the zip line has been designed in accordance with the ASTM F2959-14 Standard for Aerial Adventure Courses.

- Once built, the slide or zip line and all its components must pass an initial OFC inspection.
- Pay the required fee(s).

Share your views:

We encourage written comments about the proposed changes discussed in this paper. Your feedback will help to ensure that a new amusement ride regulation meets the needs of both the public, as well as industry stakeholders.

Please submit your comments to the e-mail or mailing address below. The Government of Manitoba will consider each submission carefully, and all input received will guide any changes that will be brought forward for consideration.

Submissions:

Please send your submissions via e-mail to: firecomm@gov.mb.ca (please include "Amusement Ride Regulatory Review" in the subject line.)

Or by mail to:

Amusement Ride Regulatory Review
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