

Department of Public Safety

520 CMR 5.00

The Rules and Regulations Pertaining to Amusement Device Safety

by

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Director of Construction Code Education



520 CMR 5.00

Amusement Device Safety Regulations

- **Department of Public Safety (DPS) Website**

www.mass.gov/dps

- **520 CMR 5.00 are found @**

<http://www.mass.gov/eopss/docs/dps/engineering/inf-eng/amusement-520-cmr-5-final-feb15.pdf>

- **Massachusetts General Law (MGL) c 140 §205A**

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter140/Section205a>



Massachusetts General Law (MGL) c 140 §205A

Public Safety and Good Order

Licenses - Amusement Devices

Section 205A. As used in this section, the words "amusement device" shall mean a mechanical ride or device constructed and designed to carry 1 or more persons for entertainment or amusement purposes and which is powered by means of internal combustion or electrical energy; provided, however, that **the commissioner of public safety**, hereinafter called the commissioner **shall have the discretion to further define an amusement device operated under this section.** No person shall, individually or through an agent, operate or cause to be operated a Ferris wheel, carousel, inclined railway or similar amusement device unless such person has obtained a license from the commissioner. The commissioner, upon receipt of proof that a person has obtained liability insurance as required by this section and upon certification by the liability insurance carrier that an amusement device has met the safety standards of mechanical strength, rigidity and control established by the commissioner, shall issue a license for the operation of the amusement device. A certificate of examination by a person who possesses a certificate of competency to inspect amusement devices, issued under section 62 of chapter 146, and a certificate of liability insurance shall be furnished to the commissioner 10 days prior to the opening of the amusement device. The fee for a license under this section shall be determined annually by said commissioner of administration under section 3B of chapter 7 for the filing thereof. **The license shall expire 1 year from the date of issuance, unless revoked for cause, and shall be valid throughout the commonwealth. A traveling carnival shall notify the commissioner at least 1 month in advance as to the location and dates that the carnival will be in the commonwealth.**



Massachusetts General Law (MGL) c 140 §205A

Public Safety and Good Order

Licenses - Amusement Devices

Section 205A. If an **injury requiring medical treatment** has occurred on such an amusement device, reasonably due to a defect or malfunction in the amusement device, or if the amusement device constitutes a hazard to life, limb or property, as determined by the commissioner or his designee or by an agent of the insurance carrier, **the amusement device shall be closed immediately and, within 48 hours**, the owner or operator shall notify the commissioner or his designee in writing upon a form approved by the commissioner and the insurance carrier. The amusement device shall remain closed until all necessary repairs have been completed to the satisfaction of the commissioner or his designee and the insurance carrier. **All such injuries shall be investigated by inspectors in the division of inspection.** The licensee shall pay to the commissioner a fee, as determined under chapter 7, for each hour or fraction thereof spent by each inspector while engaged in an investigation.

If the insurance contract expires or is cancelled, notice shall be furnished by the insurance carrier to the commissioner at least 10 days prior to termination and the amusement device shall be closed not later than the date of termination and shall remain closed until insurance is obtained.



Massachusetts General Law (MGL) c 140 §205A

Public Safety and Good Order

Licenses - Amusement Devices

- **Section 205A.** Every Ferris wheel, carousel, inclined railway or similar amusement device shall have embossed on the control unit and prominently displayed on at least 3 areas of the amusement device procedures for braking and allowing the amusement device to come to a safe stop.
- **All insurance examiners** authorized by this section to conduct examinations **shall be certified by the department of public safety. An owner and an operator of an amusement park or amusement device shall each maintain and preserve a log of all regular maintenance schedules, service and repair reports, periodic inspections performed and any accident or injury which may have occurred on an amusement device, which shall be made available upon request to an inspector in the division of inspection.** Amusement devices at an amusement park of a permanent nature shall be inspected annually by a certified inspector.
- **This section shall not apply to recreational tramways, as defined by section 711 of chapter 143, or manually operated amusement rides with coiled devices. Owners of permanent or traveling amusement parks shall comply with the standards of the American Society for Testing Materials on amusement rides and devices and shall conduct daily inspections on amusement devices by both ride operators and trained maintenance personnel.** Owners shall maintain permanent and extensive training, inspection and maintenance policies relative to routine and emergency safety and shall employ full-time emergency medical personnel and maintain ambulance services within the park. **All amusement parks of a permanent or traveling nature shall have at least 1 individual on staff that is certified by the commissioner as qualified to oversee the operation, maintenance and inspection of amusement devices; provided, however, that no minor shall operate an amusement device.** The operator of any such park or amusement device shall furnish to the commissioner proof that all amusement devices in the park are **covered for an amount of at least \$1,000,000** for combined single limit bodily injury and property damage and which meet the rules and regulations as established by the commissioner. Operational programs and policies relative to the training, inspection, maintenance and safety of amusement parks shall be subject to review and modification by the commissioner or his designee. Proof of coverage shall include, but not be limited to, proof of liability insurance issued by an insurance company approved to do business within the commonwealth, or a bond, security or other type of indemnity against liability providing substantially equivalent coverage.



Massachusetts General Law (MGL) c 140 §205A

Public Safety and Good Order

Licenses - Amusement Devices

- **Section 205A.** The operator of a permanent or traveling amusement park shall annually certify to the commissioner that a **policy has been established to prohibit and prevent the use of drugs and alcohol by park employees** in the workplace, and such policy may include a random drug and alcohol testing program for those employees, which meets standards promulgated by the commissioner.
- No license to operate a portable fabricated rock climbing wall, including an inflatable wall, with a height in excess of 12 feet shall be granted nor shall such a rock climbing wall be operated unless all climbers are fitted with a safety harness and a belay safety system is used with each climber and operated by persons trained in the proper use of such system. No license to operate an inflatable rock climbing wall with a height in excess of 12 feet shall be granted nor shall such an inflatable rock climbing wall be operated unless it is equipped with an inflatable protective base and guardrail surrounding the base of the wall. No operator shall permit another person to use any portable fabricated rock climbing wall, inflatable or not, with a height in excess of 12 feet unless such person is wearing protective headgear. The commissioner of public safety shall promulgate regulations consistent with this paragraph including, but not limited to: minimum requirements for belay systems and whether such systems shall be automatic or not; minimum training required for those operating belay systems; specifications for surface conditions or preparation, including the installation of protective mats around the perimeter of a non-inflatable climbing wall; specifications for the height and width required for an inflatable base and guardrail for inflatable climbing walls; minimum requirements for anchor support systems for inflatable and non-inflatable climbing walls; and the use of protective headgear.
- **Whoever violates this section shall, for each such violation, be punished by a fine of not more than \$1,000 or by imprisonment for not more than 1 year, or both.**



520 CMR 5.00

Amusement Device Safety Regulations

Scope. **520 CMR 5.00** is promulgated by the Department of Public Safety (Department) pursuant to authority granted by M.G.L. c. 140, § 205A.

The **purpose** of 520 CMR 5.00 **is to provide reasonable standards for the design, construction, inspection and operation of amusement devices for the safety of the public.**

DEFINITION:

Amusement Device. A fixed or portable mechanical device similar to, but not limited to Ferris wheels, carousals, rock walls, euro-bungee or similar devices, inclined railways or similar devices, including inflatables, **challenge courses, and artificial climbing structures**, as well as amusement devices as defined by ASTM. **Coin operated devices, skill games or playground equipments that have no mechanical devices are not within 520 CMR 5.01(2).**



Amusement Device Safety Regulations

DEFINITIONS:

- **Artificial Climbing Structure (ACS).** Sports equipment exclusively designed and originally built to simulate rock climbing and not located in an amusement park or carnival. ACSs may be designed and used for lead climbing, top rope climbing, and/or bouldering. ACSs may be temporary or permanent. ACSs may be considered Challenge Course elements when used as part of a supervised educational/recreational curriculum.
- **Challenge Course.** A facility or facilities not located in an amusement park or carnival consisting of one or more elements that challenge participants as part of a supervised educational/recreational curriculum.
- **Carnival.** A mobile enterprise principally devoted to offering amusement or entertainment to the public in, upon, or by means of portable amusement devices or temporary types of structures in any number or combination, whether or not associated with other structures or forms of public attraction.
- **Amusement Park.** A location that has 35 or more amusement devices that may be operated.



Amusement Device Safety Regulations

- **DEFINITIONS:**

- **Challenge Course Manager.** A person who is at least 21 years of age and is primarily responsible for the oversight, management, and general operation of the Challenge Course, including, but not limited to, developing and maintaining operating policies and procedures, supervision and training of staff, performance evaluation, routine maintenance and inspection of the facility and equipment, and general record keeping.
- **Challenge Course Staff.** A person located on-site during the operation of the challenge course who is at least 18 years of age who works under the supervision of the Challenge Course Manager and is responsible for day-to-day operation of the Challenge Course, including but not limited to supervision of Staff Assistants, routine maintenance and inspection of equipment and general equipment record keeping.
- **Challenge Course Staff Assistant.** A person who may operate Challenge Course elements only under the direct supervision of Challenge Course Staff.



Amusement Device Safety Regulations

- **DEFINITIONS:**

- **Element.** An apparatus which may include but not be limited to, equipment designed to simulate rock climbing, beams, bridges, cable traverses, climbing walls, nets, platforms, ropes, swings, towers, or zip wires that employ fall protection systems in their operation. Elements may be installed on or in trees, poles, portable structures, buildings or be a part of a self-supporting structure.
- **Element Number.** An identifying number issued by the Department and associated with a specific element or artificial climbing structure included on a challenge course site plan.



Element

520 CMR 5.00



Element

520 CMR 5.00



520 CMR 5.00

Annual License Application

<http://www.mass.gov/eopss/consumer-prot-and-bus-lic/license-type/amusements/amusement-forms-and-applications.html>



Commonwealth of Massachusetts

Department of Public Safety
One Ashburton Place, Room 1301
Boston, MA 02108-1618
Tel: (617) 727-3200
Fax: (617) 727-5732
WWW.MASS.GOV/DPS

PERMIT NO. _____

FORM CC-1 2007-1

**CHALLENGE
COURSES
ONLY**

APPLICATION FOR LICENSE TO OPERATE CHALLENGE COURSES

Application is hereby made for a license to operate the listed challenge courses.

(Print name of owner/organization)

(Date of Application)

(Company Website Address)

(Phone Number)

(Print Contact Name)

(Fax Number)

(Contact Name E-Mail Address)

(Contact Name Title)

(Organization Street Address)

(Organization City, State, Zip Code)

The following information must accompany this application (please check as attached):

- Names of the Challenge Course Elements (page 2 of this form)
- A bank check or money order payable to the Commonwealth of Massachusetts (\$40 per course)
- An original insurance certificate (\$2,000,000 minimum), or proof of self insurance or amount up to statutory limit, with challenge course listed.
- A completed certified inspector's report on a form approved by the Department.
- Training plan of the Challenge Course staff.
- Form Attestation of Personnel Training
- Name, contact information of the trained Challenge Course Manager.
- Name, contact information of the Qualified Challenge Course Professional.
- Site Plan
- CORI Request Form
- CORI Procedure

Mail this application and the accompanying information to the address as listed above.

I certify under the penalties of perjury that to the best of my knowledge, I have filed all state tax returns and paid all state taxes required under state law, and that the information submitted with this application is true to the best of my knowledge.

(Signature of owner or permitting representative)

(Date)

(Print Last Name)

Note: License will not be issued unless this document has been completed and signed by the owner.

*This form must be submitted by the applicant.
Failure to use this form will result in the denial of the application.*

Rev. 5-09



520 CMR 5.00

Annual License Application

Owner/Organization Name: _____
APPLICATION FOR LICENSE TO OPERATE CHALLENGE COURSES - Form CC-1 2007-1

	USID #	Name of Challenge Course Element
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		

Name and Qualification of the Qualified Challenge Course Professional (attach qualifications): _____

Name: _____

Address: _____

City/State/Zip: _____

Name of trained Challenge Course Manager: _____

Address: _____

City/State/Zip: _____

Phone: _____

Mail the completed application along with the required information attached, and the fee (bank check or money order only) to:

Massachusetts Department of Public Safety
 Attn: Amusements
 One Ashburton Place, Room 1301
 Boston, MA 02108-1618

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Amusement Device Safety Regulations

- Upon approval, the Department shall issue a license to the owner to operate in the Commonwealth.
- The Department shall assign a state identification number for each Challenge Course.



520 CMR 5.00 Annual License Card



The Commonwealth of Massachusetts

Department of Public Safety
License to Operate Challenge Course

License #: MA-638

Expiration Date: 3/1/2017

Certified Maintenance Mechanic

Rafael Ovelar

Craig Johnson
Great Wolf Lodge of New England, LLC
Great Wolf Lodge
150 GREAT WOLF DRIVE

FITCHBURG MA 01420

(868) 678-9653

U.S. I.D. #	Device	U.S. I.D. #	Device	U.S. I.D. #	Device
13732-01	Full Cargo Net	13732-06	Criss Cross Walk	13732-13	Charlie Chaplin
13732-02	Tremor Bridge	13732-07	X-Net - Copy Assembly I	13732-14	Triple Dip Handline
13732-03	Deep Burma Buckets with Footline	13732-08	Triple Dip Handline	13732-15	Swinging Steps
13732-04	Flat Islands	13732-09	Three Line Lumber Rope Bridge	13732-16	Angled Vertical Rope Ladder
13732-05	Three Line Lilly Pad Rope Bridge I	13732-10	Rickety Bridge	13732-17	Turbo Stirrups
		13732-11	Rope Walk	13732-18	Tension Traverse
		13732-12	Double Droopy Handline	13732-19	Lilly Pads


Matt Carlin
Commissioner of Public Safety

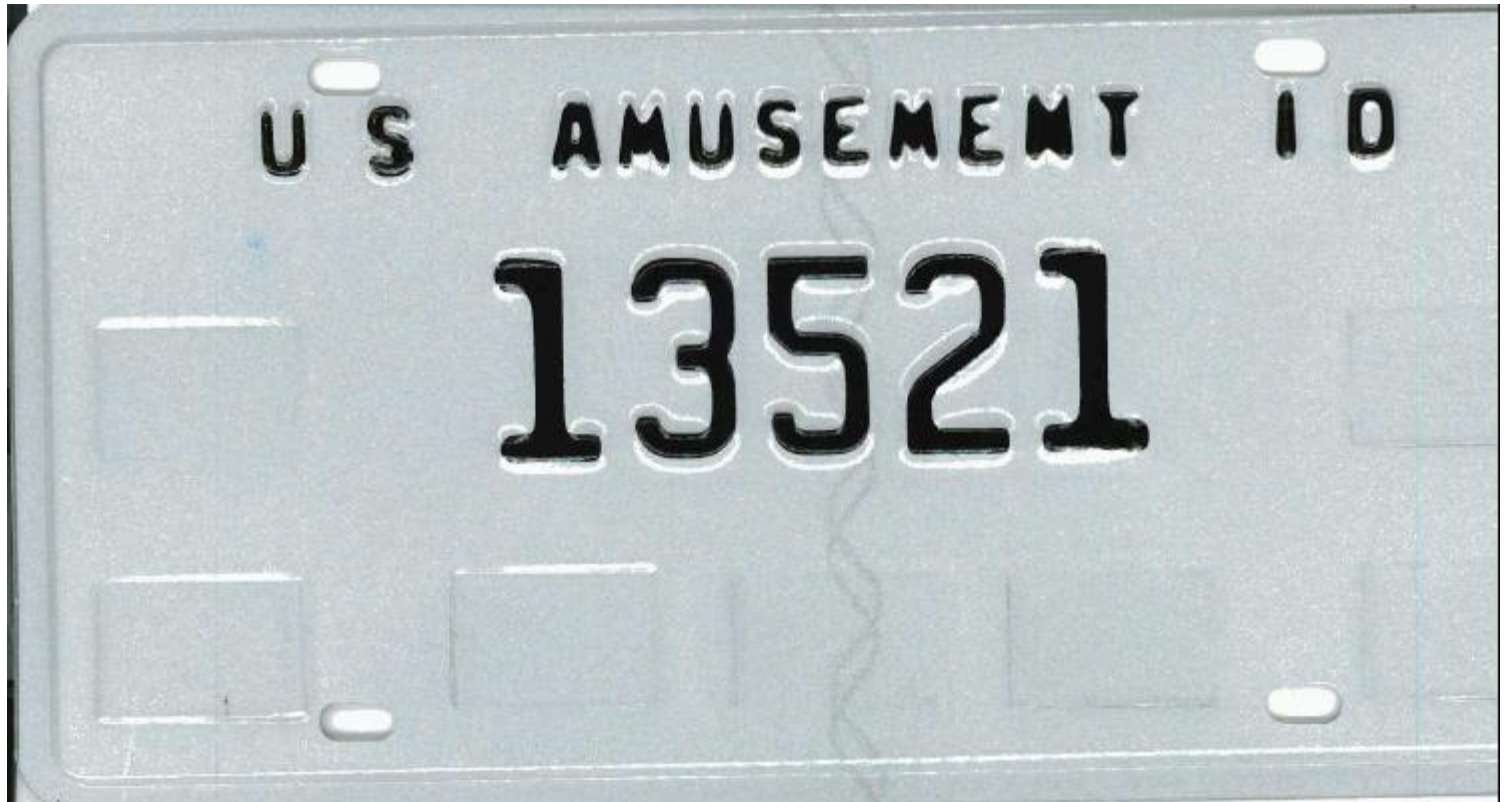

3/1/2016
Issued Date

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US Identification Plate



520 CMR 5.00

Amusement Device Safety Regulations

- **520 CMR 5.00:AMUSEMENT DEVICES**
- Section
- 5.01: General Provisions
- 5.02: General Administrative Provisions
- 5.03: Rider Responsibility
- 5.04: Owner Responsibility
- 5.05: Manufacturer Responsibility
- 5.06: Revocation and Suspension of Licenses and Permits
- 5.07: Design and Construction
- 5.08: Operation of Amusement Devices
- 5.09: Inflatable Devices
- 5.10:Trackless Trains and Similar Devices
- 5.11: Go-karts and Facilities
- 5.12: Concession Racing Karts and Facilities
- 5.13: Bungee Jumping
- **5.14: Challenge Courses**
- 5.15: Climbing Wall Facilities



520 CMR 5.00

Amusement Device Safety Regulations

- **5.14: Challenge Courses**
- (1) General Administrative Procedures.
- (a) Scope. 520 CMR 5.14 establishes the general administrative provisions including **license and permit issuance, fees, and inspections for Challenge Courses**. 520 CMR 5.14 applies to Challenge Courses not located in amusement parks or carnivals. 520 CMR 5.14 does not apply to Challenge Courses having only low elements.
- (b) Issuance of Annual License and Permits Denials; Appeals.
- 1. No person shall manufacture or sell for use in the commonwealth, operate, arrange for, or cause to be used, any Challenge Course that is not in compliance with 520 CMR 5.14.
- 2. Prior to any Challenge Course owner being licensed to operate in the Commonwealth, the owner shall provide the following documents to the Department:



Amusement Device Safety Regulations

- **5.14: Challenge Courses**
- (l) General Administrative Procedures.
- (b) Issuance of Annual License and Permits Denials; Appeals.
- 1. No person shall manufacture or sell for use in the commonwealth, operate, arrange for, or cause to be used, any Challenge Course that is not in compliance with 520 CMR 5.14.
- 2. Prior to any Challenge Course owner being licensed to operate in the Commonwealth, the owner shall provide the following documents to the Department:



520 CMR 5.00

Amusement Device Safety Regulations

5.14: Challenge Courses

- a. Completed application as provided by the Department
- b. Required fess in accordance with the fee schedule set forth in 801 CMR 4.02;
- c. **Certified Inspector's report(s);**
- d. Certificate of insurance demonstrating compliance with M.G.L. 140, § 205A, and 520 CMR 5.14(1)(d);
- e. **The name of the designated Challenge Course Manager;**
- f. **A list of the Challenge Course Staff trained in compliance with the specifications of the Qualified Challenge Course Professional;**
- g. **The Staff Training Plan;**
- h. **A completed Criminal Offender Record Information (CORI) Request Form;**
- i. **A pre-employment criminal history inquiry procedure in accordance with 520 CMR 5.14(2)(h);**
- j. **Name and qualifications of the Qualified Challenge Course Professional;**
- k. **Attestation of annual personnel training; and**
- l. **Site plan(s) numbered sequentially beginning with element number 01.**



520 CMR 5.00 Site Plan



CORI Requirements

- 5.02: General Administrative Provisions
- Issuance of Annual License
- (a) No person shall manufacture or sell for use in the Commonwealth, operate, arrange for, or cause to be used, any ride that is not in compliance with 520 CMR 5.00.
- II. A criminal history inquiry procedure in accordance with 520 CMR 5.04(16).



CORI Requirements

- <http://www.mass.gov/eopss/docs/dps/engineering/inf-eng/model-cori-procedure-for-amusements.pdf>
- Licensure shall be conditioned upon the completion of a CORI inquiry by the **Department**.
- **The owner** will require that each applicant for employment for these positions who are 18 years of age or older provides consent to an inquiry as part of his or her application for employment.
- The owner will inform the applicant that the information may be utilized by the owner in the determination of suitability for employment.
- The Department may periodically review the records of all CORI requests made by owners to ensure compliance with M.G.L. c. 6, §§ 168 through 175.



Operator Training Verification

- **Inspections by the State Inspector.**
- Prior to the use of any amusement device, the state inspector may inspect the general safety of all amusement devices, to ensure that they are in compliance with 520 CMR 5.00.
- This general safety inspection may include:
- A review of the maintenance records for the past 30 days, including daily maintenance logs;
- A review of the daily operator logs;
- **A review of the operator training records and operator identification;**



Devices are properly maintained

- **Inspections by the State Inspector.**
- Prior to the use of any amusement device, the state inspector may inspect the general safety of all amusement devices, to ensure that they are in compliance with 520 CMR 5.00.
- This general safety inspection may include:
- **A review of the maintenance records for the past 30 days, including daily maintenance logs;**



Operators wear ID badges

- **Training and Certification of Ride Operators**
- The owner shall ensure that all operators comply with the requirements of 520 CMR 5.00.
- In order to obtain a permit, the owner shall ensure that at least one operator is trained in conformance with the manufacturer's specifications for each device, and has been issued an operator's certification by the owner.
- Only individuals who have been certified and who possess the required identification may operate the amusement device for which they have been trained and certified.
- Operator certification must be worn by the operator and be readily visible to the general public.
- The certification must indicate whether the operator is over 18 years of age, display the operator's photograph, and indicate the amusement device for which the certification has been issued.



USID Plates and Stickers

- **Permit.** A sticker with a unique number, assigned by the Department and adhered to the Unique State Identification (USID) plate of an amusement device at the beginning of each amusement season. See USID.
- **USID Number.** A unique identifying number assigned to each ride by a state entity at the time the first permit is issued.



USID Plates and Stickers

- Upon approval, the Department shall issue a license to the owner to operate in the Commonwealth and permits for the amusement devices identified in the application. The Department shall affix a permit to the USID plate(s) for each approved amusement device.
- No amusement device shall be operated without a valid annual license and permit.



USID Plates and Stickers

- **State Identification Numbers.**
- Each amusement device shall be identified using a USID number permanently affixed to the amusement device. Amusement devices shall not operate unless affixed with a USID number plate.
- When an amusement device is approved for an annual permit, the Department shall affix an annual permit to the USID plate to identify to the public that the amusement device conforms with the requirements to be licensed for that year.
- New amusement devices that do not have a USID number plate shall receive such plate upon application for the annual permit along with the submission of the corresponding manufacturer's data sheet. Such plate will be placed on the amusement device by a state inspector. The owner shall facilitate the installation of the plate by the state inspector.



USID Plates and Stickers

- The owner shall notify the Department in writing immediately upon discovery that a previously issued USID number plate is missing from an amusement device. The Department shall issue a new USID number and number plate upon resubmission of the following:
 1. A Completed Application;
 2. Certified Inspector Report;
 3. A Certificate of insurance demonstrating compliance with MGL c. 140, § 205A and 520 CMR 5.00; and
 4. A list of the names of the certified operators who are 18 years of age or older and the devices for which they have been trained and certified to operate; and
 5. A manufacturer's data report for each amusement device (if not currently on file with the Department).

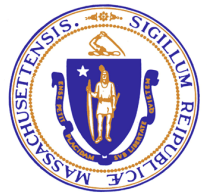


Permit Stickers



Review of ride maintenance reports

- **Inspections by the State Inspector.**
- Prior to the use of any amusement device, the state inspector may inspect the general safety of all amusement devices, to ensure that they are in compliance with 520 CMR 5.00.
- This general safety inspection may include:
- **A review of the maintenance records for the past 30 days, including daily maintenance logs;**



Amusement Inspection Checklist



Commonwealth of Massachusetts
Department of Public Safety (DPS)
Amusement Device Inspection Checklist

Section 1 shall be completed by the Amusement Company

Owner or Company Name	Device Location	Date of Inspection	
Name of Device	Serial Number	DPS Company License No.	
Manufacturers	Maximum Device Speed (RPM)	USID Number	Is this first inspection?
			YES NO

Section 2 shall be completed first by the Certified Maintenance Mechanic (CMM) following a thorough review of the device, then by the DPS inspector. The CMM and DPS inspector shall indicate **with a checkmark** ✓ if the item is satisfactory; **with an X** if unsatisfactory or that the item does not apply (NA).

CMM	DPS	Inspection Checklist Items.	CMM	DPS	Inspection Checklist Items.
		1. Maintenance Records for the last 30 days including the daily maintenance logs.			11. Signal systems, and control devices, including emergency stops and overspeed systems.
		2. Daily operator's log.			12. Device structure and visible moving parts.
		3. Operator training records and operator identification.			13. Blocking and leveling systems.
		4. Manufacturer's Data Plate and USID Plate.			14. Proper bracing, anchors and guy lines.
		5. Safety belts, bars, locks and other passenger restraining devices.			15. Adjacent hazards and interferences.
		6. Automatic and manual safety devices, including safety lockout switches.			16. Guarding on motors, sprockets, chains, rails, belts and drives.
		7. Fencing, guards, barricades, stairways and ramps.			17. Brakes, hydraulic, pneumatic or mechanical, perm, magnet.
		8. Visible bolting, safety pins and keys.			18. Hydraulics and air systems, generator, generator grounded.
		9. Observed device in operation.			19. Containment and seat numbers.
		10. Signrage.			20. Manufacturer's Maintenance Checklist and manual.
Does the device require re-inspection by DPS or Third Party Inspector? Check YES or NO and circle appropriate inspector.			YES	NO	Re-inspected by: _____ Date _____
Comments below indicate items that require attention. Please check ✓ the appropriate box to indicate who made the comment; either Certified Maintenance Mechanic (CMM) or DPS inspector (DPS). Also, check ✓ the complete box once corrections are made.					
CMM	DPS				Complete
CMM	DPS				
CMM	DPS				
CMM	DPS				
CMM	DPS				
CMM	DPS				
CMM	DPS				
CMM	DPS				
CMM	DPS				
The DPS Commissioner or his/her designee may cause a device to be taken out of service and not allowed to operate. CMM YES NO					
shall indicate whether or not the device was allowed to operate at the referenced location.					
This Amusement Device has been inspected by the Certified Maintenance Mechanic (CMM) and DPS inspector to the best of his/her abilities in accordance with 520 CMR 5.00. The CMM is responsible for correcting items herein identified prior to operating the device.					
Print and Sign Name of CMM.				Date	
Print Name of DPS Inspector(s)				Date	

WHITE copy to DPS, CANARY copy to DPS Inspector, PINK copy is retained by the Owner.

p:\amusement device inspection checklist 2012 revised.docx



Challenge Course Inspection

All Challenge Course elements or the equipment associated with such devices may be inspected by a State Inspector. The Department may charge a fee for inspections in accordance with the fee schedule set forth in 801 CMR 4.02: *Fees of Licenses, Permits, and Services to Be Charged by State Agencies*.

A general inspection by the State Inspector of all Challenge Course elements, Artificial Climbing Structures, and equipment may include the following:

A review of the maintenance records for the past 30 days, including Maintenance Repair Logs;

A review of the Daily Equipment Inspection Logs;

A review of the operator Challenge Course Staff training records and Staff identifications;

- A visual inspection of the device or structure; and
- A review of the Certified Inspector's report.

The state inspector shall document any issues of concern and immediately notify the owner, or his or her representative, of such concerns. Issues directly affecting the safety and integrity of the device shall be immediately addressed. Upon completion of the inspection, the state inspector shall provide the owner, or his or her representative, with a written inspection report. If any Challenge Course element or associated equipment is not certified at the time of inspection, the state inspector performing the inspection shall state on the Amusement Device Checklist whether a re-inspection is required after the violation has been resolved.



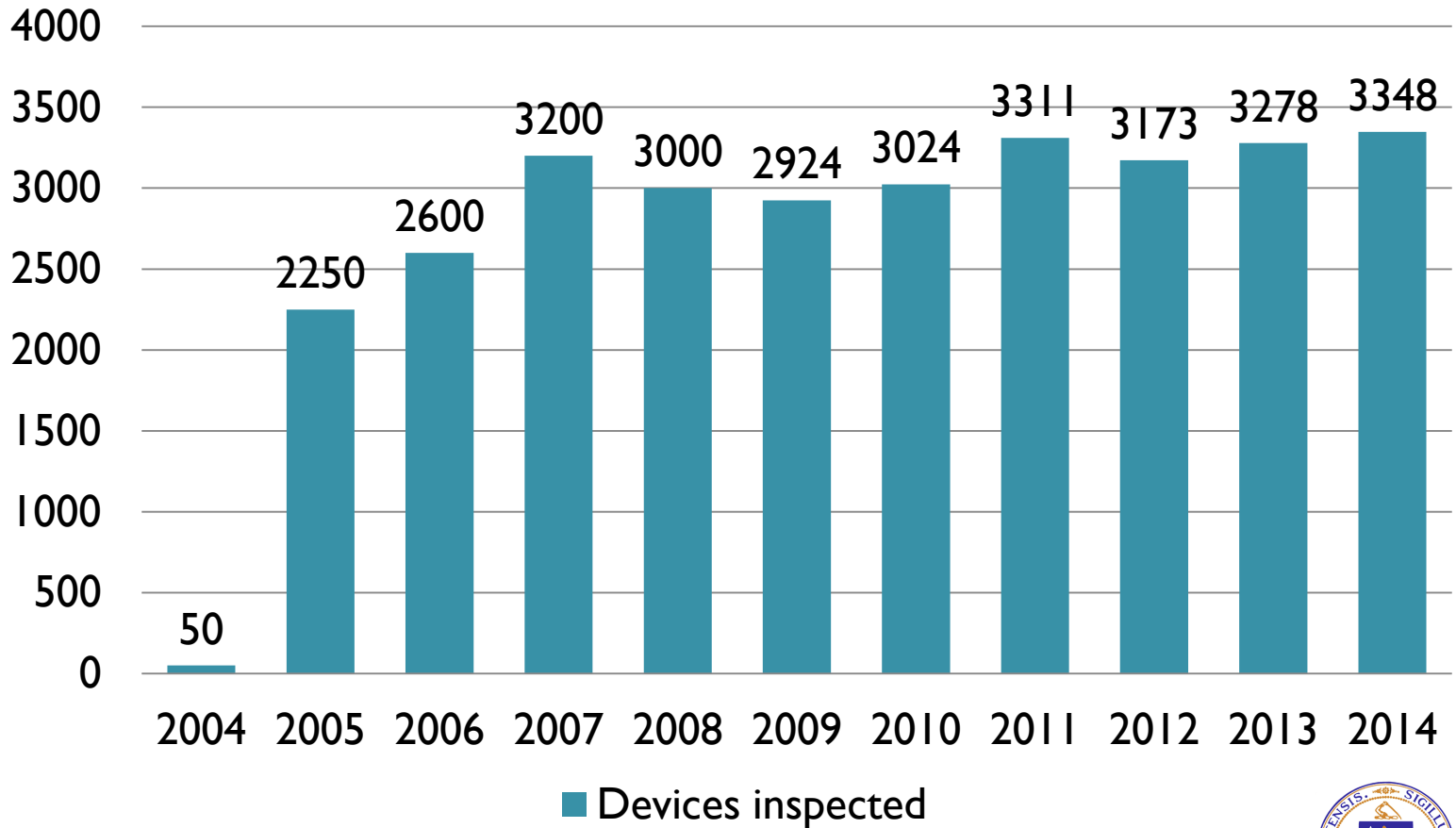
Challenge Course Inspection Checklist

Climbing Wall Facility Inspection Checklist for Paperwork			
In accordance with 520 CMR 5.15(i) states inspectors may perform a general inspection of all climbing wall structures and associated equipment. The owner shall ensure that the device and associated equipment is ready for the state inspection at the scheduled time.			
Location of Course			
US Identification Number		Date of Inspection	
DPS Inspectors Present			
Inspections may include a review of the following materials to assure compliance with 520 CMR 5.00:			
Description of Paperwork Material If material is not acceptable, the inspector shall indicate the remedy at the end of this checklist.	Acceptable	Not Acceptable	
A review of the maintenance records for the past 30 days, including Maintenance Repair Logs			
A review of the Daily Equipment Inspection Logs			
A review of the staff training records and identifications			
A review of the Certified Inspector's report			
A review of the Climbing Wall Operating Manual;			
A visual inspection of the fixed artificial climbing structure;			
A visual inspection of anchor points and belay systems;			
A visual inspection of climbing equipment; and			
A visual inspection for obvious signs of damage, or excessive wear			
Remedy for items identified as not acceptable.			
Please describe the process and timelines associated by which the owner may achieve compliance with the requisite regulation. Indicate whether or not a re-inspection of the material is required.			
Is re-inspection of Material Required?	Yes	No	
Submitted to owner by:		Date	



Amusement devices inspected 2004-2014

Devices inspected



520 CMR 5.00 Changes

- **Changes due to Senate Bill 2253 for**

Certain climbing walls that are portable, fabricated inflatable or non-inflatable rock walls with a height in excess of twelve (12) feet measured from the landing surface to the highest anchor.



Challenge Courses Over Water



Challenge Courses Over Water

Background:

520 CMR 5.00 defines an amusement device as “A *fixed or portable mechanical device similar to, but not limited to Ferris wheels, carousals, rock walls, euro-bungee or similar devices, inclined railways or similar devices, including inflatables, challenge courses, and artificial climbing structures, as well as amusement devices as defined by ASTM . . .*”.

A challenge course is defined as “A facility or facilities not located in an amusement park or carnival consisting of one or more elements that challenge participants as part of a supervised educational/ recreational curriculum” and a **low element** as “A challenge course element or activity where participant is spotted if needed to limit risk, and where the use of a belay system is not required”.

Under the general administrative procedures of Section 5.14, the regulations state that “520 CMR 5.14 does not apply to Challenge Courses having only low elements”. 520 CMR 5.00 also references ACCT standards for further safety provision guidance .



Challenge Courses Over Water

Founded in 1993, **The Association for Challenge Course Technology (ACCT)** is the world's leading and largest American National Standards Institute (ANSI) Accredited Standards Developer focused specifically and solely on the challenge course industry. ACCT is comprised of a nucleus of more than 2600 members worldwide (including the United States, Europe, Asia, the Caribbean, Canada, Japan, Korea and Central America) and continues to develop a global alliance of like-minded organizations.

ACCT Mission Statement

The Association for Challenge Course Technology (ACCT) establishes and promotes the standard of care and measure of excellence that defines professional practice and effective challenge course programs. ACCT develops, refines, and publishes standards for Installing, maintaining, and managing challenge courses; provides forums for education and professional development; and advocates for the challenge course and adventure industry.

ACCT Vision Statement

The Association for Challenge Course Technology (ACCT) is the undisputed industry leader, advancing the industry and enabling members' on-going success.



Challenge Courses Over Water

Questions:

1. The definition for low elements in 520 CMR 5.00 and the ACCT standard appear to be near identical. However, the definition does not provide dimensions off grade. Is there a maximum dimension off grade for a low element?
 - We have not set a limit to this height but have certainly thought about it over the years. The main reason is that when proper spotting with group members is used, participants on low elements can be kept much safer from injury from a fall than if there were no people on the ground to break the fall or catch them. This makes the issue very muddy. We were tempted to make the maximum height of participant's feet above grade 6'-0" in a previous edition but didn't reach consensus on it. We settled on the answer of whether a harness and some sort of belay (rope safety system) were required (by the designer/manufacturer/training entity). Perhaps another round of discussion is in order, this time with the Operations Committee (John Winter is the Chair).
2. Also, we are receiving questions regarding challenge courses designed\installed over water surfaces (*mostly pools*). In most instances, the course is designed with only low elements and would therefore be exempted from compliance with our regulations. However, once again, I am wondering if there is a maximum dimension (this time off water surface) and, if 520 CMR 5.00 does not apply, does ACCT provide safety guidance?
 - The answer to this one is that the standards don't directly address this issue. This is also a bit of a muddy issue (pun not intended). I would argue that the minimum height could be much greater with the caveat that the water depth be adequate and there be an appropriate risk management plan in place to deal with the predictable issues when water is involved. Again, I will ask the Operations Committee to put it on the list for discussion.



Department of Public Safety

520 CMR 5.00

The Rules and Regulations Pertaining to Amusement Device Safety

THANK YOU!

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