

NEBRASKA ADMINISTRATIVE CODE

TITLE 228 - DEPARTMENT OF LABOR

CHAPTER 2 - PERMIT REQUIREMENTS

001. This chapter is adopted pursuant to *Neb. Rev. Stat.* §48-1803.
002. No amusement device or ride shall be operated at a carnival, fair, or amusement park in this state without a permit having been issued by the Commissioner to an owner/operator of such equipment.
003. On or before the first of May of each year, any person required to obtain a permit by the Nebraska Amusement Ride Act shall apply to the Nebraska Department of Labor for a permit on a form furnished by the Commissioner which shall contain such information as the Commissioner may require.
004. The Commissioner may issue permits to owner/operators in situations where such individuals will operate in Nebraska for a limited time at a specific location. Prior to receiving a permit(s), verification of an annual inspection and liability insurance on each ride must be provided to the Department of Labor.
005. Should an owner/operator contract and/or book with more than one carnival, fair, or amusement park within a season which reflects a change and/or elimination of their liability insurance coverage, they will be required to obtain new permits for each booking prior to operation. Such changes will include an insurance company suspending, canceling, and/or a policy expiring as contained under Chapter 6. It is the responsibility of the owner/operator to notify the Department of Labor whenever it becomes necessary to obtain new permits. Owner/operator(s) that relocate their rides by booking on with each other to operate rides in different locations must verify in writing proof of insurance specifying each ride/device covered by insurance. Should proof of insurance not be made available to the Commissioner and/or his/her designee, permits to operate shall be immediately revoked.
006. The Commissioner may waive the requirement that an application for a permit must be filed on or before the first of May each year if the applicant gives satisfactory proof to the Commissioner that he or she could not reasonably comply with the date requirement and if the applicant immediately applies for a permit after the need for a permit is first determined.

007. For the purpose of determining if an amusement ride and/or amusement device is in safe operating condition and will provide protection to the public using such ride or device, each amusement ride/amusement device shall be inspected by a state inspector before it is initially placed in operation in this state and shall thereafter be inspected at least once each year.
008. The owner/operator of each ride will retain a current copy of Nebraska's Amusement Ride Administrative manual in their possession. It is the obligation of each owner/operator to review and know the contents of Nebraska's rules and regulations pertaining to amusement rides prior to operating a mechanized ride or device.
009. If an amusement ride/device is found to comply with the rules and regulations adopted, the Commissioner shall, upon receiving payment of the permit fee and the inspection fee, permit the operation of the amusement ride/amusement device.
010. If, after inspection, additions or alterations which change structure, mechanism, classification, or capacity the owner/operator shall notify the Commissioner of the additions or alterations in writing and provide any plans or diagrams reflecting the change and, in the process, set up a reinspection prior to operation.
011. If a ride/device is sold, the permit to operate shall be obliterated and, if then operated in Nebraska, reapplication must be made and a new permit must be obtained prior to operation.