

CR 90-65

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Gerald Whitburn, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to amusement ride fees were duly approved and adopted by this department on December 7, 1990.
(Subject) *(Date)*

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 9:00 a.m. in the city of Madison, this 7th day of December A.D. 1990.



Secretary

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ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section() 101.19, Stats., the Department of Industry, Labor and Human Relations creates; amends; repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter ():

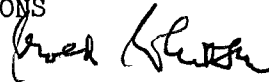
Ind 69 (Number) Fee Schedule (Title)

The attached rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register pursuant to section 227.22, Stats.

Adopted at Madison, Wisconsin, this

date: December 7, 1990

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS



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RULES in FINAL DRAFT FORM

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Rule: Ind 69.07
Relating to: Amusement Ride Fees
Clearinghouse Rule No. 90-65

The Wisconsin Department of Industry, Labor and Human Relations proposes to amend Ind 69.07, relating to amusement ride fees.

Analysis of Proposed Rules

Statutory Authority: Section 101.19, Stats.
Statutes Interpreted: Section 101.19, Stats.

The Division of Safety and Buildings within the Department of Industry, Labor and Human Relations is responsible for administering and enforcing public safety rules relating to amusement rides. The amusement ride program is funded from revenue collected through user fees which are specified in section Ind 69.07 of the Wisconsin Administrative Code. The Department is required to fix and collect the fees at such a level in order to offset the cost of providing its services.

The current amusement ride program fees have been in effect since 1982. These fees result in revenue that accounts for approximately 60% of the costs of the amusement ride program. The proposed rules consist of increases in the amusement ride program fees, as recommended by the Legislative Audit Bureau, so that the projected revenue generated will be approximately 85% of the costs.

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SECTION 1. Ind 69.07 is amended to read:

Ind 69.07 AMUSEMENT RIDES. (1) PLAN EXAMINATION, DATA REVIEW, REGISTRATION AND INSPECTIONS. Fees for amusement rides shall be determined in accordance with the following schedule:

(a) Plan examination for new amusement ride tramways (see s. ILHR 33.01 for definition)\$135.00 per plan submittal

(b) Review of engineering analysis and test data associated with the acceptance of Class 3 and 4 rides\$135.00 per review

(c) Annual registration for amusement rides, see s. ILHR 34.04:

1. Coin operated kiddie rides with a maximum capacity of 3 children.....~~\$15.00~~\$20.00 per ride

2. All other rides~~\$35.00~~\$40.00 per ride

(d) Inspection of coin operated kiddie rides with a maximum capacity of 3 children\$35.00 per ride

(e) Inspection of Class 1 amusement rides~~\$54.00~~\$75.00 per ride

(f) Inspection of Class 2 and 3 amusement rides, except amusement rides that the manufacturer estimates require more than 40 work hours for erection~~\$116.00~~\$140.00 per ride

(g) Inspection of Class 4 amusement rides and amusement rides that the manufacturer estimates require more than 40 work hours for erection~~\$169.00~~\$200.00 per ride

(h) Inspection of amusement ride tramways~~\$203.00~~\$250.00 per tramway

(i) Late registration fee (failure to register amusement ride before opening it to the public)~~\$89.00~~\$100.00 per ride

~~(j) Reinspection fee for each inspection after the first reinspection to gain compliance with department orders.....\$135.00~~

Reinspection fee to gain compliance with department orders:

1. If compliance is met \$ 50.00 per visit

2. If compliance is not met \$150.00 per visit

Note: For the purpose of determining the correct classification of rides, the following information is provided from s. ILHR 34.03:

CLASS 1: Rides that move passengers in a mild manner.

CLASS 2A and 2B: Standard thrill-type amusement rides.

CLASS 3: Major thrill-type amusement rides.

CLASS 4: Rides which do not meet criteria of the above classes and which require load testing prior to operating.

(2) FEE ASSESSMENT AND COLLECTION. Registration and inspection fees for amusement rides shall be paid annually before registration is processed by the department.

(END)

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (intro.), Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.

Tommy G. Thompson
Governor
Gerald Whitburn
Secretary



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State of Wisconsin Department of Industry, Labor and Human Relations

December 7, 1990

Gary Poulson
Assistant Revisor of Statutes
Suite 702
30 West Mifflin Street
Madison, Wisconsin 53703

Douglas LaFollette
Secretary of State
10th Floor
30 West Mifflin Street
Madison, Wisconsin 53703

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 90-65

RULE NO. Ind 69.07

RELATING TO: Amusement Ride Fees

Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,

Handwritten signature of Gerald Whitburn in cursive.

Gerald Whitburn
Secretary

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