**Section 6000.120 Requirements** **for Operation**

No amusement ride or amusement attraction shall be operated for public use at a carnival, amusement enterprise, or fair in this State without an attendant or assistant. The attendant or assistant may be an employee or volunteer.

a) All attendants or assistants shall be at least 16 years of age.

b) The attendant shall operate no more than one amusement ride or amusement attraction at any given time, even if automatic timing devices are used to control the time cycle of the amusement ride or amusement attraction.

c) Attendants and assistants shall be trained in the proper use and operation of the amusement ride or amusement attraction as provided for in ASTM F770-18, ASTM 2374-17, and ASTM F2970-20.

d) The attendant or assistant shall ensure that all passenger safety devices are in place around patrons before starting.

e) The attendant or assistant shall be within arm's length of the operator's station when the amusement ride or amusement attraction is in use.

f) The attendant or assistant shall not operate any amusement ride or amusement attraction while under the influence of alcohol or any drug or combination of drugs to a degree that renders the operator incapable of safely operating the amusement ride or amusement attraction. For the purposes of this Section, the term "drug" includes any substance defined as a drug by Section 102(t) of the Illinois Controlled Substance Act.

g) The attendant and/or assistant shall ensure that no one is permitted on an amusement ride or amusement attraction while carrying any article, i.e., food, beverages, packages, lighted cigarettes, etc., which could endanger the rider or spectators.

h) The record of attendant and assistant training required by subsection (c) shall be kept on file by the owner or operator and be made available to the inspector during inspection and upon request by the Department.

i) The attendant or assistant shall not use a cellular phone or any other handheld mobile device except when the use is in conjunction with the operations of the amusement ride or amusement attraction or the performance of the attendant's/assistant's duties, nor shall an attendant or assistant engage in any other activities that distract the attendant/assistant from the attendant's or assistant's duties while operating an amusement ride or amusement attraction.

j) Each amusement ride or amusement attraction shall clearly post at each entrance of the amusement ride or amusement attraction the height requirements, age requirements and any other restrictions set forth by the manufacturer or any more stringent requirements than those set forth by the manufacturer and imposed by the operator.

k) This subsection (k) does not apply to volunteers.

1) The owner or operator must comply with all the requirements of Section 2-20 of the Act regarding the employment of carnival or amusement enterprise workers, criminal history records checks, sex offender registry checks, and the maintenance of a substance abuse policy for carnival or amusement enterprise workers.

2) The owner or operator shall be required to acknowledge in writing that the owner or operator understands its obligations under the Act and confirm that the required criminal history records check and national search of sex offender registry checks have been performed. Upon annual inspection or reinspection, the owner or operator shall provide written evidence that the criminal history records check and the sex offender registry check have been completed for each carnival or amusement enterprise worker in its employ. If the documentation is not available upon inspection, the Department may grant the owner or operator five calendar days to obtain and provide documentation to the Department showing that the checks were requested and the results were received for each carnival or amusement enterprise worker. An owner or operator shall provide copies of the results of the criminal records check and the sex offender registry checks to the Department upon inspection or request by the Department. These records shall be maintained by the owner or operator for two years unless the records relate to an ongoing investigation or enforcement action under the Act, in which case the records must be maintained until after their destruction is authorized by the Department or court order.

3) The owner or operator shall also be required to provide written documentation that the owner or operator maintains a substance abuse policy that includes random drug testing of carnival or amusement enterprise workers.

(Source: Amended at 46 Ill. Reg. 9899, effective May 26, 2022)