

NEBRASKA ADMINISTRATIVE CODE

TITLE 228 - DEPARTMENT OF LABOR

CHAPTER 5 - PERMIT AND INSPECTION FEES

001. This chapter is adopted pursuant to *Neb. Rev. Stat.* §48-1803.

002. Annual permit and inspection fees under this chapter shall be as follows:

Operational permit fees shall be fifty dollars (\$50.00) for each permit for each amusement ride and bungee jumping operation.

003. All fees collected by the commissioner under the provisions of this chapter shall be transmitted to the state treasurer and credited to the Mechanical Safety Inspection Fund and shall be used for the sole purpose of administering the provisions of the Nebraska Amusement Ride Act. Any money available for investment shall be invested by the state investment officer. Checks for these fees shall be made payable to the Nebraska department of labor/amusement and mailed to the department of labor, P.O. Box 95024, Lincoln, Nebraska 68509.

004. The department is authorized:

- A. To enter without delay and at reasonable times any assembly area or other area where amusement rides and amusement devices are being assembled or are in use.
- B. To inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and within a reasonable manner, any such place of amusement, and to question privately any operator or employee.

005. Reinspections may be made by a qualified inspector at the request of an owner/operator and/or as determined necessary by the commissioner.

006. Suspension of permit to operate.

The commissioner may suspend the permit to operate of an owner/operator for an amusement ride determined after inspection to be hazardous or unsafe, a breakdown or malfunction of an amusement ride that has directly caused serious injury or death of any person, misrepresentation of material information required as part of the application for permit to operate, failure to comply with an order issued pursuant to paragraph (006)(B) of 228 NAC 6, disregard of public safety and welfare, lapsing of the required insurance coverage, or failure to pay fees that are required under the provisions of the Nebraska Amusement Ride Act and this chapter.