Chapter 39

BUNGEE JUMPING PERMITS

Policy Statement: It is the policy of the Division of Occupational Safety and Health (DOSH), also known as Cal/OSHA or the Division, to issue an Amusement Ride Operating Permit (and to perform an inspection in conjunction with Permit issuance) to any individual who operates a Bungee Jumping operation prior to commencing operations, to conduct spot inspections of Bungee Jumping operations when appropriate, and to order cessation of a Bungee Jumping operation when the it has been determined to be hazardous or unsafe.

Authority: DOSH will administer this policy in compliance with all applicable laws, rules, and guidance:

- California Labor Code, Sections 6325, 7901, 7906, 7909 and 7915(a).

PROCEDURES:

A. COMPLAINT

Whenever a Cal/OSHA District Office receives a complaint from anyone about the safety of a Bungee Jumping operation, a Cal/OSHA Form 90 (Referral) shall be completed by compliance personnel and faxed to the Senior Safety Engineer of the Amusement Ride Section in the Elevator, Tramway and Ride (ETR) Unit in Sacramento or Anaheim.

B. AMUSEMENT RIDE PERMIT

1. ETR Unit

It is the responsibility of the ETR Unit to issue an Amusement Ride

Operating Permit to a Bungee Jumping operator (and to perform an inspection in conjunction with Permit issuance) prior to commencing Bungee Jumping operations.

2. Permit Review

   If Cal/OSHA compliance personnel encounter a Bungee Jumping operation while conducting other field compliance activities, compliance personnel shall determine if the Bungee Jumping operation has been properly permitted by the ETR Unit.

3. No Valid Amusement Ride Permit

   If the Bungee Jumping operator cannot produce a valid Amusement Ride Operating Permit which has been issued by the ETR Unit, compliance personnel shall inform the operator of the requirement to have a permit, provide the operator with the address and telephone number of the ETR Unit through which a Permit can be obtained, and inform the ETR Unit of the presence of an unpermitted Bungee Jumping operation.

4. Imminent Hazard
   a. If compliance personnel believe that a Bungee Jumping operation poses an imminent hazard to employees or to the general public, compliance personnel shall immediately notify the ETR Unit Senior Safety Engineer of the presence of the imminent hazard and request that an ETR Unit safety engineer immediately evaluate the imminent hazard.
   b. In the unlikely event that a ETR Unit safety engineer is unable to arrive at the site in a timely fashion (within two hours time), compliance personnel may order the operator to temporarily cease operations, but only after conducting a brief inspection, warning the operator, employees and others at risk of the imminent hazard and encouraging the operator to eliminate the imminent hazard immediately.
      1. If employees are at risk, or are among those at risk, from the imminent hazard, compliance personnel shall issue a Cal/OSHA Form 8 and attach a Cal/OSHA Form S-172 ("Yellow Tag") to the Bungee Jumping operation or to a specific machine associated with the operation, e.g., crane, which constitutes the imminent hazard and follow the procedures specified in Chapter 9 for the issuance of a Citation or Information Memorandum, if appropriate.
      2. If no employees, but only the general public, are at risk from the imminent hazard, compliance personnel shall order temporary cessation of operations under authority of Labor Code §7909.

C. BUNGEE JUMPING OPERATIONS INSPECTIONS

1. It is the responsibility of the ETR Unit to inspect Bungee Jumping operations as part of Amusement Ride Operating Permit application process, when complaints are received, or whenever appropriate to ensure the safety of the operation.

   NOTE: The ETR Unit may require assistance from the appropriate Cal/OSHA Region when evaluating the safety of a crane used in Bungee Jumping.

2. ETR Unit safety engineers may determine that a Bungee Jumping operation is unsafe or hazardous after conducting an inspection of the operation. When such a determination is made, the ETR Unit Senior Safety Engineer shall issue an Order to Cease Operations under authority of Labor Code §7909.
3. Operators who have been issued an Order to Cease Operations by ETR Unit personnel, but who fail to comply with the Order shall be referred to the Legal Unit for appropriate action.

   NOTE: Legal action may consist of an investigation of a misdemeanor violation under Labor Code §7915(a) or, after investigation, referral to the local district attorney for imposition of monetary fines for unfair competition under the Business and Professions Code §17200.