

Inspector Proposes a Penalty for Amusement or Tramway/Funicular Device SOP# 203

ELEVATOR & AMUSEMENT DEVICE BUREAU
North Carolina Department of Labor



STANDARD OPERATING PROCEDURE MANUAL

1. PURPOSE and SCOPE

1.1. Purpose

This SOP establishes the procedure by which an Inspector can order that an Amusement or Tramway/Funicular device be shut down and levy a proposed penalty if, during an inspection of an Amusement or tramway/Funicular device, the Inspector finds that a company is in violation of rules and statutes enforced by the bureau, e.g. a device is set up without an Advance Location Notice. This procedure has the following goal(s):

- Immediately halt the operation of any device that is being used in violation of rules and statutes;
- Discourage repeat of the behavior by imposing a penalty.

1.2. Scope

This procedure includes development and issuance of three documents: a Shut Down Order, a Proposed Penalty Calculation Sheet and a copy of the Company's rights. The Inspector is required to determine an appropriate proposed penalty for the violation.

1.3. Regulations

The following statutes, rules and/or codes must be followed while performing this SOP:

- 1.3.1. Tramway Device Safety Act
- 1.3.2. Tramway Code Violations List
- 1.3.3. Amusement Device Safety Act
- 1.3.4. Amusement Code Violations List

2. PERSONNEL RESPONSIBILITIES

The following is a list of each role who participates in the procedure and the overall responsibilities of each role.

Role	Responsibilities
Inspector	<ul style="list-style-type: none">• Determine that the Company/Owner representative is in violation of rules or statutes;• Order that the device be shut down;• Determine an appropriate penalty;• Issue a Shut Down Order, Proposed Penalty Calculation Sheet and a copy of the Company's rights to the Company/Owner representative.

Company/Owner representative	<ul style="list-style-type: none"> • Shut down the specified device; • Accept the Shut Down Order, Proposed Penalty Calculation Sheet and copy of Company's rights.
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3. HEALTH AND SAFETY ISSUES

The following health and safety issues may arise if this procedure is not followed correctly and in a timely manner. As available, related Health & Safety regulations and/or procedures are provided for each issue.

Potential Issue	Health & Safety Regulation / Procedure
Member of the General Public or device operator experiences physical harm or death	<ul style="list-style-type: none"> • Tramway Device Safety Act • Tramway Code of Violations List • Amusement Device Safety Act • Amusement Code Violations List

4. PROCEDURE

4.1. Trigger

This procedure is triggered when an inspector finds that a company is in violation of rules and statutes enforced by the bureau, e.g. a device is set up without an Advance Location Notice, operating a device that was found to be non-compliant by an inspector, or operating a device with an underage operator or with no insurance.

4.2. Primary Procedure – A Penalty is Issued

- 4.2.1. Inspector shuts down the device
- 4.2.2. Inspector interviews the Company/Owner representative to find out details about the infraction
- 4.2.3. Based on violation, inspector fills out and prints a Shut Down Order
- 4.2.4. Inspector generates and prints a Proposed Penalty Calculation Sheet
- 4.2.5. Inspector issues a printed copy of the Shut Down Order, the Proposed Penalty Calculation Sheet and a copy of the Company's rights to the Company/Owner representative

4.2.6. End of procedure

4.3. Alternative Procedures – No Penalty is Issued

4.3.1. Inspector interviews the Company/Owner representative to find out details about the infraction

5. CUSTOMER SERVICE REQUIREMENTS

The following table lists the customer service requirements that must be satisfied for each Customer of the procedure.

Customer	Requirements
Company/Owner representative	<ul style="list-style-type: none">• Inspector explains the basis for the Shut Down Order and proposed penalty

6. DATA AND RECORD MANAGEMENT

6.1. Reports run as part of this procedure

6.1.1. Shut Down Order

Used by an Inspector to require that a Company/Owner representative shut down a device

6.1.2. Proposed Penalty Calculation Sheet

Used by an Inspector to explain the basis for a penalty

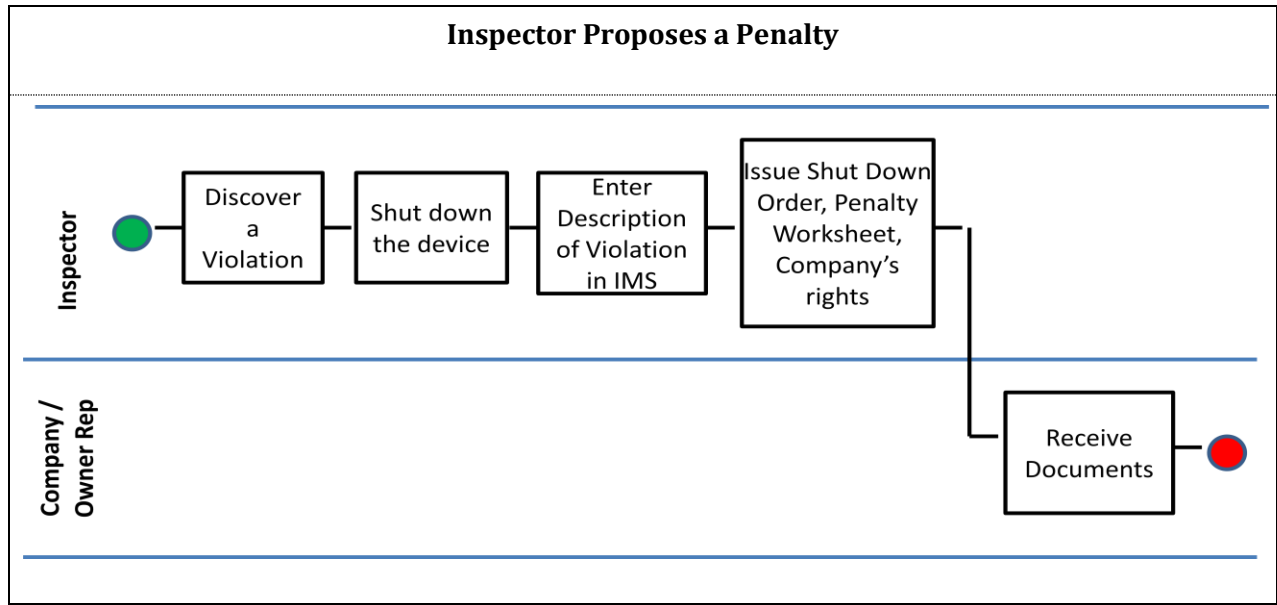
6.1.3. Rights of the Company

Describes the rights of a Company that has incurred a penalty

6.2. Storage locations of saved materials

6.2.1. Shut Down Order; Proposed Penalty Calculation Sheet

These items are kept by the Company/Owner representative



7. Glossary

A glossary of terms used in this SOP is available on the SOP website. It contains acronyms, abbreviations and special terms used in this document.