



March 17, 2022

To: Prospective Hayride Attraction Owners

This letter is to advise prospective hayride attraction owners of the requirements for seeking approval of new rides or attractions in Pennsylvania.

In accordance with the Amusement Ride Inspection Act (4 P.S. §§ 401-418) (“Act”) and its attendant regulations (Pa. Code 7, Chapter 139), all amusement rides and attractions are required to be approved by the Department of Agriculture (“Department”) prior to their operation in the Commonwealth. Approval is required for all newly designed and manufactured rides, as well as those that have not been previously operated in the Commonwealth. Any ride or attraction not recognized as an approved type is not permitted to operate in Pennsylvania.

ASTM International, the organization formerly known as the American Society for Testing and Materials, develops and publishes technical standards for a wide variety of industries with the goal of enhancing performance and safety. The Department adopts the standards developed by the ASTM International F24 Committee (“F24 Committee”) as its regulatory standards with respect to amusement rides and attractions that operate in this Commonwealth. On November 1, 2019, the F24 Committee published a new standard for hayrides, designated as F3168-19, Standard Practice for Hayride Attractions (“Practice F3168-19”).

The Department understands the nature of this type of ride—farm equipment being used as a hayride—creates an undue hardship on owners and operators with certain requirements of the Act and its attendant regulations. For example, the regulation at 7 Pa. Code § 139.4 (relating to registration) requires the owner of an amusement ride or attraction provide the Department written verification under seal of a professional engineer that the ride conforms with the applicable design, load and safety requirements of the Act, its attendant regulations, and the ASTM International F24 Committee Standards. Although these regulatory requirements are appropriate with respect to most amusement rides and attractions, many of these requirements are not applicable to owners and operators that use farm equipment, *e.g.*, a wagon/trailer and tow vehicle, for both agriculture purposes and as a hayride attraction.

Accordingly, the Department has issued a variance from the regulation at 7 Pa. Code § 139.4(d)(7)(ii) for hayride attractions. This variance removes the requirement to submit written verification from a Pennsylvania licensed professional engineer with respect to the registration of a hayride attraction. Prior to operation, the owner of a hayride attraction shall obtain Department approval of the wagon/trailer and tow vehicle in accordance with the terms of the order for variance published in the Pennsylvania Bulletin.

The hayride attraction submission for approval shall include the following:

- an owner's registration form;
- a copy of the owner's manual for the submitted attraction (if different than the operator's manual);
- a copy of the operator's manual for the submitted attraction that identifies the mechanical, hydraulic, electronic and electrical systems of the attraction, including how the attraction is powered;
- a detailed inspection checklist outlining areas and frequency on how the attraction is to be inspected;
- photographs fully depicting the attraction to include an overall photo and a clear photo of the manufacturer's ID plate;
- an amusement ride or attraction registration application form; and
- a hayride attraction approval checklist form (attached).

The Department will provide the forms referenced in this letter upon request, and make the forms available through the Department's website at www.agriculture.pa.gov. Only complete submissions, as determined by the Department, will be considered for approval. You may mail your submission to:

Pennsylvania Department of Agriculture
Bureau of Ride & Measurement Standards
2301 North Cameron Street
Harrisburg, PA 17110-9408

For electronic submission, the Department has the following options:

1. For submissions less than 7 MB, email to RA-AGRMRIDES@pa.gov. Please add "New Ride Submission" to the subject line and list the owner, location and the manufacturer in the body of the email. Please be sure to attach all the required documents.
2. For submissions larger than 75 MB, please contact any of the staff listed below and they will provide instructions for posting information to the Department's FTP site.

Technical questions concerning your submission are best directed to the reviewing official, Mr. Joseph Filoromo, at jfiloromo@pa.gov or 717-215-4316. All other questions can be directed to Mrs. Yvonne Brown at yvbrown@pa.gov or 717-787-2291.

Please be advised that operating an amusement ride or attraction in violation of Pennsylvania law may subject you to criminal prosecution and/or civil penalties up to \$2,000 per violation under the Act. Approved hayride attractions must comply with the Act and any regulation promulgated pursuant to the Act, including regulations related to ride approval, registration, inspection (by a properly licensed private certified inspector), inspection affidavits, itineraries, insurance, accident/incident reporting and adherence to safe operating requirements and safety rules for passengers of a hayride attraction.

Respectfully,

Walter Remmert

Walter Remmert
Bureau Director

Enclosures

Cc: File