

# Virginia Amusement Device Regulations (VADR)

## Frequently Asked Questions



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## What is the Virginia Amusement Device Regulations (VADR)?

VADR is the standard for the regulation, design, construction, maintenance, operation and inspection of amusement devices within the commonwealth of Virginia.

## Who enforces VADR?

The local building department is responsible unless the permit applicant uses a private inspector. The Virginia Department of General Services functions as the local building department for amusement devices located on state-owned property.

## How does the VADR define the term amusement device?

An amusement device is a device or structure open to the public by which persons are conveyed or moved in an unusual manner for diversion, but excluding snow tubing parks and rides, ski terrain parks, ski slopes and ski trails, and passenger tramways. The phrase “open to the public” means that the public has full access to a device or structure at an event, irrespective of whether a fee is charged. The use of devices or structures at private events is not considered to be open to the public. Inflatable amusement devices and zip lines, when open to the public, are considered amusement devices.

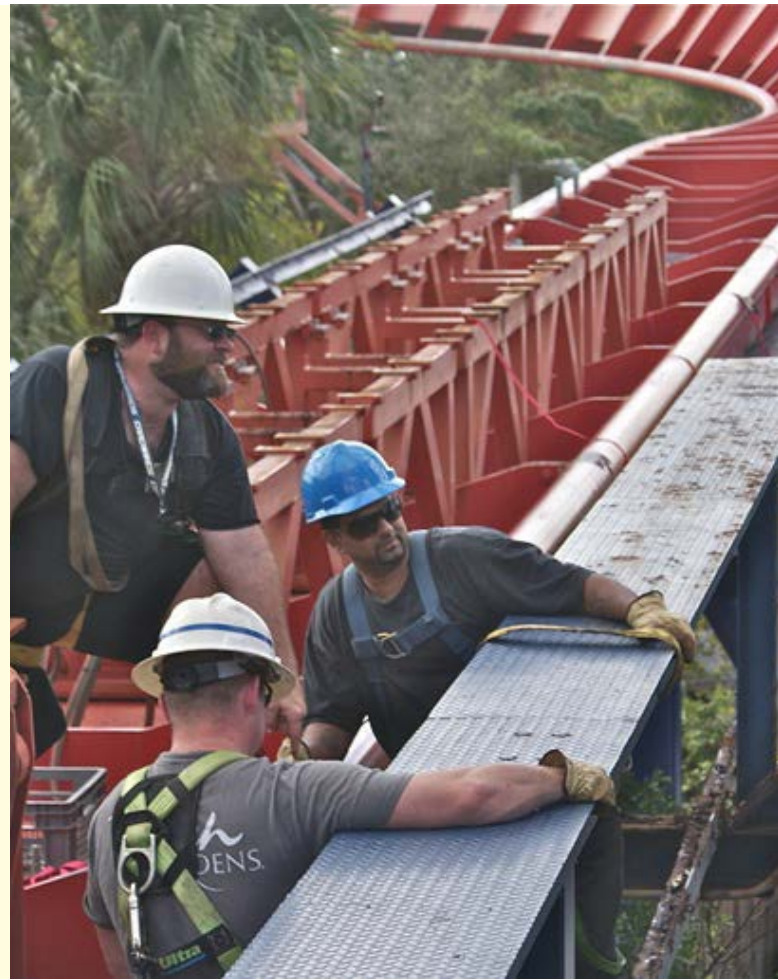




## What is exempt from the VADR?

The following devices are exempt from VADR:

- Non-mechanized playground or recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps and similar equipment where no admission fee is charged for its use or for admittance to areas where the equipment is located, or similar devices.
- Coin-operated rides designed to accommodate three or less passengers.
- Water slides or similar equipment used in community association, community club or community organization swimming pools.
- Mechanical bulls or similar devices.
- Devices known as mall trains, shopping mall trains or electric trackless trains for malls and euro bubbles, or similar devices.



## Are permits required for the use of amusement devices?

Permits are required for the use of amusement devices, and the permit must indicate whether a private inspector will be utilized. If one will not be used, the permit applicant must give reasonable notice when an inspection is sought and may stipulate the day such inspection is requested, provided it is during the normal operating hours of the local building department. The local building department personnel have the authority to conduct inspections at any time an amusement device would normally be open for operation or at any other time if permission is granted by the owner or operator to determine if the ride is unsafe.

The local building department can charge \$50 for the inspection fee per event to the person notifying the local building department of an event where an inflatable device is operating if the local building department chooses to inspect any or all of the amusement devices it is operating, or if it chooses to inspect any or all of the inflatable amusement devices operating at the event. If that occurs, the local building department must provide an inspection report of the event to the person notifying the department.



## What fees can the local building department charge?

The following is the most that a local building department can charge for any one permit to operate an amusement device or devices, or for the renewal of such permit. When a private inspector is used, the fees shall be reduced by 75 percent.

- \$35 for each small mechanical ride or inflatable amusement device covered by the permit.
- \$55 for each circular ride or flat ride less than 20 feet in height covered by the permit.
- \$75 for each spectacular ride covered by the permit that cannot be inspected as a circular ride or flat-ride in subdivision two of this subsection due to complexity or height.
- \$200 for each coaster covered by the permit that exceeds 30 feet in height.

The local building department is permitted to increase the fees up to 50 percent when requested to perform weekend or after hour inspections. The local building department also can charge an additional fee for permits and inspections of generators and associated wiring for amusement device events. Generators that are subject to these fees are those used exclusively with amusement devices and are inspected by the local building department. The fee per event cannot exceed \$165 and must not exceed the actual cost to perform the inspection or inspections. The exception to this rule is small portable generators serving only cord- and plug-connected equipment loads, and they are not subject to the fee.

## Is a permit application required for small mechanical rides or inflatable amusement devices?

A permit application is not required if the small mechanical rides or inflatable amusement devices have a certification of inspection issued by any local building department in the commonwealth within a six-month period for small mechanical rides, or a one-year period for inflatable amusement devices, prior to the dates the small mechanical rides or inflatable amusement device are to be used, regardless of whether the devices has been disassembled and moved to a new site. In these cases, the local building department must be notified at least three days prior to the operation of the small mechanical ride or the inflatable amusement device, and the information required on a permit application must be provided to the local building department.





## What happens when a permit application is received?

When a permit is received, the local building department must examine the amusement device within five days. If all requirements are met, a seal of inspection will be issued for each amusement device when it is found to comply with VADR by a private inspector or by an inspector from the local building department, and it must:

- verify that the private inspector possesses a valid certificate of competence as an amusement device inspector from the Virginia Department of Housing and Community Development (DHCD);
- assure that the seal is posted or affixed on or in the vicinity of the device in a location visible to the public;
- and, post seals or allow the seals to be posted or affixed by the private inspector.

A new seal, in conjunction with a permit application for amusement devices, must be permanently fixed to a site, and it must be obtained at least once during the operating season and prior to the operation of an amusement device, as well as following a major modification, prior to each seasonal operation of a device and prior to resuming operation of a device following an order from a local building department to cease operation, except for small mechanical rides meeting the conditions outlined in VADR.

## Who has to obtain certification as an amusement device inspector?

Any person, including local building department personnel, inspecting an amusement device relative to a certification of inspection must obtain certification to be an amusement device inspector. Local building department personnel and private inspectors are required to attend periodic maintenance training as designated by DHCD and must attend 16 hours of continuing education every two years.





## What do you do if there is an accident involving serious injury or death of a patron?

If there is an accident involving serious injury or death, the operator must:

- Cease operation of the amusement device.
- Notify the local building department and DHCD as soon as possible, but in no case later than the next working day.
- Conduct an investigation of the accident, including an examination of any witnesses or persons involved in the accident.
- File an accident report that must contain a summary of the investigation and a description of the device involved, including its serial number and date of manufacture. The accident report must be submitted to the local building department within 24 hours of the accident, unless the local building department is closed during that period. The report would then need to be submitted four hours from reopening of the department. The amusement device must be inspected prior to resuming operation either by an inspector from the local building department or by a private inspector.
- The local building department personnel are authorized to investigate the accident and to issue an order to cease operation when warranted and to specify the conditions under which the device may resume operation.