

## **Inflatable Ride Contracts**

When renting an inflatable ride, the district should make sure that an appropriate contract is in place; that the ride is erected, operated, and dismantled safely, and in accord with the manufacturer's guidelines; and that adequate supervision occurs. Doing so will ensure a safer experience for riders, and will reduce risk to the district.

Before entering into a rental agreement, the district should research the operator's experience, safety record, and training practices. Additionally, the district should closely scrutinize standard vendor contracts. In some cases reviewed by the Trust, districts have signed inflatable ride rental contracts that release the vendor from all liability. This puts the district at serious risk if an injury occurs.

### District/vendor contract language

Whether or not the district uses the sample vendor contract, the vendor-district contact should contain certain provisions. First, the contract should stipulate that vendors will provide at least \$1,000,000 in coverage for bodily injury, and at least \$1,000,000 in coverage for property damage. Second, the vendor must name the district as an additional insured. Third, the vendor's insurance should be primary and non-contributory, and the vendor must waive the right of subrogation. Finally, the vendor should be required to provide evidence that it is licensed to operate a business in the state of Arizona.

If for some reason the vendor is unwilling to sign the sample contract as-is, or to sign a substantially similar contract containing the provisions recommended above, the indemnification language section should state that each party will indemnify the other when at fault.

### Parent Teacher Organizations (PTO) policy language

Sometimes, a PTO plans an event at which an inflatable ride will be used. Recognizing this, the Trust recommends incorporating the following language into all PTO policies:

If a school PTO is organizing an event, administration at either the district office or the school must review and sign any inflatable ride contract between the school and the vendor. A representative of the PTO should not sign contracts in which the district may be responsible for liability.

## **Operating the Inflatable**

When renting an inflatable ride, there are two common scenarios that a district may encounter:

1. the vendor erects, operates, and dismantles the ride, and supervises its use; and
2. the vendor erects and dismantles the ride, but the district operates the ride and supervises riders.

The first scenario is ideal, and is the approach recommended by the Trust. More often than not, however, the vendor will require the district to operate the ride. When this situation arises, the vendor should provide the district with:

- a thorough training program to ensure proper operation;
- a copy of the operation manual; and
- a release statement to be signed by the district, documenting that it has received and understands the ride operation procedures.

Additionally, district personnel should familiarize themselves with the inflatable ride guidelines prepared by the United States Consumer Product Safety Commission (CPSC)<sup>1</sup> and the American Society for Testing and Materials (ASTM).<sup>2</sup> Below is a summary of these guidelines as they apply to: (1) general operating procedures; (2) erection and dismantling of inflatable rides; and (3) supervision of ride usage.

### General operating procedures

District personnel should adhere to the following operating procedures:

Consult and follow the ride operating manual's guidance on: site layout; inflation/ deflation; use of ropes, tethers, tie-downs, and anchors; use of electrical cords; allowable temperature range; number and size of riders; daily operation and inspection; and appropriate methods for washing, repairing, drying, storing, and transporting the ride.

Do not use the inflatable ride when wind speeds exceed the manufacturer's recommendation. (Various manufacturers recommend maximum wind speeds from 15 to 25 miles per hour, depending on the ride. Most manufacturers recommend that the inflatable ride be unloaded and deflated when wind speed exceeds 25 miles per hour.)

Make sure that warning and rule signage is posted and visible, and that rules and warnings are enforced.

Establish and communicate emergency procedures to be followed in the event of bad weather, loss of electrical power, injuries, or any other potential emergency. Be sure that bounce houses and similar rides have a sealed chamber that will prevent the rapid collapse of the ceiling and walls if the power fails.

Confirm that inflatable slides over 15 feet tall will not deflate and collapse when subject to the body weight of riders.

Completely inflate and deflate the ride each day (if it is to be rented for more than one day), and inspect the ride daily after it is inflated.

### Erecting and dismantling the ride

Following ride set-up, district personnel should inspect the ride and equipment to identify any pre-existing damage. Any such damage should be brought to the vendor's attention so that the district is not held responsible for it. Additionally, the following set-up and take-down guidelines should be observed (these items will generally be the responsibility of the rental company):

Be sure the ride site is clear of debris and overhead obstructions, e.g., sharp objects, sticks, stones, power lines, poles, trees, etc. (The highest point of the ride should be at least 20 feet away from any utility line.) If the ride will be set up on gravel, a tarp is recommended.

Do not set up rides on concrete, asphalt, or stone. Additionally, all entrances/exits should be situated away from concrete, asphalt, or stone areas.

Always anchor rides in accordance with the manufacturer's requirements.

Make sure that ride blowers are securely fastened to air inlet tubes, and that all zippers or outlet tubes are closed.

Make sure that the power cord or receptacle being used is the proper voltage and amperage required for the specific ride (normally a GFCI 110v outlet). Also, a ground fault circuit interrupter (GFCI) should be used. Finally, confirm that power cords are free from wear, are in good condition, and do not pose a trip hazard.

When deflating the ride, keep it anchored, and make sure that onlookers remain at a safe distance. Turn off the blowers and open all outlet tubes and zippers. Remain with the ride until it is completely deflated.

### Supervising ride use

Finally, these guidelines for ride supervision should be observed:

Make sure that there are at least two operators for slides 15 feet tall and taller, and at least one for slides under 15 feet tall.

Position the operator(s) in close proximity to the entrance of the ride. The operator(s) should have no responsibilities other than monitoring riders. Assist

riders when they enter and exit the ride.

Sort riders by size. Only riders of similar age, weight, and height should be allowed in the ride at the same time.

Do not allow children under the age of three years on rides.

Make riders remove their shoes, personal effects, jackets/sweatshirts with drawstrings, and loose or sharp objects before entering the ride.

Do not tolerate rough play. This includes but is not limited to somersaults, diving, wrestling, or flips.

Keep ride surfaces dry to avoid slipping, and do not allow food or beverages on rides. Do not

exceed the manufacturer's requirements for maximum recommended weight per rider, usually 200 pounds. Do not exceed the manufacturer's requirements for maximum ride loads.