

WEST VIRGINIA DIVISION OF LABOR

1900 Kanawha Boulevard East
State Capitol Complex – Building 3, Room 200
Charleston, WV 25305
(304) 558-7890 · (304) 558-2415 – fax
www.labor.wv.gov

POLICY ON CRIMINAL PROSECUTION OF CEASE AND DESIST ORDERS AND NOTICES OF VIOLATION

Amusement Ride and Amusement Attraction Safety Act W.Va. Code §21-10

§21-10-14 Criminal penalty for violation.

Any operator or owner who **knowingly** permits the operation of any amusement ride or attraction in violation of the provisions of sections six, seven, eight, nine, eleven, twelve or twelve-a of this article is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than two hundred fifty dollars nor more than one thousand dollars, confined in the county or regional jail not more than twelve months, or both fined and confined. Each day that a violation continues shall be considered a separate violation.

§21-10-6. Permits; application; annual inspection

§21-10-7. Issuance of permit; certificate of inspection; availability to public

§21-10-8. Notice of intention to erect new ride or attraction or add to or alter existing ride or attraction

§21-10-9. Notice of serious physical injury or fatality; investigations; records available to the public

§21-10-11. Temporary cessation of operation of ride or attraction determined to be unsafe

§21-10-12. Insurance, bond

§21-10-12a. Minimum age for operating amusement ride

“Knowingly” shall mean an operator or owner who has registered with the Division previously, has made inquiry of registration and permitting requirements to the Division and for whom the Division has documentation of said inquiry, or to whom a cease and desist order or notice of violation has been issued previously.