

**Carnival and Amusement Ride Safety Advisory Board
Meeting, September 21, 2017**

Board Members Present:

Edward M. Smith, **Chairman**
William Gehlhaus
Len Turtora
Debbie Henderson
Albert Belmont
Geoff Rogers

DCA Staff Present:

Michael Baier, Acting Chief, Bureau of Code Services
Michael Triplett, Carnival and Amusement Ride Safety Unit

Members of the Public:

Lary Zucker, Marshall Denehey/NJAA
Edward McGlynn NJAA
Robert Hoban NJAA
Angelo Cappetta NJAA

A. The meeting was called to order at 11:13 am.

B. Approval of the Minutes of May 11, 2017 A motion was made by William Gehlhaus seconded by Albert Belmont to accept the minutes of the 5/11/17 meeting.

C. Old Business

1. RCMT Sub-committee – Ms. Henderson reported that the committee is meeting roughly twice a year. Ms. Henderson reported that there is not a problem with the RCMT program at this time. Ms. Henderson stated that it was acceptable to remove this issue from the agenda for the next meeting.

2. Service proven documentation – the Department reported that this item was emailed to the Board for action over the summer. The Department did not receive a response to its request and so the issue was included on the Board's agenda for action. At the May 11, 2017 Board meeting, the Board thought that the language should more precisely reflect the intent and suggested the following language change "Such limitations shall be established either through a statement from the manufacturer, calculations or a statement by the applicant that the environmental conditions for the proposed location of the ride are equal to or less restrictive that the previous location." Staff reported that it had made that change. The Board asked what would

happen if a ride were located at multiple locations during the service proven period with different environmental conditions. Staff noted that just because it was located in an area with higher environmental loads did not mean the ride could withstand those loads. The concept is more of a philosophical one in which the relocation of the ride does not make the current risk any worse. That risk in this case is not a risk to the riding public since these conditions would not occur when the ride is in operation, but rather a risk to adjoining property from wind borne debris. Staff agreed to change the language in the proposal to state that the environmental conditions in question would be the environmental conditions that the ride had been exposed to at any time during the service proven period. A motion was made by Albert Belmont seconded by William Gehlhaus to approve the draft with an amendment that states that "Such limitations shall be established either through a statement from the manufacturer, calculations or a statement by the applicant that the environmental conditions for the proposed location of the ride are equal to or less restrictive than the previous location during any portion of the service proven period." All were in favor except Debbie Henderson who abstained.

3. Accident, Incident or Mechanical Breakdown Reporting – This item was also sent to the Board for an electronic vote after the last Board meeting. Because the Department did not receive a response to its request for an electronic vote the issue was included on the Board's agenda for action. The Board questioned why the term illness had been added to the definition of "serious injury" and whether this was done for consistency with ASTM. Staff reported that it was. Several Board members thought that illness might significantly broaden what needs to be reported. It was noted that the "illness" under the definition would need to result in treatment beyond first aid and conditions such as motion sickness would not be considered a "serious injury/illness." The Board suggested that in 5:14A-4.13 that the words "serious injury or illness" be changed to "serious injury/illness" making the language in the section match the term that is defined. A motion was made by Albert Belmont, seconded by William Gehlhaus to approve the proposal with the modification to 4.13 to change the words "serious injury or illness" to "serious injury/illness." The motion passed.

4. Grace Period – A proposal that would create a grace period when changes to the design standards in the rules were modified was presented at the last Board meeting. Currently, changes to the design requirements in the rules become effective the day that the rule appears as an adoption in the New Jersey Register. The proposal would allow the Department to review applications under the previous version of the design standards for a period of 6 months after the date that the design requirements were adopted in the New Jersey Register. In addition, the proposal contains a change to the titles of the standards for soft contained play equipment and passenger tramways, as well as language that tells the user when the design standards are applicable. A motion was made by Albert Belmont, seconded by William Gehlhaus to approve the proposal as presented. The motion passed.

5. Electrical permits for carnivals and fairs - Staff reported that the current method that the Department is using to inspect electrical installations at carnivals and fairs is

not consistent with the rules. The Department is seeking to establish a method of inspection in the rules that matches what is happening in the field. The rules that are applicable to this work are found in the Uniform Construction Code and require permits and inspections for all installations. The time line associated with most traveling shows does not allow for the issuance of a permit and certificate of approval prior to operation and the Department does not have enough manpower to inspect every site. The Department had agreed to meet with the industry on this issue but that meeting has not been scheduled yet due to the ride season. The Department will try to arrange a meeting prior to the next Board meeting.

D. New Business

There was no New Business on the agenda.

E. Information:

1. The ride statistics were presented. There was some discussion that the statistics are being used to gage the safety of the ride industry. A member of the public suggested adding a note to the statistics that they should not be interpreted to mean that rides are dangerous. Staff responded that it is obligated to distribute the statistics and cannot control what conclusions someone might draw from them.

2. The Department discussed an accident that occurred in Ohio that involved a Fireball ride manufactured by KMG. The Department was alarmed by the accident because the failure was caused by corrosion of an enclosed sweep on the ride. The portion of the ride that failed was not subject to non-destructive testing according to the manufacturer's instructions and would not typically have been available for an internal inspection. This is not the first failure that the Department is aware of which occurred in a concealed location, making a visual inspection of the corrosion very difficult. Mr. Rogers reported that ASTM is having a meeting to discuss the issue at its annual conference. The Board recommended that the Department send Mike Triplett to the meeting and provide a report at the next meeting.

2. 2017 meeting dates. The next meeting date is scheduled for November 30, 2017

E. Public Comment: There was no public comment.

F. Adjournment: A motion was made by William Gehlhaus seconded by Al Belmont to adjourn. The motion passed. The meeting was adjourned at 12:34 pm.