

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, December 3, 2020  
Held Virtually via Microsoft Teams**

Board Members Present

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

DCA Staff Present

Carrie Battista, Bureau of State and Local Code Inspections  
Marie Daniels, Code Development Unit  
Paul Lamberti, Chief, Bureau of State and Local Code Inspections  
Ashraf Tahoun, Carnival-Amusement Ride Safety Unit

Guests

Brian Koshefsky, Amazing Amusements  
Edward McGlynn, NJAA  
Lary Zucker, NJAA

**A. Mr. Edward Smith, Chairman, called the meeting to order at 10:30 a.m. Roll call was performed.**

**B. Approval of the Minutes of June 3, 2020**

*Mr. Albert Belmont made a motion, which was seconded by Mr. Geoff Rogers, to approve the minutes without change. The motion carried unanimously.*

**C. Old Business.**

1. Draft Rule, N.J.A.C. 5:14A-1.2 and 4.13, Definition of Injury Types for Incident Reporting  
Mr. Edward Smith, Chairman, introduced this item to the Board and opened for discussion. Board members felt that the proposed changes would address the current concern that the definitions are too broad.

*Mr. Geoff Rogers made a motion, which was seconded by Mr. Lawrence Cohen, to approve the draft rule. The motion carried unanimously.*

2. Draft Rule, N.J.A.C. 5:14A-11m Go-Kart Operations

Mr. Edward Smith, Chairman, introduced the draft rule and opened for discussion. One member asked if updating the ASTM standard would affect go-kart operations already in use. Mr. Ashraf Tahoun explained that this change would only apply to new go-kart operations and any new or fully rebuilt karts added to existing operations. The Board and Mr. Tahoun discussed a number of hypothetical examples of the applicability of the rule for clarity.

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Mr. Paul Lamberti noted that, when the Department began its review, F2007-12 was the most recent edition of the standard. Since that time, F2007-18 has been published. The only difference between these two additions is one paragraph in the scoping of the standard; as such, the Department would like to propose that F2007-18 be adopted rather than F2007-12.

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Geoff Rogers, to approve the draft rule and utilize F2007-18. The motion carried unanimously.*

### **D. New Business**

#### **1. Carnival/Fairs Electrical Systems – Effective November 2020**

Mr. Edward Smith, Chairman, notified the Board that this rulemaking was adopted effective November 2020. He explained to the Board that he understood that, due to COVID-19, the timing of this adoption poses a more pressing hardship than anticipated; however, there is no way to turn back the effective date once the rule has been adopted.

#### **2. Refunded Permits due to COVID-19**

One Board member stated that the industry, specifically a number of rental companies, feel that there has been a disparity in the way the Department is handling refund permits. The Department's policy has been applied to rides where the permit was paid for, but no inspection was performed. For many rentals, the inspection was performed, but the rides were not operated. The Board member noted that it would be fairer to all throughout the industry if the credit could be applied to anyone who was inspected but did not operate and noted that owners would also be happy if any equitable arrangement could be found.

Another Board member noted that extending those approvals into the next season would ensure that owners are not paying again for rides that did not operate. One Board member also asked whether an NDT is needed again if the cars never operated after being approved. Mr. Ashraf Tahoun explained that a new NDT is needed unless the manufacturer provides a letter extending the NDT. One member asked whether there would be timing issues for renewals, and Mr. Tahoun assured the Board that turnarounds will be quick for renewals.

Mr. Edward Smith assured the Board that these comments will be taken under advisement.

### **E. Ride Statistics**

Mr. Paul Lamberti presented the ride statistics and noted that, again due to COVID-19, all numbers are lower than they have been in previous years. In addition, staff did not separate the transports from the number of serious injuries, so those numbers look higher than usual.

### **F. Public Comment**

Mr. Brian Koshefsky, Amazing Amusements, reiterated the hardships discussed previously during the meeting as it related to permit fees. His company paid \$20,000 for permits, and only operated one time for the year. In addition, because his company received a number of deposits for events that could not occur, they are honoring those deposits for next year, meaning that there will also be no profit at that time. He informed the Board that he has sent letters to the Governor and Legislators for relief.

The Board was in agreement that the refunds that were sent by the Department were invaluable, and they would like to see if any relief could be provided for rental companies. Mr. Smith again assured all in attendance that the Department would take this under advisement.

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Mr. Lary Zucker, NJAA, stated that NJAA usually holds an expo in Atlantic City each February where someone from the Department attends and presents any updates to rules that will be in effect the following season. He asked whether the Department had a way to reach out and notify members of the amusement industry of any major rule changes should the expo be cancelled. Mr. Paul Lamberti stated that the Department is already doing outreach to ensure people are informed of the changes for Carnival-Electrical systems; the same will be done when the injury definitions are updated.

**G. Adjournment**

*Mr. Albert Belmont made a motion, which was seconded by Mr. William Gehlhaus, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 11:30 a.m.*

**H. Next Scheduled Meeting**

March 18, 2021.

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, June 3, 2020  
Held Virtually via Microsoft Teams**

Board Members Present:

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

DCA Staff Present:

Carrie Battista, Office of State and Local Code Inspections  
Marie Daniels, Code Development Unit  
Paul Lamberti, Office of State and Local Code Inspections  
Ashraf Tahoun, Carnival-Amusement Ride Safety Unit

Members of the Public:

Lary Zucker, NJAA  
Kim Samarelli

**A. The meeting was called to order at 11:00 am.**

**B. Approval of the Minutes of September 20, 2018**

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Len Turtora, to approve the minutes without change. The motion carried unanimously.*

**C. Old Business**

1. Rule proposal, Carnivals and fairs electrical systems, published December 2, 2019, comment period closed.

Mr.

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Len Turtora, to approve the draft rule without change. The motion carried with five votes in support and one vote in opposition.*

2. Rule proposal, Subchapter 15, Aerial Adventure Courses, published January 21, 2020

Mr.

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Albert Belmont, to approve the draft rule. The motion carried unanimously.*

**D. New Business**

1. Revised Definitions of Types of Injuries for Reporting

Mr. Paul Lamberti introduced the draft rule proposal, which would revise the definitions used for incident reporting. The definitions were taken directly from ASTM F770-18.

A short discussion ensued, which centered around the whether updating the definition would lead to unintended consequences. Namely, if incidents such as needing a bandaid or other first aid of a minor nature would become an issue to be reported to the Department. This could pose an issue where businesses have a higher volume of reports, making it appear that there is a high volume of injuries reported, even if a large number of those are not large issues.

Board members agreed that further review on this issue is needed to ensure there are not unintended consequences.

2. Draft Rule Proposal, Subchapter 11, Go Kart Operations

Mr. Paul Lamberti stated that the draft rule proposal would amend the regulations for Go-Kart Operations. This draft would update the referenced standard, ASTM 42007 from the 2000 edition and the 2018 edition.

Board members discussed the importance of working through the regulations to bring more ASTM standards up to date, as well, and stated support for the plan. A short discussion ensued, and board members agreed to review this item for action at the next meeting.

**E. Information:**

1. Pandemic Issues

Mr. Paul Lamberti explained that as a result of the current COVID-19 pandemic, the Department is looking into refunds for submittals made prior to the partial shut-down of operations throughout the State, which impacted carnival and amusement businesses on a broad level.

**F. Public Comment:**

There were no public comments.

**G. Adjournment:**

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Geoff Rogers, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 12:00 pm.*

**H. Next Scheduled Meeting: September 17, 2020**

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, March 14, 2019**

Board Members Present:

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

DCA Staff Present:

John Terry, Assistant Director, Division of Codes and Standards  
Marie Daniels, Code Development Unit  
Paul Lamberti, Office of State and Local Code Inspections  
Michael Triplett, Carnival and Amusement Ride Safety Unit

Members of the Public:

Lary Zucker, NJAA

**A. The meeting was called to order at 11:00 am.**

**B. Approval of the Minutes of September 20, 2018**

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Len Turtora, to approve the minutes without change. The motion carried unanimously.*

**C. Old Business**

1. Draft rule proposal, Carnivals and fairs electrical systems

Mr. John Terry presented the draft rule proposal, which was introduced as new business in the September 20, 2018 meeting. Mr. Terry noted that the Uniform Construction Code Advisory Board reviewed this rule and approved it as written. The draft proposal would regulate temporary electrical systems for carnivals and fairs by requiring a certification for the system at the beginning of the season. Certificates can be obtained either from a third party testing agency or a licensed electrical contractor.

One board member asked if an electrical contractor from another state could certify the system. Mr. Terry stated that in almost all cases, the contractor must be licensed in the State of New Jersey and confirmed he would review the law.

One board member stated that amusement workers believe this will be impossible, and mentioned how these systems are regulated in other states. The board member was concerned that independent electrical contractors would be unfamiliar with the systems and stated that the State's electrical subcode officials currently inspecting the systems is adequate.

One board member asked if there was a specific problem this rule is intended to solve. Mr. Terry framed the current issue for the Board. Electrical systems in carnivals are set up by employees. This creates a situation where electrical subcode officials, who are meant to inspect work that is performed by a licensed electrical contractor, are inspecting electrical systems set up by carnival employees. Rather than requiring a licensed electrical contractor to set up the electrical systems each time, which could be prohibitively expensive, this draft rule ensures further protection of patrons by requiring a certification from a licensed electrical contractor at the beginning of the season; electrical subcode officials would be inspecting to ensure that what they see complies with what was certified.

One board member stated that each piece of the system complies with the National Electrical Code (NEC). Mr. Terry stated that the issue is whether the system as a whole is compliant with the NEC. One board member stated that there has never been an issue with these systems, and this proposal would create an unnecessary expense. Mr. Michael Triplett explained that over half of the violations that are written are for electrical issues.

One board member asked whether the root of this issue was rooted in the Carnival-Amusement Rides Regulations (N.J.A.C. 5:14A). Mr. Terry explained that it is also an issue in the Uniform Construction Code Regulations (N.J.A.C. 5:23) because subcode officials are inspecting work for which there is no permit. One board member stated that the installation of the electrical system is not electrical work and suggested the Department provide a list of contractors who will perform the certification.

One board member asked what the contractor is looking at the first time a carnival comes to the State. Mr. Triplett explained that they will be looking at the system as a whole: the generator, the distribution panel, and any wiring, to ensure that everything is appropriate.

One board member asked what records there have been of serious electrical problems and stated his belief that there were none. The board member stated that inspectors write up everything, even if it's a minor issue, and stated that a number of carnivals have left the State due to financial reasons. Another board member commented it is important that inspectors write up all violations. Mr. Triplett added that there have been no major accidents because of the work of the electrical subcode officials inspecting these systems. This draft proposal would provide an increased level of assurance that all electrical systems are in compliance with the code.

One board member pointed out that the draft rule also allows a recognized electrical testing agency to issue the certification. One board member asked whether any such agency existed. Mr. Terry confirmed that there are numerous agencies worldwide who can perform this work, and cited Underwriters Laboratory as an example.

One board member asked whether there were discussions with electrical contractors to see if they would issue the certification. The board member noted that he understood the merit of having these systems looked at. Mr. Terry stated that he has not reached out regarding this. Another board member stated that he had spoken with a few contractors, who have stated that the work would not be covered by their insurance, so they would not issue the certification. The board member stated that the

Department should accept certification from the manufacturer that the pieces of equipment comply with the NEC. Mr. Terry stated that the concern is whether the system is compliant with NEC. The board member stated that an inspection isn't needed to plug something in. Mr. Terry stated that when something is being wired to anything else to provide service, an inspection is required.

One board member asked if this rule would affect inflatables. Mr. Terry responded that it would not because inflatables do not utilize a distribution system.

One board member pointed out that for permanent rides, all work is done by an electrical contractor and inspected by an electrical subcode official. He then stated that carnival rides aren't new rides, they're rides being reconnected at each stop. He asked if the concern is that reconnection changes the system. Mr. Terry explained that the intent of this draft is to ensure on day one of operation that the system is adequate for its intended purpose. The board member compared this process to electrical issues at a fixed location; these issues must be fixed by a licensed electrical contractor.

One board member stated that on day one, if a contractor looks at the electrical system or sets it up, the contractor will know it works. Mr. Terry confirmed that was the intent of the rule. One board member pointed out that if a contractor sets the system up, then the contractor's insurance would cover the work under professional liability. One board member pointed out that insurance companies insist on an annual inspection and asked whether the insurance company could certify the system. Another board member responded that insurance companies don't issue certificates.

One board member asked if an electrical contractor could set up the electrical system and then certify it. Mr. Terry responded that as long as a certification is issued by an electrical contractor, it does not matter who sets up the system. One board member asked whether certification from another State could be valid in New Jersey. Mr. Terry responded that another State's certification would not be valid.

One board member asked what the process would be if the carnival operator were to change the wires in the system. Mr. Terry explained that the draft rule requires any components not included in the initial certification to have a certificate on site. One board member asked if there was a specific outline for the certificate. Mr. Terry stated that the format of the certificate is up to the contractor.

As a final comment, one board member noted that there will always be an opportunity to amend a rule should any unintended consequences arise.

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Len Turtora, to approve the draft rule without change. The motion carried with five votes in support and one vote in opposition.*

## 2. Draft rule proposal, Subchapter 15, Aerial Adventure Courses

Mr. John Terry presented the draft rule proposal, which was introduced as New Business on September 20, 2018. The proposal would create a new subchapter in N.J.A.C. 5:14A to address Aerial Adventure Courses. Mr. Terry stated that until this point, the Department has used other regulations and means to enforce Aerial Adventure Courses, but a new subchapter is needed to regulate them.



One board member asked what the patron safety restraint requirements meant. Another board member explained that there are mechanical systems that will not let a patron unhook from one restraint until the next one is hooked. Mr. Terry explained that though there are not currently codified regulations, and the patron safety restraint provisions are not included in the referenced ASTM standards, the Department asked manufacturers how they keep patrons from falling, and they confirmed that safety restraint systems were used. The Department has required these systems in all aerial adventure courses. This rule proposal would simply codify current enforcement policies.

One board member noted that this amendment should be made through the ASTM amendment process, which includes thousands of reviewers. The board member stated he supported the change, but would prefer if it was submitted to ASTM. One board member suggested approving the draft proposal without the patron safety restraint requirement, pending submission to and adoption through ASTM. Mr. Terry pointed out that this would make prevent the enforcement of necessary life-safety requirements, and reminded board members that if the referenced standard is updated to include these requirements, the amendment will no longer be necessary in the regulations.

One board member asked if there were any other substantive changes. Mr. Terry confirmed there were not.

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Albert Belmont, to approve the draft rule. The motion carried unanimously.*

#### **D. New Business**

##### **1. Revised Definitions of Types of Injuries for Reporting**

Mr. John Terry introduced the draft rule proposal, which would revise the definitions used for incident reporting. The definitions were taken directly from ASTM F770-18. One board member stated that the draft looked good upon a quick review.

Board members agreed to review this item for action at the next meeting.

##### **2. Draft Rule Proposal, Subchapter 11, Go Kart Operations**

Mr. John Terry introduced the draft rule proposal, which would amend the regulations for Go-Kart Operations. This draft would updatere the referenced standard, ASTM 42007 from the 2000 edition and the 2018 edition. Mr. Terry explained that it is his intention to continue updating the ASTM standards referenced within the regulations. One board member noted that in the past, subcode committees have been formed to undertake some of these reviews. Another board member stated his support of that idea in the future.

Board members agreed to review this item for action at the next meeting.

#### **E. Information:**

##### **1. Ride Statistics**

Mr. Paul Lamberti presented the ride statistics.

**F. Public Comment:**

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**G. Adjournment:**

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Geoff Rogers, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 12:35 pm.*

**H. Next Scheduled Meeting: May 9, 2018**

**Carnival and Amusement Ride Safety Advisory Board  
Minutes of Meeting, September 20, 2018**

Board Members Present:

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

DCA Staff Present:

John Terry, Assistant Director, Division of Codes and Standards  
Carrie Battista, Office of State and Local Code Inspections  
Paul Lamberti, Office of State and Local Code Inspections  
Michael Triplett, Carnival and Amusement Ride Safety Unit  
Don VanHouten, Carnival and Amusement Ride Safety Unit

Members of the Public:

Lary Zucker, NJAA  
Edward McGlynn, NJAA

**A. The meeting was called to order at 11:27 am.**

**B. Approval of the Minutes of September 21, 2017**

*Mr. William Gehlhaus made a motion, which was seconded by Ms. Debbie Henderson, to approve the minutes without change. The motion carried unanimously.*

**C. Old Business**

There was no Old Business on the agenda.

**D. New Business**

1. Fireball incident and impact on New Jersey inspections

Mr. John Terry introduced this topic and reminded the board that it was discussed at the last meeting. He explained that ASTM has balloted performance-based revisions which do not specifically address how to deal with incidents like the Fireball in Ohio. Mr. Terry circulated a memo to his staff in March of this year to remind them of the tools available to perform their jobs and ensure public safety. At this point, the rules are sufficient, and the Department does not have to go any further.

Board discussion followed. One board member commented that the Fireball was operating in New Jersey three weeks prior to the incident in Ohio. The board member was concerned that the Department did not do anything to prevent an incident from happening despite having the regulatory authority to do so. The board member indicated that photographs and the report from the incident showed that the ride was rusted and dented, and speculated that it would take more than three weeks to get to

that condition. The board member questioned whether the Department could be sure something like this won't happen again. Mr. Michael Triplett stated that the ride was inspected, and staff did not see such damage. Another board member stated that the ride could have been damaged in those three weeks as it traveled from show to show.

One board member commented that representatives from North Carolina and Florida spoke at the ASTM conference about the pressure they get to open rides. Another member asked whether the Department was pressured to open the Meadowlands fair. Mr. Edward Smith stated that he never received a call to do so. Mr. Paul Lamberti explained that the reason he ensured there was additional inspection staff was because of the number of rides that needed inspections, not because of any pressure to open.

2. Draft rule proposal, Carnivals and fairs electrical systems

Mr. John Terry presented the draft rule and asked that the board members take the proposal back and discuss it with their constituents and other professionals in the industry. The draft proposal would regulate temporary electrical systems for carnivals and fairs, including requirements that the systems be certified.

One board member expressed that it's up to the members to find people who are able to do the work. He stated that the Department is doing what it can for the industry and has been lenient on this issue in the past. The board member then asked how to obtain a certificate. Mr. John Terry explained that certificates can be obtained either from a third party testing agency or a licensed electrical contractor. One board member asked about the difference between a licensed electrician and an electrical contractor. Mr. Terry explained that they are the same thing.

One board member asked if the certification was needed once at the beginning of the season no matter how many times the electrical system is unplugged and moved around. Mr. Terry confirmed that was correct. Another board member asked if an insurance company could send their own inspector to certify electrical work. Mr. Terry stated that the Department would look into it. One board member stated that insurance companies inspect many places, and added that they are in the business of looking, not certifying.

One board member asked if he could buy a generator from the store and have the operator plug it in and use it. Mr. Triplett responded that the correct generator with the correct voltage and amperage would need to be purchased or a licensed electrical contractor would need to certify the electrical aspects of the generator.

Mr. Edward Smith stated that everyone will take the proposal back and return with comments and feedback for the next meeting.

3. Draft rule proposal, Subchapter 15, Aerial Adventure Courses

Mr. John Terry introduced the draft rule proposal to create a new subchapter in N.J.A.C. 5:14A to address Aerial Adventure Courses. Mr. Terry stated that until this point, the Department has used other regulations and means to enforce Aerial Adventure Courses, but a new subchapter is needed to regulate them.

One board member questioned if the amendments to the ASTM standards were technical in nature. Mr. Terry responded that the amendments are administrative in nature, but there is one technical amendment regarding patron safety restraints. The board member asked about the status of aligning ASTM regulations with New Jersey

regulations. Mr. Michael Triplett responded that the Department has done what it could. Changes have been sent to ASTM based on differing regulations; there are still a few items where there is disagreement. Mr. Triplett confirmed that the ride regulations encompass ASTM as much as possible, except for those regulations where there is disagreement. Mr. Terry stated that ASTM is constantly evolving; the Department's regulations match theirs until they make changes.

One board member asked how trees are related to an aerial course. Mr. Terry explained that trees are often used in the courses, and patrons must unhook their safety restraints to get around the tree. ASTM does not have secondary safety restraints in their regulations. One board member pointed out that, upon adoption of this subchapter, the State should submit its changes to ASTM. The board member asked how the secondary restraint regulations will be applied when there are no guard rails on a path between the areas where patrons must unhook and rehook their safety restraints. Mr. Terry said that the Department will look into that. One board member asked whether ziplines were included in these regulations. Another board member pointed out that ASTM has ziplines in its regulations, and Mr. Triplett confirmed that ziplines are included in this subchapter.

## **E. Information:**

### **1. Ride Statistics**

Mr. Paul Lamberti presented the ride statistics. Mr. Lamberti explained the differences between the 2017 and 2018 report format as a result of different administrative staff. One board member commented that the definition of "serious injury" should be changed. Another board member agreed, saying that in recent years, there has been an increase in transports regardless of the seriousness of the injury. Mr. John Terry agreed that staff would look into amending the definition of "serious injury." One board member suggested checking how it is defined by ASTM.

One board member asked about product failure increases. Mr. Lamberti explained that most injuries are caused by rainfall or bad sensors as opposed to product failures. The board agreed that the statistics should add wording for "product failures causing injuries" to separate serious injuries as a result of product failures from serious injuries from external causes. He then broke down what types of injuries occurred on specific ride types. One board member wanted the statistics to show what rides have what types of serious injuries.

One board member questioned what information is provided when a person requests records through OPRA. Mr. Lamberti explained that, because each request is specific, requestors are provided with the information they request.

Discussion ensued regarding the format of incident reports. Board member asked whether the document could be altered or differentiate between an initial report and a final report. Mr. Lamberti responded that the document could not be altered, but the format could be changed for future seasons. One board member stated that the report should include more detailed descriptions of the incident.

It was decided that staff would reevaluate the statistics reporting to more clearly explain the differences between previous and current statistic reports. The current reporting format appears to show an increase in serious accidents, however, there is not a significant increase from last year's statistics.

**F. Public Comment:**

Mr. Larry Zucker, NJAA, stated that the ride statistics were misleading and suggested that an asterisk be placed next to transports to show the difference. Mr. Terry stated that the statistics would be amended to better explain the reports.

**G. Adjournment:**

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Geoff Rogers, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 12:48 pm.*

**H. Next Scheduled Meeting:** November 29, 2018

Notes of CARSAB meeting of 4/12/18

Because there was no quorum, these are notes of the meeting, not official minutes.

Board Members Present:

Albert Belmont  
Lawrence Cohen  
William Gehlhaus  
Debra Henderson  
Leonard Turtora

DCA Staff Present:

Assistant Director John Terry  
Carrie Battista  
Michael Baier  
Paul Lamberti  
Michael Triplett

- A. Vice Chairman Gehlhaus called the meeting to order: 11:06am
- B. Approval of Minutes: Tabled until next meeting
- C. Introductions: New Assistant Director, John Terry, and new Amusement Ride Inspection Manager, Paul Lamberti, introduced themselves.
- D. Old Business:

Electrical Permits for carnivals and fairs:

Michael Baier explained that the Uniform Construction Code (UCC) is not followed for the set-up and inspections of carnivals and fairs. He briefly explained process of UCC electrical permits. He stated how he envisioned different process-similar to an annual permit for facilities. The show would get an inspection and approval at the beginning of season with periodic inspections taking place throughout the season by our electrical inspectors. Ms. Henderson expressed concerns as to the application of this for inflatables. Michael Baier stated that he did not see the applicability of this for inflatables. Mr. Belmont stated that it would be difficult to get an electrician for every show. His staff gets a required 42hrs of training every 2 years to work on the electrical aspects. John Terry stated that the need for a licensed electrical contractor is rooted in the regulations established by the Division of Consumer Affairs, not the Department of Community Affairs. Mr. Gehlhaus asked how the Department intended to address this matter. Staff responded that a rule should be drafted however, there should be input from those impacted. Michael Baier stated that the key issues are the qualifications of people doing the work. As stated previously, this is regulated by the licensing board in the Department of Consumer Affairs (Newark), not the DCA. John Terry stated that the Ride Inspections Unit currently has two Electrical Subcode Officials. The two officials have trained the electrical subcode officials assigned to the Office of State and Local Code Inspections. The newly trained staff will shadow the experienced officials to gain experience in the field. This is to provide a more efficient service to the ride industry. Members were informed that if they had any issues with electrical inspections, they should contact Paul Lamberti. Mr.

Belmont stated that the cords used to supply power to the amusements are all labeled for each specific ride. Michael Triplett stated that 40% of the electrical inspections fail. Michael Baier stated that at every setup, we have seen it time and time again, the setups are wrong every time. Mr. Cohen stated that this is contingent on what is considered a qualified person. Mr. Turtora suggested that the Department draft a proposal for the Board to review. Ms. Henderson stated that a 40% failure rate speaks loudly, and we need to look at this issue. Mr. Belmont commented that no other State does it the way we are doing it. For example, in Florida and Delaware, they utilize a third- party stamp, and in Pennsylvania, the ride inspectors are trained and owner signs affidavit with periodic oversight by the Statewide inspectors. John Terry assured the group that the Department would have a draft rule proposal for the next meeting

E. New Business:

Fireball-Ohio incident

Michael Triplett informed the group that the Fireball ride that was involved in the accident in Ohio ran in NJ, and we saw nothing wrong. Two to three weeks later, the Ohio incidents occurred. We have been informed that ASTM is attempting to address it. Several manufacturers have put out bulletins. Once ASTM amends the standard, we will review it. John Terry stated that he has already sent a guidance document to the inspection staff reminding them of their authority currently provided by the regulations. We are also providing endoscopes to staff for better inspecting capabilities.

On Going Projects-

Michael Baier stated that the Department will be preparing regulations for “Rope Courses” as there are many proposed courses but no specific regulations in place. Michael Triplett assured the group that these projects were reviewed by the engineering staff. Michael Baier also stated that the go-kart chapter, aquatic chapter, and the bungee chapters also need updating. Additionally, there are several small housekeeping matters in the regulations that need updating.

F. Information

Statistics:

The Board reviewed the statistics provided. There was a question regarding the “Serious- Go Kart” injury. Staff informed the Board that the 2/19 injury was bruised shin, and that the kart was taken off-line until our inspector investigated it. Mr. Belmont stated that the accidents should be identified based on the ride, for example, go-karts, water rides, inflatables. Ms. Henderson disagreed with Mr. Belmont and stated that the Department should be more specific in how serious and non- serious are entered and labeled.

G. Public Comment-

Lawrence Zucker-NJAA: Mr. Zucker stated that he would like to see the statute revisited as it was last amended in 2001. He also stated that there is an ASTM standard for Aerial Adventure Courses.

H. Adjournment: 12:41pm



**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.

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, May 11, 2017**

Board Members Present:

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

DCA Staff Present:

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

Members of the Public:

Lary Zucker, Marshall Denehey/NJAA  
George Henderson

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

**B. Approval of the Minutes of November 10, 2016** A motion was made by Debbie Henderson seconded by Len Turtora to accept the minutes of the 11/10/16 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.

2. Service proven documentation – the Department reported that this item was tabled at the last meeting because the Board wanted time to consider the changes that the Department made to the draft that was presented at the September Board meeting. Staff reported that it understood the Board to have concerns about the way environmental loads are treated, specifically for rides that are applying for an individual approval where the manufacturer either no longer supports the ride or is out of business. In cases where there is no manufacturer, producing calculations can be cumbersome. The Department modified the earlier proposal to allow the previous location of the ride to be considered in lieu of the calculations. The proposed change would allow a ride that was sited at a location during the service proven period where

environmental loads were equivalent or greater than the proposed location to be approved without calculations. A board member asked if this applied to portable rides. Staff reported that environmental loads are not applied to portable rides that can be dismantled prior to the environmental event. A Board member asked if the environmental conditions were for the operating condition or the non-operating condition. Staff responded that environmental limits under which the ride can operate would be in the manual, and that the loads in the proposal are for the non-operating condition. The Board questioned whether these loads are really related to rider safety since they deal with loads that the ride would be subject to when there would not be any riders present. 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 than the previous location.” Several Board members wanted additional time to consider the proposal. A motion by Debbie Henderson seconded by Al Belmont was made that the Department modify the proposal to include the language above and to distribute to the Board for an electronic vote.

3. Accident, Incident or Mechanical Breakdown Reporting – Staff presented a proposal that was presented at the last Board meeting. Parts of the proposal were approved at the last Board meeting including elimination of the need to report incidents that only required first aid within 24 hours and the ability to make reports to the Department electronically. The other parts of the proposal were tabled. They included a change to the definition of “injury/illness” to agree with ASTM and to change the reporting requirements for breakdowns. With the exception of cases where the ride stopped due to a power failure the current rules require notification within 24 hours whenever the passengers are discharged at other than the normal loading or unloading location. The proposed change would require a notification to the Department only in cases where riders were unloaded from the ride at a location that is other than a designated emergency evacuation position. A Board member asked about the definition of mechanical malfunction. There was discussion about whether a mechanical malfunction was a failure of any part or if it was only for parts that were safety related. For example, the failure of a drive on a ride which stops operation but does not present a danger to the occupants might be construed as a mechanical malfunction. In addition, several Board members thought that complaints reported to the owner or operator should only have to be recorded if they are related to the safety of the ride. Staff responded that they would review the definition as part of the proposal. Mr. Belmont made a motion to have the Department look at the definition of mechanical malfunction and send a revised version of the proposal to the Board for an electronic vote. The motion was seconded by Len Turtora and passed.

#### **D. New Business**

1. Grace Period – Staff presented a proposal that would create a grace period when changes to the design standards in the rules were modified. Currently, changes to the design requirements in the rules become effective the day that the rule appears 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 appeared 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. The Board will review the proposal and comment at the next Board meeting.

2. 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. A Board member asked if the ride unit could be assisted by electrical inspectors from other programs in the Department. Staff responded that they have done that on occasion but that there are not enough available electrical inspectors even when relying on other programs within the Department. The Department would like to investigate the use of a system similar to an annual permit under the Uniform Construction Code which would allow the Department to rely on certification from a qualified person in lieu of an inspection at each site. The qualified person would, because of the licensing laws in the State, most likely be a licensed electrician. Several Board members stated that there may be difficulty with this approach because electricians would not be willing to certify such installations. There was also discussion that the expense of hiring an electrician would create a financial burden on shows. A Board member asked if this would apply to all generators. Staff responded that smaller “plug and play” generators which currently do not require a permit under the UCC would not fall under the rule. The Department agreed to meet with the industry to discuss possible options. Al Belmont will work with staff to arrange a meeting.

#### **E. Information:**

1. The ride statistics were presented. Al Belmont asked about a separate listing for go-karts that was discussed at the last meeting. Staff reported that the data base does not have a unique identifier for go-karts and that to extrapolate such statistics would have to be done by hand and would take too much time. Staff noted that the number of inspections were down compared to last year and noted that this was likely due to Easter being later this year as well as a lag in the data entry system.

2. 2017 meeting dates. The next meeting date is scheduled for September 21, 2017

**E. Public Comment:**

1. Lary Zucker asked if documents that are to be considered by the Board could be provided to him and Mr. McGlynn prior to the meeting, or if there could at least be copies available so that they could follow along with the changes.

**F. Adjournment:** The meeting was adjourned at 1:34 pm.

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, November 10, 2016**

Board Members Present:

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

DCA Staff Present:

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

Members of the Public:

Edward McGlynn, NJAA  
Lary Zucker, Marshall Denehey  
George Henderson

**A. The meeting was called to order at 11:09 am.**

**B. Approval of the Minutes of September 15, 2016** A motion was made by William Gehlhaus seconded by Debbie Henderson to accept the minutes of the 9/15/16 meeting.

**C. Old Business**

1. RCMT Sub-committee – Ms. Henderson reported that the committee is meeting roughly twice a year. There was a meeting held during the second day at the Pennsylvania training session but attendance was limited. The conclusion was that there is not a problem with the RCMT program at this time.

2. Update of standards – staff supplied the Board with a draft of changes to the rules that would update the referenced standards in the rules. Staff reported that the working group had met and was satisfied with the proposal that is being presented to the Board. Ms. Henderson asked what happens when there is a later edition of a standard than what the Department had adopted. Staff responded that unless a change was made to the standard to address something that was a known life threatening hazard, the Department would enforce the adopted version of the standard. Ms. Henderson asked if a part of the standard would have to be removed if this were the case. Staff responded that the Department has not had a case where there was something in a later version of the standard that was critical for life safety.



Mr. Gehlhaus questioned whether ASTM F2960-15 entitled “Permanent Amusement Railway Ride Tracks and Related Devices” applied to rides like the Zamperla Rio Grande. It was the opinion of those present that the standard would not cover rides such as the Zamperla Rio Grande. A motion was made by Len Turtora seconded by Lary Cohen to approve the rule proposal with the proviso that it be conferment that ASTM F2960 does not cover portable rides like the Rio Grande. The motion passed unanimously.

(Note: This was checked after the meeting and staff confirmed that the scope of ASTM F2960 does not apply to portable rides.)

3. Annual Inspections – The Department presented a redraft of a rule which would put conditions on when an operator can run on last year’s permit without an annual inspection. Mr. Gehlhaus asked for clarification about the provision that allows the Department to prohibit someone from operating if there is an outstanding Manufacturers Bulletin. Staff responded that in some cases the bulletin will require that corrective modifications be made to the ride. In those cases, the Department would likely want to inspect the ride prior to use. Mr. Rogers asked whether people operate on last year’s permit because of staffing issues or because the Department is not notified. Staff responded that in the past it has been more of an issue for traveling shows, and that it has been a little of both. Staff pointed out that even though itineraries are submitted they do not identify the specific rides that will be set up. Itineraries only state the number of each type of ride that will be set up. That makes it difficult for the Department to manage resources. Al Belmont made a motion to approve, seconded by William Gehlhaus, all were in favor. Lary Zucker asked some questions about how the rule would work logistically. Staff responded that there would not be a need for the ride operator to call the Department to see if it was Ok to run on last year’s permit. Rather the Department would need to call the operator upon receipt of the permit application and tell the owner that they were not permitted to run on last year’s permit if there were an issue.

3. Service proven documentation – the Department provided a redraft of the proposal that was presented at the last meeting. The draft presented at the last meeting was not voted on because the Board had questions about how the environmental conditions affected the approval of service proven rides. The version presented would allow service proven rides to be approved based on the environmental conditions that they have been subjected to rather than requiring calculations. The proposal also contains language that would codify the practice of converting existing type certifications to individual approvals when the manufacturer does not renew the type certification. Because of the length and complexity of the proposal Mr. Rogers made a motion that the issue be tabled so that the Board members could look at the proposal more closely. The motion passed.

#### **D. New Business**

2. Accident, incident or mechanical breakdown reporting. Staff presented a proposal that would change the reporting requirements in the rules. Among the changes included is a change to the definition of serious injury or illness. The change is proposed to be consistent with the definition found in the ASTM standards.

The proposal would also allow email as a means of notification. The proposed changes would eliminate the need to submit a report for a patron who received first aid only, but would rather just require the operator to keep a record of it. Finally ride evacuations at designated emergency evacuation areas would not have to be reported but evacuations at locations other than the normal loading/unloading area or evacuation area would have to be. The Board agreed that first aid incidents should not have to be reported within 24 hours but had questions about the change to the definition of “serious injury/illness.” The Board approved the portion of the proposal that amended the reporting requirements for first aid but tabled the rest of the proposal for the next meeting.

**E. Information:**

1. The ride statistics were presented. Staff noted that the number of accidents were significantly lower and reported that a large factor were fewer accidents at Mountain Creek. Mr. Belmont asked if statistics for go karts could be shown separately. Staff will try to do this if possible.

2. 2017 meeting dates. The following proposed meeting dates were presented:

January 26, 2017

March 23, 2017

May 11, 2017

September 21, 2017

November 16, 2017

Some Board members reported that they will have difficulty making the meeting scheduled for January 26<sup>th</sup>. The Board also noted that the Nov 16<sup>th</sup> date was the same week as the IAPPA convention. Staff will look for alternative dates for these meetings.

**E. Public Comment:** There was no public comment.

**F. Adjournment:** A motion was made by William Gehlhaus seconded by Geoff Rogers to adjourn. The meeting was adjourned at 12:25 pm.

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, September 15, 2016**

Board Members Present:

Edward M Smith, Chairman  
William Gehlhaus  
Debbie Henderson  
Albert Belmont  
Lawrence Cohen  
Christopher Leitner

DCA Staff Present:

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

Members of the Public:

Claudine Leone, ACA  
Alicia Smith, Marshall Dennehey

**A. The meeting was called to order at 11:15 am.**

**B. Approval of the Minutes of March 10, 2016** A motion was made by William Gehlhaus seconded by Albert Belmont to accept the minutes of the 3/10/16 meeting.

**C. Old Business**

1. RCMT Sub-committee – The committee has not met since the last Board meeting so no report was given.

2. Update of standards – staff supplied the Board with a draft of changes to the rules that would update the referenced standards in the rules. Staff is working to arrange a meeting of the working group prior to the next Board meeting. A Board member asked what the Department's position was with respect to manufacturers using standards that are of a later edition than the ones referenced in the rules. Staff responded that for the most part they are allowed to follow the later editions but that the use was not completely automatic and that there could be cases where things are included in the newer version of the standard that are not appropriate under New Jersey's rules. There was a follow up question about whether New Jersey is still committed to be in alignment with the National consensus standards. Staff responded that New Jersey is committed to being in alignment to the greatest extent possible but

cannot say that it will always automatically accept what is in the referenced standards sight unseen.

3. Annual Inspections – Staff presented a revised draft rule concerning annual inspections. The proposed draft would allow for the operation of rides on the previous permit with the discretion of the Department. Staff explained that the current rule should not be a blanket allowance for the practice and that the Department should have the ability to refuse to allow owners the ability to run on last year's permit when they feel that doing so might not be in the public's best interest. In addition, the current wording would allow the applicant to intentionally schedule an appointment well into the season, and allow them to operate for a significant period of time without inspection. While the Board agreed that there might be a need to amend the section so that it could prevent rides that are a concern from operating without an inspection, the Board thought the language was too subjective. The Board elected to not take action at this time but asked staff to summarize the conditions under which it would use its discretion to prevent a ride from operating on last year's permit in the hopes of making the rule more objective. Staff will distribute a memo to the Board.

#### **D. New Business**

1. Amended type certification – the proposed rule would eliminate an error in the rules which stated that an amended type certification could be issued for a ride with an individual approval that is undergoing a modification. A motion was made by Bill Gehlhaus seconded by Larry Cohen to approve the amendment with the inclusion of the word “or” after the words “supplemental modification certification” in the second line. The motion passed.

2. Change to definitions – the proposed rule would amend the definition of the term super ride by including the current value for “high speed” within the definition and stating that rides that use a class-5 restraint are included within the scope of a super ride. A Board member asked what the definition of a class-5 restraint is. Staff explained that typically it's an over the shoulder restraint that the rider cannot open and it's provided with some type of redundancy. A motion was made by Bill Gehlhaus seconded by Albert Belmont to approve the proposal as written. The motion passed.

3. Service proven documentation – the proposal would clarify what must be submitted when applying for a type certification or an individual approval for a service proven ride. A Board member questioned the inclusion of the need to submit environmental load design conditions for a ride seeking an individual approval as a time tested ride. Several members of the Board were concerned that this information would not be available and could require that expensive calculations be performed. Staff gave the example of a ride that had traditionally always been used indoors and questioned whether such a ride could be relocated to an amusement park on a pier on the shore without any documentation about its ability to withstand coastal winds.

Staff clarified that this was only an issue for fixed rides. Portable rides have to establish conditions under which a ride must cease operation but do not have to be designed to withstand maximum geographic wind loads because the assumption is that the ride can be dismantled and/or moved prior to exposure. Some Board members thought it might be appropriate to base the allowable environmental loads on locations where the ride had been set up before, while others thought that all that was needed was maximum environmental conditions under which the ride could operate. A motion was made by Bill Gehlhaus seconded by Al Belmont to table the issue and have the Department send a memo to the full Board outlining the issue and possible solutions. The motion passed.

**E. Information:**

1. The ride statistics were presented.

**E. Public Comment:**

1. There was no public comment.

**F. Adjournment:** A motion was made by William Gehlhaus seconded by Larry Cohen to adjourn. The meeting was adjourned at 1:10 pm.

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, March 10, 2016**

Board Members Present:

Edward M Smith, Chairman  
William Gehlhaus  
Debbie Henderson  
Geoff Rogers  
Lawrence Cohen  
Christopher Leitner

DCA Staff Present:

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

Members of the Public:

Lary Zucker, ACA

**A. The meeting was called to order at 11:10 am.**

**B. Approval of the Minutes of December 10, 2015:** A motion was made by William Gehlhaus, seconded by Geoff Rogers to accept the minutes of the 12/10/15 meeting.

**C. Old Business**

1. RCMT Sub-committee – Debbie Henderson reported that she felt there was a training gap for inflatable rides. Though there is training in place it is not being offered as a State sponsored ride training course because those working on inflatables do not need an RCMT certification. Staff stated that they are willing to offer training that is required by the rules; but that training that is not contemplated by the rules should be performed by the industry. If the industry feels that the training is necessary for all operators, then the rules should be changed to mandate it. A Board member suggested issuing a best practices sheet, to be included when inflatable permits are issued.

There were also questions about training that is currently offered that is not specifically identified as being for amusement rides, such as the Uniform Construction Code course on water damaged electrical equipment. Staff responded that if there is training that is not specifically designated as a course offered for “ride” credit, the attendee should notify the Department and if the Department feels the course is relevant, credit will be given.

#### **D. New Business**

1. Update of standards – staff supplied the Board with the proposed action on all of the referenced standards listed in the amusement ride rules. The actions are based on a meeting that the subcommittee held on February 11, 2016. For standards that are only referenced in ASTM F2291, the Department is proposing to eliminate them from section 1.3 of the rules. For standards that are referenced in the rules but not ASTM F2291, the agreement was to review the standards, and if acceptable incorporate the newer version into the standard. For standards that are both referenced in ASTM F2291 and the rules, the proposed action is to update the standards in the rules to match the version referenced in the ASTM F2291 adoption. There are a number of standards that are included in section 1.3 of the rules that are neither referenced in the rules nor ASTM F2291. The proposed actions for these standards are to either eliminate them from section 1.3 of the rules or do rule proposal to scope them into the regulations.

2. Annual Inspections – Staff presented a draft rule concerning annual inspections. There are conflicting sections in the rules. One section allows for operators to operate on last year's permits provided that the owner has applied for the current year permit, that there are no outstanding violations and provided that the annual inspection has been scheduled. Another section of the rules states that the ride cannot be operated without an annual inspection. In order to reconcile the differences, the Department presented a proposal to eliminate the section that allows owners to operate on last year's permit. Several Board members stated that they felt that the existing provision, allowing owners to operate on last year's permit, should be retained because of concerns about the Department's ability to perform inspections due to staffing and workload issues. They suggested that with proper documentation that the owner is allowed to operate on the previous year's permit. The Department stated that they would take the Board's comments under advisement. No action was taken on the proposal.

#### **E. Information:**

1. The ride statistics were presented. There was discussion that the year to year comparison is not always accurate due to delays in data entry. Several of the Board members suggested that having statistics that were less up-to-date but more accurate might be better.

2. ASTM F2291 proposal – staff reported that there was an adoption date set for the proposal and that it would be provided to the Board members.

**E. Public Comment:**

1. Lary Zucker asked if the Department intended to have additional working group meetings to discuss updating standards. Staff reported that additional meetings will be needed.
2. Mr. Zucker asked about the possibility of submitting plans electronically. Staff responded that the Department is planning to do this but is not ready to implement it yet.
3. There were questions about the current staffing levels of the program. Director Smith responded that we are currently staffed well enough to accomplish the goals of the unit.

**F. Adjournment:** A motion was made by William Gehlhaus, seconded by Christopher Leitner to adjourn. The meeting was adjourned at 1:10 pm.