

**Carnival-Amusement Safety Board - Open Forum Meeting**  
**Thursday, January 14, 2010 – 6:00 PM**  
**Crown Plaza, Winter Garden Room, 14<sup>th</sup> Floor, Springfield, IL**

**ATTENDANCE:**

*Members Present:* Catherine Shannon, James Wright, Jr., Rick Boyd, Anthony Urbik, Bill Sparks and Patty Sullivan

*Members Absent:* Dan Driskill

*DOL Staff Present:* Bert Rodriguez, Michael Haggerty, Sara Scherer, Doug Rathbun, Margaret Royer, Chuck Drager, Matt Rohman, Bill Szerletich, Marcia Joiner

**QUORUM PRESENT:** Yes

**PROCEEDINGS:** Meeting called to order at 6:10 p.m. by Chair, Catherine Shannon

**DIRECTOR/CHAIR SUMMARY:**

Director Shannon began by explaining the purpose of the open forum meeting, thanked the operators and guests for attending the meeting and introduced the members of the Board and agency staff.

Director Shannon explained agenda items the Board would be considering at their business meeting on Friday morning and invited everyone in the audience to attend. Items to be reviewed or discussed included rule changes, monster trucks, division manager's report, legislative proposal, fee increase proposal and any other business that may come before the Board at tonight's meeting. She stated that Friday's Board meeting was open to the public, however, no public comment would be allowed. She noted if the audience had questions or concerns that needed to be discussed by the Board, these concerns should be asked or addressed at tonight's meeting. She stated the Board would begin tonight's meeting by presenting proposals, operational reports and reviewing old business from the 2009 meeting. She told the audience copies of the 2009 Year End Review brochure were available and if anyone wanted one to see one of the inspectors.

**LEGISLATION AND RULE MAKING REPORT PROVIDED BY SARA SCHERER,  
LEGISLATIVE DIRECTOR FOR THE DEPARTMENT:**

Ms. Scherer began by stating the Department proposes that the Carnival and Amusement Rides Safety Act [430 ILCS 85] be amended to explicitly include monster trucks as amusement rides; prohibit the use of cell phones by operators while operating an amusement ride or attraction and clarify that permits for rides shall be surrendered to the Department upon the sale of a ride or attraction or immediately upon request by the Director. She stated these legislative changes will help the Department with enforcement of the Act and provide the public with safer operation of amusement rides and attractions.

Ms. Scherer stated the administrative rules became effective December 29, 2009, and will be published in the Illinois Register on January 15, 2010. The rulemaking was implemented in order to reflect changes to the existing law and update incorporated safety standards.

**Public Comment:** A lengthy discussion was held on operators using cell phones while operating a ride or attraction. It was finally suggested by several operators that, as part of the application process, owners should be required to have a cell phone policy instead of putting this restriction in the statute. The agency is to prepare a draft for the Board's consideration at the spring meeting.

**Public Comment:** A member of the audience suggested the Department think about staggering the expiration dates of the permits.

**OPERATIONAL REPORT PROVIDED BY DOUG RATHBUN, MANAGER OF THE CARNIVAL DIVISION:**

Mr. Rathbun reported that the Non-destructive Test (NDT) list has not changed since last year. Operators are expected to comply with all NDT requirements.

Mr. Rathbun stated the division will be verifying that all safety critical bolts, which the manufacturer requires to be replaced at a scheduled interval, have been completed. He stated that operators must provide proof that said bolts have been changed by submitting a dated invoice to the office with their application.

Mr. Rathbun provided the attendees with the Division’s End of the Year Brochure and the following statistics were verbally shared with the attendees:

**2009 STATISTICS**

Number of Full-time Inspectors	5
Number of Companies Registered	304
Number of Inspection Locations	697
Number of Show Dates	1,454
Number of Rides Issued Permits	2,411
Total Number of Inspections	4,736
Revenue Collected	\$138,750
Number of Stop Orders Issued	4
Number of Stop Orders Resolved	4
Number of 5 Day Letters Issued	12

**NUMBER OF INJURIES 15**

<b>TYPE OF INJURY</b>	
Fatalities	0
Lacerations or Punctures	3
Bruises or Sprains	3
Broken Bones	6
Other/Unknown	3
<b>CAUSE OF INJURY</b>	
Owner/Operator Error	3
Patron Error	10
Mechanical	1
Other/Unknown	1

Mr. Rathbun reminded operators that prior to the 2011 operating season, all Venture ride owners would be required to provide an overhaul inspection report prior to receiving a permit to operate. He noted the Department sent a letter explaining the specifications and requirements for the overhaul to all Venture ride owners. He encouraged owners to call the office should there be any questions regarding the overhaul requirement.

Mr. Rathbun informed operators that the agency would be mailing a letter to all operators explaining requirements and suggestions for ways to make their 2010 inspection process go smoothly this season. Attendees were then provided a copy of the letter. Mr. Rathbun reported that the Department has thirty

days from the time an application is submitted to approve the application and schedule an inspection. He reported that currently the process is being completed in less time, perhaps two weeks. However, due to the loss of the Southern IL inspector he encouraged people to apply early, which would help with the scheduling of inspections during the peak season.

**AGENCY BUDGET PRESENTATION PROVIDED BY BERT RODRIGUEZ ASSISTANT DIRECTOR FOR THE DEPARTMENT:**

Mr. Rodriguez presented on the Carnival Safety Division revenues and costs, shortfalls, and options to address the Division's budget challenges. He stated new revenues -must be found to adequately fund the program and meet future obligations. He then presented an overview of how Illinois carnival and amusement ride inspection fees compare to other similar states.

Mr. Rodriguez then presented three fee increase proposals that the Department will present to the Board for consideration.

**Public Comment:** A very lengthy discussion ensued as various people expressed their opinions about having to pay increased fees, asked why the permit/inspection fees were required at the time they filed their application (rather than at the time of inspection), discussed staggering the permit expiration dates and asked why we did not accept credit cards. Director Shannon stated that the Department must enforce the law as it is written. She further summarized the steps that are necessary for an idea to be enacted into law.

**Public Comment:** A member of the public noted that other states allow the use of credit cards and that it might be worthwhile for Illinois to look at that option.

**OLD BUSINESS:**

A large portion of the discussion at the June Board meeting revolved around what requirements (if any) the Department should mandate with respect to monster trucks operated as amusement rides. At Friday's Board meeting, the Board will further discuss if the Department should regulate monster trucks.

**NEW BUSINESS:**

Director Shannon stated the Board will discuss at Friday's Board meeting whether or not the Department should regulate Peddle Cars and Wacky Bikes.

**OTHER BUSINESS:**

Director Shannon then recognized John Peterman who retired from the agency on December 31<sup>st</sup> after 25 years of service. The audience gave Mr. Peterman a standing ovation and expressed their thanks and appreciation for his years of dedicated service and cooperation. Director Shannon thanked him and stated he would be missed.

**Public Comment:** A member of the public reiterated the concern about the need to fill the vacant inspector position in Southern Illinois.

**ADJORNMENT:**

The meeting was adjourned at 7:53 p.m. on a motion by Mr. Wright, seconded by Ms. Sullivan.

Minutes submitted by Secretary, Marcia Joiner.