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CITY OF SPRINGFIELD
STATE OF ILLINOIS

DEPARTMENT OF LABOR
AMUSEMENT RIDE & ATTRACTION SAFETY

ADVISORY BOARD MEETING
JANUARY 16, 2020

1 A P P E A R A N C E S
2 Amusement Ride and Attraction
3 Safety Board Members:
4 Mr. Bradley Brown, Chairman
5 Ms. Patty Sullivan, Public
6 Member #2
7 Mr. Weston Sparks, Carnival
8 Operator Member #1
9 Mr. William N. Jennings, Public
10 Member #3
11 Ms. Jessica A. Yard, Public
12 Member #4
13 Mr. David Bennett, Public Member
14 #1 (via telephone)
15 ALSO PRESENT: Department of Labor Staff:
16 Director Michael D. Kleinik
17 Yolanda Carrillo, Chief
18 Legal Counsel (by
19 telephone)
20 Mr. Bill Szerletich
21 Mr. Thomas Coe
22 Ms. Margaret Royer
23 Mr. Matt Rohman
24 Mr. Brian Brown

25 Court Reporter:
26 Jennifer L. Crowe, CSR
27 Illinois CSR #084-003786
28 Alaris Litigation Services

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CITY OF SPRINGFIELD
STATE OF ILLINOIS

DEPARTMENT OF LABOR
AMUSEMENT RIDE & ATTRACTION SAFETY
ADVISORY BOARD MEETING

ADVISORY BOARD MEETING OF THE AMUSEMENT RIDE
AND ATTRACTION SAFETY BOARD ON JANUARY 16, 2020,
between the hours of 4:02 p.m. and 5:55 p.m. of
that day, at the Crowne Plaza, 3000 South Dirksen
Parkway, Springfield, IL, before Jennifer L. Crowe,
a Certified Shorthand Reporter (IL).

1 DIRECTOR KLEINIK: Good morning or good
2 afternoon, everybody. Thank you for coming down to
3 the meeting. We have a little, short business we
4 need to take care of in the beginning here. We
5 have got to elect a chairman of this board because
6 the other one advises the department and the board
7 members on how they would like to proceed on some
8 thing. So since I am the Director and can't
9 nominate me to be Chairman, so therefore, I'm going
10 to run, run it.

11 So what I would like to do is new member
12 introduction. I would like to start down here to
13 my right all the way to the end and come this way.
14 That way everybody gets to know who the new
15 directors are.

16 MR. JENNINGS: Bill Jennings from Olney,
17 Illinois, southern part of the state.

18 MR. BROWN: Brad Brown from the northern
19 part of the state, half mile south of the Wisconsin
20 border, Rockton, Illinois.

21 MS. SULLIVAN: Patty Sullivan, Eli Bridge
22 Company from Jacksonville just 30 miles west of
23 here.

24 MR. SPARKS: Wes Sparks, North American

1 Midway Entertainment. All over.

2 MS. YARD: I'm Jessica Yard, Springfield,
3 Illinois.

4 DIRECTOR KLEINIK: I'm Michael Kleinik,
5 Director of the Department of Labor. I'm from
6 Vandalia, Illinois.

7 MR. COE: Tom Coe, the Chief Ride Inspector
8 out of Springfield, and then we have three of our
9 inspectors in back, four, sorry. You guys want to
10 introduce yourselves? Most everybody knows them.
11 Name, address.

12 MR. BROWN: Brian Brown.

13 MR. BENNETT: I'm Dave Bennett, a defense
14 attorney in Chicago. So I defend the amusement
15 industry. So thanks for letting me participate by
16 the phone today.

17 MS. SULLIVAN: Sure. We are happy to have
18 you.

19 MS. ROYER: Margaret Royer, northern,
20 northeastern corner of Illinois.

21 MR. SZERLETICH: Bill Szerletich, central.

22 MR. ROHMAN: Matt Rohman.

23 MS. SULLIVAN: I would like to make a quick
24 comment. Everybody in the state who has rides

1 really appreciates all of you, and we appreciate
2 all of the hard work that you do, and I just think
3 you deserve a little round of applause.

4 (Applause.)

5 DIRECTOR KLEINIK: Is there anybody other
6 on the phone that needs to announce theirselves?

7 MR. BENNETT: I think it was just me, Dave
8 Bennett.

9 DIRECTOR KLEINIK: Okay. I would like to
10 introduce Mike Batulis. He is our PIO for the
11 department, and when you see stuff come out in the
12 paper or news releases, he is the one responsible
13 for doing that. Blame him.

14 So anyway, to get started here is we need
15 elect a chairman according to the bylaws and to
16 serve as the chairman for the year, and I would
17 like to open it up for nominations from the board
18 members.

19 MS. SULLIVAN: I would like to nominate
20 Brad Brown.

21 DIRECTOR KLEINIK: We have a nomination of
22 Brad Brown. Do we have any other nominations?

23 MR. JENNINGS: Do you need a second for it?

24 MS. SULLIVAN: Yeah, I think so.

1 MR. JENNINGS: I will second that motion.

2 DIRECTOR KLEINIK: We have a second. We
3 have a motion on the floor for Mr. Brown to be the
4 next chairman, and we have a second. All those in
5 favor say aye.

6 (Ayes heard.)

7 DIRECTOR KLEINIK: All those opposed?

8 (No response.)

9 DIRECTOR KLEINIK: Hearing none,
10 congratulations, Mr. Brown. You are the new
11 chairman. So I will turn it over to you.

12 (Applause)

13 CHAIRMAN: I might be a little ill
14 prepared, so bear with me as we go through our
15 agenda, and with your help, I am sure we will
16 handle it just fine.

17 All right. So approval of agenda. So we
18 have our agenda that is before us.

19 MS. SULLIVAN: Can the agenda be put up on
20 the -- or do you have it? If not, that's fine.

21 MR. COE: I had to steal another computer
22 from the office.

23 MS. SULLIVAN: Never mind. Enough said.

24 CHAIRMAN: So with the agenda that we have,

1 can we get a nomination to approve the agenda for
2 today's meeting?

3 MS. SULLIVAN: It all looks good to me. I
4 will make a motion --

5 MR. JENNINGS: So move.

6 MS. SULLIVAN: -- to approve. Or Bill
7 moves, I will second it.

8 CHAIRMAN: Okay. Bill and Patty have made
9 the motions. All in favor of approving today's
10 agenda, say aye.

11 (Ayes heard.)

12 CHAIRMAN: Opposed?

13 (No response.)

14 CHAIRMAN: We will mark it as approved for
15 today's agenda.

16 Approval of our meeting minutes from our
17 last meeting, October 24th, 2019, hopefully we can
18 get through the meeting today with no fire alarms
19 or anything, be as adventurous as the last one.

20 Does anyone have any questions,
21 clarifications, or anything on our meeting minutes
22 from our last meeting?

23 MS. SULLIVAN: Well, they were posted on
24 the web site, I think.

1 MR. COE: Yes.

2 MS. SULLIVAN: So hopefully everybody got
3 to read them. Wes, do you want to make this
4 motion?

5 MR. SPARKS: I will make the motion.

6 MS. SULLIVAN: I will second it.

7 CHAIRMAN: Motion and second have been
8 made. All in favor of approving our meeting
9 minutes from October 24th say aye.

10 (Ayes heard.)

11 CHAIRMAN: Opposed?

12 (No response.)

13 CHAIRMAN: All right. The meeting minutes
14 are approved from October 24.

15 Tom, if you would like to take over and
16 address the next item on our agenda which is the
17 October meeting review, would that be appropriate?

18 MR. COE: Yes. There was two things in the
19 meeting that were voted on, and we wanted to bring
20 it to this meeting also to make sure of the input
21 from any of you.

22 The two items that were approved in that
23 October meeting, most of this was brought up in the
24 January meeting of 2019, but we approved an

1 inflatable fee structure which makes super large
2 inflatables if their footprint is over 1500 square
3 feet, 1500 square feet and over, they will be \$130
4 now to have them permitted. That was one item.
5 Any input, comments?

6 (No response.)

7 MR. COE: Okay. We will move forward with
8 that. The second item was in the October meeting,
9 we had a gentleman come in and speak to us about an
10 accident that occurred at an indoor adventure
11 course. At that point there is no one in the state
12 that really has jurisdiction over those types of
13 amusements. We have put together a proposal for
14 the Board. They approved it, but we will bring
15 those type of rides, amusement attractions, however
16 you want to define them, we will bring them under
17 our jurisdiction. They will have to comply with
18 the set of rules that we will get to later on in
19 the meeting and be permitted for such.

20 Comments? Nothing?

21 (No response.)

22 MR. COE: We will move forward with both
23 items.

24 CHAIRMAN: Hey, Tom, I have got a

1 question --

2 MR. COE: Sure.

3 CHAIRMAN: -- on the trekking courses, rope
4 courses and stuff. In one of our emails there was
5 a new ASTM standard that covers all of that. Will
6 that be part of our adoption of what we are
7 adopting here?

8 MR. COE: We are -- I want to talk about
9 that. I didn't know if we were going to have the
10 rules set up by then.

11 CHAIRMAN: Okay.

12 MR. COE: It was just like a week and a
13 half ago --

14 CHAIRMAN: Right.

15 MR. COE: -- we kind of got to the point
16 where we felt comfortable to give everybody a copy
17 out. That's why I sent it out to you.

18 CHAIRMAN: Yes.

19 MR. COE: So yeah, that will be -- there is
20 three others that we are going to look at further
21 in and vote on, and that's one of them that I just
22 threw in there last minute --

23 CHAIRMAN: Okay.

24 MR. COE: -- to talk about.

1 CHAIRMAN: Excellent. Thank you for
2 getting that information out to us.

3 MR. COE: Old business; we had a continuing
4 discussion of regulating all inflatables used in
5 the public. Patty wanted me to check that out.
6 That definition is in the rules, and the law it
7 just says inflatables.

8 MS. SULLIVAN: Uh-huh.

9 MR. COE: So to change that, we would have
10 to go in and change the rules to broaden the
11 definition of what we have now. Again, as we
12 discussed, I don't believe we have the manpower to
13 cover that. I mean, it is just --

14 MS. SULLIVAN: Well, it is going to have to
15 go hand in hand.

16 MR. COE: Right.

17 MS. SULLIVAN: Additional manpower with
18 additional permitting and fees, so --

19 MR. COE: Right. I mean, money is not the
20 driving object at this point. I would say it is
21 more of a manpower and physically getting that
22 number of inflatables inspected in the program
23 year. We can discuss a little bit about the
24 inspections that occurred last year. We have, we

1 have numbers on that, and some of how busy we are
2 is going to be reflected in that.

3 MS. SULLIVAN: I had a thought on that. Is
4 there any way we could hire a temp person who has
5 inspector qualifications to do just those? And
6 then you are not paying a salary all year, you are
7 only paying for that, and there would be no
8 benefits or anything else that would cost the state
9 money, and that individual would be hired just for
10 that and nothing else.

11 Would that be something that, that the
12 Director would consider, I guess, is the question?

13 DIRECTOR KLEINIK: There is a possibility
14 that we can go with a 75-day contract or we could
15 put whatever limit on there, I just have to run it
16 through personnel.

17 MS. SULLIVAN: Uh-huh.

18 DIRECTOR KLEINIK: Make sure we follow the
19 right rules to get that done. But I will make an
20 attempt to figure that out for you.

21 MS. SULLIVAN: Okay. Because I think if
22 they are an AIMS or NAARSO, at least level II
23 inspector, that should be sufficient to do a good
24 job and help the state out as far as making sure

1 those, those inflatables are covered as well as all
2 of the other ones around the state.

3 CHAIRMAN: Tom, could you recap for us a
4 little bit on where our inspections are kind of
5 cutting off now?

6 We had quite a discussion on that at our
7 last meeting with, you know, the inflatables, if
8 they are part of a regular carnival setup, they are
9 getting inspected, but all the rental stuff, just a
10 quick flyover to get us up to speed.

11 MR. COE: The point of view, I guess, we
12 are taking is the rental companies, the way the
13 definition is set up now, the rental companies can
14 rent to a private individual. That inflatable can
15 go to their backyard. They can have a birthday
16 party, have fun and use it, any inflatable --
17 without a permit.

18 Any inflatable that's used for the public,
19 you know, an open celebration, come on down and
20 jump with us, that has to be permitted, and kind of
21 what we are saying is there is a fine line between
22 public safety, which would include everyone as a
23 whole whether it is in the person's backyard or
24 whether it is out at a park or a carnival, that

1 they should all be treated equally.

2 That, at this point, you know, we don't --
3 I would hazard a guess that we probably inspect no
4 more than a third of what is available roughly. So
5 of these large companies, most of them, most of the
6 big companies are in the Chicago area. We
7 typically only -- they will only have permitted a
8 third of their inventory, and it is up to their
9 responsibility to determine whether, you know, what
10 inflatable goes where.

11 So that was the discussion that we had,
12 and, you know, basically we're at where it is. It
13 would be next to impossible to get them all unless
14 we made some significant changes on how things are
15 being registered.

16 CHAIRMAN: Let me ask a question. So the
17 inspection and permitting is based on the
18 equipment. So when we inspect, we are looking at
19 the equipment to make sure that it is in good
20 working order and functioning properly, all of that
21 stuff.

22 MR. COE: Right.

23 CHAIRMAN: Is that -- are you finding a lot
24 of deficiencies when you do inspect those?

1 MR. COE: Probably I would say the two
2 biggest things we see are the stakes and GFI.

3 CHAIRMAN: Okay.

4 MR. COE: Those are typically pretty
5 generally everybody has a problems with that.

6 CHAIRMAN: Okay. That would make sense.

7 MR. COE: The adoption, when we go back to
8 ASTM, if we do adopt that standard for inflatables,
9 it does have very specifically a testing so you
10 know exactly what stakes you are supposed to use in
11 what condition. So it defines it much more than it
12 is right now. And basically I would have to go
13 read the standard again. No one can use under
14 18-inch stake that's three-quarters or 1 inch in
15 diameter.

16 MS. SULLIVAN: I think it is 1 inch.

17 MR. COE: You know, if you have an
18 inflatable that has a stake that's smaller than 18
19 inches and 1 inch in diameter, that stake is
20 basically not acceptable anywhere.

21 CHAIRMAN: I guess my line of, just
22 understanding what we're up against, is the
23 injuries and, you know, the level of risk we're
24 finding with the inflatables, is it more directly

1 related to equipment or operation?

2 MR. COE: I would say everything we see is
3 from the operation.

4 CHAIRMAN: From the operation, not
5 necessarily the equipment. Okay.

6 MS. SULLIVAN: And I would add the setup.
7 There have been a number of cases where the
8 inflatables weren't properly staked, and they, they
9 blew over --

10 CHAIRMAN: Right.

11 MS. SULLIVAN: --during operation with
12 people in them.

13 CHAIRMAN: Yeah.

14 MS. SULLIVAN: So -- and that's never a
15 good thing. The other thing is operators on
16 carnivals and in parks all have to be trained, and
17 they have to know what the rules are for letting
18 people onto the inflatable. Like, you know, you
19 can't have little 3-year-olds with big 12-year-olds
20 and --

21 CHAIRMAN: Right.

22 MS. SULLIVAN: -- things like that whereas
23 a lot of those things may not be passed onto the
24 individual customer at a birthday party or

1 something like that. And that's one of my concerns
2 as well, that not only are they properly staked,
3 but the individuals who buy them for non public use
4 also have somebody, an attendant, watching the
5 inflatables who knows what the rules are for who
6 can be in, who can be out, things like that.

7 MR. COE: That's a very good point. We,
8 you know, as part of the permit process, if you
9 stick a permit on an inflatable, that locks you
10 into a requirement that you do have to perform
11 training for any operator.

12 The ones that go out to the public, mom and
13 pops in the backyard, it is hit or miss. There is
14 some companies out there that are pretty good about
15 it, and some companies aren't.

16 MS. SULLIVAN: Uh-huh, and statistically
17 the inflatables are still one of the biggest
18 incident or one of the rides with the biggest
19 incidents that we have nationally, and most of
20 those are not on carnivals or in parks, they are in
21 private settings. And I think in Illinois since
22 we're, like you said, we're responsible for public
23 safety, that whether it is carnival or a park or a
24 private, they should have the same requirements

1 really.

2 CHAIRMAN: Go ahead.

3 MS. ROYER: Margaret Royer, ride inspector.

4 I would like to add a couple of things. One, you
5 would absolutely need a full-time person to do just
6 moonwalks. I can tell you for the last two months,
7 I have been doing moonwalks ten hours a day just to
8 cover mine and Pete's because Pete is out. So I
9 can attest to the fact that I am barely keeping up,
10 and this, these are the people that we do let alone
11 all their other equipment.

12 So the manpower thing is a huge, huge
13 thing, and I think that you would absolutely
14 actually need a full-time person to do that.

15 The other thing as far as the public versus
16 private, when we initially started inspecting
17 moonwalks, that was a big issue, and part of the
18 problem is that if a moonwalk goes out into
19 somebody's backyard, I have no jurisdiction to go
20 on that location and make sure that it is set up
21 properly, that they do have somebody watching it, a
22 parent or somebody, which they are probably not. I
23 mean, I have, I have no jurisdiction and no way to
24 go in and enforce those rules that we have. So

1 that becomes a bit of a problem. Not that I don't
2 think it -- you know, I mean, I know there is
3 plenty of companies out there that are fly by night
4 and renting stuff and probably don't have the
5 proper insurance and things like that, but it is
6 very difficult if that's what they are doing and
7 sending them to a backyard and/or private events
8 that I can't get to.

9 MS. SULLIVAN: Well, and I understand that,
10 and I am not suggesting that we go to the private
11 homes and where they are, but we could -- I would
12 think it would be relatively, to that, efficient to
13 go to the companies who own these and rent them out
14 and check their equipment, make sure they have all
15 of the proper staking and they have forms for
16 training, the people who are going to have them and
17 they have a inspection form for their own people
18 who set these up so that they have some
19 documentation that the proper things have been done
20 just like everybody else in the industry does.
21 I think those people should be -- you know, they
22 shouldn't just take it out, dump it off the truck
23 and say here it is, you know, good luck. I think
24 those, the rental companies, should be responsible

1 to provide at least a minimum of safety in that
2 they do have the same documentation for, they have
3 to train the renter on how it is to be used, and
4 their people who set up the inflatables have to be
5 properly trained, and they have, have inspection
6 forms that this has been done according to the
7 rules.

8 I, I can't imagine trying to hire somebody
9 to go to all of the different venues where they are
10 set up, but if it can be done, you know, at the
11 rental agency, even if they are not taken outside
12 to set up, if the stakes exist for each of the
13 inflatables, then that's a whole lot better than
14 oh, well, we will just grab any that are handy when
15 we, when we take it out type of thing would be, you
16 know, immensely -- an immense improvement upon what
17 we have now.

18 MS. ROYER: That is definitely a full-time
19 job.

20 CHAIRMAN: Thank you for your comments and
21 perspective, Margaret. Any other comments?

22 MS. SALERNO: Juanita Salerno from All
23 Around Amusement. One of the reasons that I
24 believe you should have the rental companies

1 inspected and others is the carnivals are done. We
2 did an event this year, past year, and we provided
3 some amusement rides for a rental which, you know,
4 were inspected. They brought in, the organization
5 brought in a rental company with inflatables. The
6 cone was not covering the stake. The child broke
7 its elbow. I had to fend off insurance companies
8 from the organization plus the company plus the
9 park where it was being held and the lawyers as
10 well, you know, because they just wanted me to put
11 it to my insurance which really was not fair to us
12 because we had nothing to do with that and made no
13 money from that either.

14 So, I mean, just from that aspect on our
15 business part, I think that it is important that
16 something try to be done.

17 MS. SULLIVAN: Well, and the same way you
18 are required to have insurance, the rental company
19 should be required.

20 MS. SALERNO: He thought his homeowners
21 insurance would cover any accidents. That's what I
22 was told.

23 MS. SULLIVAN: Good luck with that.

24 MR. COE: Absolutely not.

1 CHAIRMAN: Any other comments from the
2 public on inflatables? Board members?

3 (No response.)

4 CHAIRMAN: Hearing none, Tom, next item.

5 MR. COE: Well, we will go ahead and move
6 along with our slide presentation for the 2019
7 year.

8 These are the statistics that we talked
9 about. Total show dates bounced around. a little
10 bit lower this year, not a lot. The biggest thing
11 that, you know, I want to point out, you can see
12 our follow-up inspections. As we become more and
13 more busy, we don't have the opportunity to visit
14 someone past their initial inspection. Originally,
15 I believe, we were, tried to do that on a somewhat
16 monthly basis, you know, not every time you set up
17 but at least once a month go out and see the
18 companies at one of their sets. We were down an
19 inspector for almost all of 2019 until August,
20 Margaret came back. Yeah, just in time. So -- and
21 the companies were down a little bit. We saw some
22 of the smaller companies get out of business. Any
23 questions on the stats?

24 (No response.)

1 MR. COE: Accident reports, 12 reportable
2 accidents for 2019. That didn't change since the
3 presentation in October. Of that, it was broken
4 down. We changed it a little bit. Nine of them
5 were patrons, and three of them were operator
6 errors. There were no mechanical failures.

7 These are the lists of the accidents, and
8 there is -- even though you look at it, there are
9 some background details that you guys don't see
10 from the full report. We just kind of generalize
11 it. You know, I won't pick on anybody. The
12 adventure course, dislocated shoulder. The person
13 was a doctor, realized she had shoulder problems.
14 She still went out on the course and dislocated her
15 shoulder. That one is very difficult to control.

16 MS. SULLIVAN: What --

17 MR. COE: On that ride. On the Zipper, it
18 was a little girl who was left -- was hand held by
19 her somewhat marginally older brother, and she got
20 away and thought it was going to be fun to get on,
21 and she didn't make it.

22 I don't want to go through each one. Does
23 anybody have any questions about any of the
24 accidents?

1 AUDIENCE MEMBER: Tom, the Zipper one that
2 says age 2, that girl's not will tall enough to
3 ride the Zipper anyways.

4 MR. COE: No, they were -- her and her
5 brother were there at the fence.

6 AUDIENCE MEMBER: Oh, at the fence and
7 tried to --

8 MR. COE: I don't know if he was going on
9 the ride or he lost track of her and --

10 AUDIENCE MEMBER: Okay. I got ya. Okay.
11 I thought she was trying to get in with him and go
12 on the ride.

13 MR. COE: No.

14 MS. SULLIVAN: I have a question.

15 MR. COE: Yes.

16 MS. SULLIVAN: On the coaster where there
17 was a car derailment, what -- how does that not go
18 into the category of malfunction or something with
19 the ride, mechanical?

20 MR. COE: There was two possible scenarios
21 we looked at. One was that the truck bolt was not
22 tightened.

23 MS. SULLIVAN: Uh-huh.

24 MR. COE: When we looked at it, it actually

1 had threads pulled off of it. So that could have
2 been a cause. And the other one was that the track
3 actually shifted, and that caused the track to
4 separate and car derail.

5 MS. SULLIVAN: So my question is back to
6 the causes of these. Isn't that a mechanical
7 cause? I mean, it is not a patron cause, I assume.

8 MR. COE: No, we -- I would say it was, of
9 the two scenarios, either it was a maintenance
10 issue or it was improperly set up.

11 MS. SULLIVAN: Okay. I see. So it is an
12 operator issue, then.

13 MR. COE: That one is kind of hard to tell.

14 MS. SULLIVAN: Hard to identify. Okay.

15 MR. COE: These are some of the safety
16 bulletins that we know of. I hate to say it, but
17 usually we find out from you guys as owners first
18 before the manufacturers send us anything. We
19 really have not had any here since October,
20 anything that's come up. Well, I take that back.
21 I guess the biggest one is Mini Jet. That's --

22 AUDIENCE MEMBER: Helicopter.

23 AUDIENCE MEMBER: Mini Jet.

24 MR. COE: Good luck with that one. I have

1 heard they getting parts is going to be somewhat
2 difficult for this season.

3 MS. SULLIVAN: And just to add a little bit
4 to this, our, our bulletin, we sent out three
5 bulletins actually. So you will be, or I will just
6 email yours.

7 MR. COE: Okay.

8 MS. SULLIVAN: But we also sent out a
9 bulletin on wheels that are over 40 years old to
10 have their axle NDT'd. There are specific
11 instructions for it. It is, you know, you don't
12 have to take it down, you don't have to tear it
13 apart, it can be done while it is up.

14 MR. COE: I will ask you a question, then.

15 MS. SULLIVAN: Okay.

16 MR. COE: If someone sends a wheel into you
17 to be remanufactured, do you redate it or do you
18 leave the original date on it?

19 MS. SULLIVAN: We would put -- we leave the
20 original date on it, and then we put dash R and
21 then the year when it was rebuilt or --

22 MR. COE: That's come up before when we've
23 had, you know, like 10-year cycles or 15-year
24 cycles, well, the ride was sent back to the

1 manufacturer and supposedly rebuilt on this date.
2 Does it count from the rebuild date or from the
3 original manufacturer date?

4 MS. SULLIVAN: Well, typically -- sorry
5 about that -- an R can mean a number of things, and
6 it does not mean the whole ride was rebuilt and we
7 went through every last piece. You can't -- we do
8 what is, is requested to be done and agreed to be
9 paid for by the customer.

10 Now, if we find something we feel is unsafe
11 or is a problem, we will let them know, and
12 encourage them to have us fix that. But just
13 because any manufacturer does a rebuild, or it
14 could just be a retrofit, does not mean that
15 everything on the ride has been updated because
16 most, most companies probably couldn't afford that
17 or don't want to afford that and -- but if we find
18 something that is not correct or not right, we
19 will, you know, of course let them know.

20 But no, it typically goes by the original
21 date. You can always call us, and we can tell you
22 what it was unless it was back, you know, before
23 the 50's. We can usually tell you what was done.

24 And also, then another bulletin, it is not

1 a safety alert bulletin, it is just to let people
2 know about the new closure mechanism on the
3 Scrambler that is available now. If you have had
4 trouble with your customers pulling the pin and
5 maybe trying to jump out of the Scrambler seat
6 before it is at a stop, this will greatly help with
7 that because the operator would have to come by and
8 open it.

9 So we think it is a nice safety innovation
10 and also, that pin that often is left out just to
11 scrape up the side of the Scrambler seat is no
12 longer there to do that. So -- but also it goes
13 into much more detail about the Scrambler seat
14 inspection and tells about how the owner can use an
15 NDT tech who has borescope and can take pictures
16 with the borescope rather than taking outside skins
17 off the seats. So just a little update.

18 Everybody should have received or should be
19 receiving an envelope with all three of those in
20 them tomorrow.

21 MR. COE: Hopefully we got everybody on the
22 Chance carousels with the welding crank. Everybody
23 is supposed to say yeah, we got it, we are good.

24 Zamperla balloon ride, they about killed

1 that ride, too. That NDT is worse than the Mini
2 Jet as far as what needs to be inspected and
3 replacement parts.

4 And Skymaster just had a, they had a bad
5 batch of bolts. If you are on certain serial
6 number, they want those bolts replaced.

7 This is the one that came up from an
8 accident report, Chance Giant Wheel. It is just
9 the way they pin -- I don't know what the official
10 term for that is. I call it a spreader rod. But
11 actually investigative authority asked Chance for
12 clarification. The way that it is in the manual,
13 it is on the first book or on the first page
14 picture, that does, if you use the wrong R-key,
15 leave the ability for it to pop that pin out, and
16 then it will drop the rod. It jammed the car, and
17 I think it did flip them out.

18 The second set of pictures were an update
19 that Chance kind of gave them which shows the pin
20 on the outside. So it gives it a better chance of
21 that not being able to hit that block and come out.
22 They have not officially said one way or the other
23 how they want you to do it, but these are two
24 manufacturer approved --

1 MS. SULLIVAN: Why not a hitch pin or click
2 pin or something like that?

3 MR. COE: Wes, what do you think?

4 MR. SPARKS: We don't have a Giant Wheel.

5 MS. SULLIVAN: That's a way to get out of
6 it. Does anybody here have a Giant Wheel?

7 MR. SPARKS: Century Wheels pin about the
8 same place, don't they?

9 AUDIENCE MEMBER: Seems like it, yeah.

10 MR. SPARKS: Still the same thing.

11 AUDIENCE MEMBER: We don't use an R-key.

12 MS. SULLIVAN: What.

13 AUDIENCE MEMBER: We don't use an R-key on
14 the Century Wheel.

15 MS. SULLIVAN: Yeah, that's -- R-keys seem
16 to be --

17 AUDIENCE MEMBER: Century Wheels, they put
18 a linchpin.

19 MS. SULLIVAN: R-keys are famous for coming
20 off, so I don't know why they would even use it.

21 AUDIENCE MEMBER: That application, I'm
22 pretty certain it is the manufacturer mandates what
23 to use there.

24 MR. COE: That's out of that first picture.

1 AUDIENCE MEMBER: I don't think it is an
2 opinion thing as of right now.

3 MS. SULLIVAN: Well, I'm just -- I was just
4 asking is there room to use something else, and I'm
5 just wondering why they don't recommend. I will
6 call Dick and ask him.

7 AUDIENCE MEMBER: I mean, maybe he says
8 that but --

9 AUDIENCE MEMBER: I agree with you on that.
10 I'm just saying the manufacturer specifies what to
11 use specifically.

12 AUDIENCE MEMBER: Right, right.

13 MR. JENNINGS: Just for the pin, right?

14 MR. COE: Right. If you use the wrong
15 size, if you use a longer pin --

16 MR. SPARKS: Yeah, it will kick it out.

17 MR. COE: Right, it will hit that when it
18 rotates if it rotates. So that's just something to
19 think about. They have not come out with an
20 official statement.

21 On the nondestructive test update, we do
22 have an updated list. I'm going to have to
23 double-check and see if it is posted on our web
24 site. I'm not 100% certain of that, but we will

1 get that done very quickly.

2 Then we go into any comments. I mean,
3 generally speaking nothing has changed as far as we
4 are concerned. It is cut and dry. If you are this
5 impaired no matter what it is, you should not be
6 operating the ride.

7 AUDIENCE MEMBER: Excuse me, how are we
8 determining? There is no drug test to determine if
9 somebody is impaired or not on marijuana. There is
10 just a test to show that you have taken marijuana
11 sometime in the last --

12 MR. COE: That's the problem.

13 AUDIENCE MEMBER: Same problem that
14 everybody else is having out west and --

15 MR. COE: That is the problem is there --

16 AUDIENCE MEMBER: How are we going to do
17 that? If I think the guy that is working for me is
18 high, and is it my opinion against his, or how does
19 that work? I have no experience.

20 AUDIENCE MEMBER: It is -- actually federal
21 law still recognizes it as a Schedule 1 drug. If
22 you maintain your drug testing policy as it was
23 with cannabis not being accepted, that will hold up
24 in court, and you don't have to worry about it

1 whatsoever.

2 AUDIENCE MEMBER: Okay. Even if they pass
3 pre-employment?

4 AUDIENCE MEMBER: They pass pre-employment,
5 you are still subject to random drug testing. Take
6 the random drug test. You test positive for
7 marijuana, it is immaterial whether they are
8 impaired or not. Our drug testing policy remains.

9 AUDIENCE MEMBER: There was a trailer bill
10 that was passed that allowed for zero tolerance
11 policies still to be in place.

12 AUDIENCE MEMBER: You just step back to
13 DOT, Motor Carrier Safety. They did not change
14 their rules based on any of the 11 states that are
15 legal. Therefore, we don't have to either.

16 MR. COE: There is a copy of a very good
17 article --

18 AUDIENCE MEMBER: I got it. I read it.

19 MR. COE: -- in that handout. It does not
20 100% of anybody suing you.

21 AUDIENCE MEMBER: That's encouraging.

22 MR. JENNINGS: The key is you have to
23 follow your own --

24 AUDIENCE MEMBER: The policy that you have

1 in place.

2 MR. JENNINGS: If you are following your
3 own process appropriately, then you are okay.

4 AUDIENCE MEMBER: You should be hopefully.

5 MR. COE: Good.

6 MR. JENNINGS: That's not just in this
7 industry, but everybody's problem. It is
8 problematic in the health care industry, it is
9 problematic everywhere.

10 MS. SULLIVAN: Manufacturing.

11 MR. JENNINGS: But the key to it was
12 changing -- some of the places have changed their
13 requirements so that they can make sure that they
14 follow those requirements. That's what covers them
15 like your testing.

16 MR. COE: I actually saw an interview in
17 Carol Stream. They are probably the most proactive
18 police department. There is a blood test you can
19 do. It takes a whole bunch of money, and in that
20 article they said it will take you six months to
21 get the results because there is only one lab in
22 Illinois right now that does it.

23 So, I mean, you know, like he said, truly
24 was the guy impaired. There is -- besides that

1 blood test, there really is no specific way to do
2 that quickly and cheaply.

3 AUDIENCE MEMBER: Right.

4 AUDIENCE MEMBER: Back to the bartender
5 that gave you the -- you know, whoever sold you the
6 stuff, right?

7 MR. COE: You know, the supplemental
8 follow-up law that they passed, you know, gives you
9 a little bit of tooth, and as long as you enforce
10 that zero drug tolerance, I mean, you walk by and
11 randomly test somebody and he comes up positive,
12 you know, you can give him the benefit of the doubt
13 and tell him to go get, you know, one of the better
14 tests at one of the labs, and, you know, then it is
15 up to you on your policy whether you just say you
16 are gone, we will give you a week, however you want
17 to handle it.

18 Any other comments? That's going to be it.
19 Big one for awhile.

20 AUDIENCE MEMBER: I will make a statement.
21 I guess back in October, and I don't remember what
22 channel, I was listening to the radio, and there
23 was an attorney on there. He was saying everybody
24 has to hire you because it is legal now; that even

1 if you flunk the drug test -- that's what he is
2 saying, and he obviously, he is going to represent
3 the plaintiff, and I'm thinking oh, my God, here we
4 go. I got in an argument with somebody. I said, I
5 have a policy. I'm sticking to my policy, and
6 that's the way it is. I'm glad you gays came out
7 with change the law.

8 AUDIENCE MEMBER: In veto session they
9 passed a trailer bill to try to clarify that.

10 AUDIENCE MEMBER: Yeah, that is great. I
11 just wanted -- what other people are listening to
12 is this attorney is ready to fight. Got to make
13 money.

14 MR. COE: Okay. We have -- this has been
15 probably a year and a half project in our rules
16 that govern everyone in the room. We reference a
17 bunch of standards that are available. That's what
18 we use as background to inspect the rides that we
19 have out there.

20 We will have to take a vote on this to get
21 things out. The first thing is the removal of
22 references that are expired. As time moves along,
23 some of these standards get absorbed into the other
24 standards, and these are the three, four standards

1 that we have reference in our law that are, no
2 longer exist.

3 MS. SULLIVAN: But have gotten?

4 MR. COE: Absorbed into some of the other
5 standards that have been updated, and those are a
6 few of them that we have listed further down.

7 MS. SULLIVAN: The other thing is, as long
8 as we want to use those, even if they are expired,
9 it is still perfectly fine to do that because they
10 do exist in the annals of ASTM, and so in the
11 meantime, we're still, we still have valid
12 standards and have had valid standards to use even
13 though they may be expired according to ASTM. And
14 ASTM will be the first one to tell you yeah, you
15 can still use them, we've just -- the F24 Committee
16 has developed new standards that include the meat
17 of those and have, have probably improved upon them
18 in the new standards.

19 So if we want to remove them, there is no
20 reason not to because the good content that they
21 included is now included in others as long as we do
22 -- actually we should, we should adopt these first
23 and then remove those unless we do it all in one
24 day. That's -- which is fine.

1 MR. COE: We can do it all in one day.

2 CHAIRMAN: Was that a motion?

3 MR. COE: That was the intent.

4 MS. SULLIVAN: I will make a motion that we
5 adopt F770-18, F2374-17 and F2974-18 and remove
6 references to F698, F853, F846, and F893.

7 CHAIRMAN: A motion. Do we have a second?

8 MR. JENNINGS: I will second that.

9 CHAIRMAN: Okay. We have a second. Before
10 we take a vote, any discussion or comments from our
11 audience?

12 MR. JENNINGS: This would certainly simply
13 rather than having both of them floating around out
14 there, right?

15 MR. COE: Right. And I specifically had
16 not reviewed each one of them in great detail, but
17 what we found, as an example, if we adopted
18 2974-18, there may be a conflict with F698.

19 MR. JENNINGS: That's what I meant. You
20 can get into a situation where one says something a
21 little different than the other.

22 MR. COE: Correct.

23 MR. JENNINGS: Now you have got both of
24 them fighting each other.

1 MR. COE: Correct.

2 AUDIENCE MEMBER: Can you give us the short
3 version of what the new standards are? Summarize
4 possibly?

5 MS. SULLIVAN: Much longer. That's the
6 short version.

7 AUDIENCE MEMBER: I don't think it was in
8 there.

9 MR. COE: It was in the two previous
10 sessions. I thought I had mine out. We did have a
11 summary of them available which just went over
12 the generic, kind of somewhat generic information.
13 I would have to dig a little bit for that. Let me
14 --

15 AUDIENCE MEMBER: I am just -- if the Board
16 going to vote on something, they may might not know
17 what they are adopting, and we are okaying that
18 without knowing what it is.

19 MR. COE: Okay. This was actually
20 presented in the January 2019 meeting. We actually
21 did present on 2291. I'm not going to talk about
22 that today.

23 2974 is basically a regulation that changes
24 the requirements on documentation, record keeping

1 and auditing requirements for the rides that you
2 maintain or you own. It does spell out minimum
3 requirements for an auditor which you guys will
4 have to verify procedures to follow, and it does
5 require that anyone that is responsible for
6 inspecting a ride has a current vision correction
7 test to be 20/20.

8 So make sure if you send somebody out, if
9 he is responsible for doing that monthly
10 inspection, he has to have a current vision test.

11 AUDIENCE MEMBER: Has to be NAARSO
12 certified or --

13 MR. COE: No, but if you bring in, you
14 bring in an NDT guy --

15 MS. SULLIVAN: Or gal.

16 MR. COE: Or gal. Person. You bring an
17 NDT person in, that is one of the requirements is
18 you are going to have to make sure that he has an
19 up-to-date vision test because he is auditing your
20 piece of equipment.

21 2374, that has --

22 MS. SULLIVAN: Can I just make a quick
23 comment on that?

24 MR. COE: Sure.

1 MS. SULLIVAN: This is a really nice
2 document to give everybody a heads up for what you
3 may be -- if you are being audited by -- if you are
4 having an audit or, God forbid, you have an
5 accident, at which point in time you will really
6 have an audit, these are all of the things that you
7 should be doing and having documented.

8 I know documentation is, like, you know,
9 the nasty word, but maybe our attorney friends can
10 verify, he or she with the most paperwork usually
11 wins. And so it does identify what you should be
12 documenting and how it should be documented, and I
13 think it is just a good -- and for your own --
14 every show and park really should be having their
15 own audit, somebody who does not manage all of the
16 documents, to come in and make sure they are all in
17 the right, right form and being done consistently.
18 It is kind of a, you know, CYA thing.

19 MR. COE: Bookkeeping.

20 MS. SULLIVAN: Yeah.

21 MR. COE: ASTM 2374 deals specifically with
22 inflatables. It is a complete rewrite. This went
23 from a three-page document to probably 35 pages.
24 So it goes in great detail, design, construction.

1 You know, some of the highlights of it, anything
2 that's greater than 8 foot off of the ground has,
3 as far as a new inflatable goes, anything that is
4 manufactured after the date has to have an alarm if
5 it has any area that's over 8 feet off of the
6 ground. So almost all your slides would have to
7 have that.

8 AUDIENCE MEMBER: Blower you are talking
9 about?

10 MS. SULLIVAN: An alarm in the blower goes
11 down?

12 MR. COE: A deflation alarm. There is a
13 couple ways they do it. It exempts all of the
14 existing inflatables and requires it from a date
15 that we have to vote on forward. The actual
16 standard, if we adopt the standard as is, any
17 inflatable manufactured from February of 2018 on
18 would have to meet these requirements.

19 Now, we can -- that's something we were
20 going to bring up. We can delay that. You know, I
21 mean, we can write it in our rules.

22 AUDIENCE MEMBER: Today is when you voted
23 on it. It probably should be for today.

24 MR. COE: Right. We can make it an

1 effective date on this point forward, any new
2 inflatable would have to comply with the ASTM
3 standards.

4 MS. SULLIVAN: And just as matter of
5 comment, most of the American manufacturers,
6 Canadian manufacturers will be adhering to those
7 new standards. Beware if you are buying foreign
8 inflatables that they may not. So just a word to
9 the wise there.

10 But most of, most of what has been included
11 in here covers you as much as anything else so that
12 the equipment that you buy is built right and has
13 the safety, safety options built in, the materials
14 are fire retardant and all of that kind of thing.
15 So it is a good thing for, for shows and parks who
16 are buying inflatables.

17 MR. COE: Right. This is a very in depth,
18 detailed document.

19 AUDIENCE MEMBER: Glad you did the short
20 version instead of 35 pages.

21 AUDIENCE MEMBER: You have got another
22 standard to cover.

23 MR. COE: Actually this standard and ASTM,
24 I think, moving forward when they produce a

1 standard for let's say a particular ride, the
2 railroads, you know, they try to incorporate like a
3 core wording, you know, that's based on design and
4 maintenance and --

5 MS. SULLIVAN: Operation.

6 MR. COE: Yeah. That's the biggest part of
7 what you see added into these is that this
8 standard, 2374, includes a lot of the requirements
9 that are in 770 which is basically ownership,
10 manuals, maintenance. One big thing IS parts
11 documentation. So that's something, you know, you
12 go down to Ace Hardware and buy a bolt, you better
13 make sure where that bolt came from because if it
14 fails, you got to be able to trace that. And it
15 does lay out, you know, how you are supposed to
16 replace parts, manufacturer and engineer, I
17 believe, is how it is said.

18 MS. SULLIVAN: Yeah. Another reason this
19 is a little bigger is that the old one referred to
20 F1193 which was the old design and manufacturing
21 standard, and it was about oh, four or five pages
22 long. The new just design standard is, I think, 89
23 pages long. It underwent a huge revamping and --
24 but it excludes inflatables. 1159 kind of picked

1 up everything else which included inflatables, but
2 the parts of the standard that would apply to
3 inflatables, there were very few things said to
4 protect you, the buyer, to know that, in fact, my
5 inflatable was built according to, you know, what I
6 would expect good practices to be.

7 So this picked up all of the information
8 that was not really existent, existing anywhere and
9 added it in. So it is -- they went into quite a
10 lot of detail with that.

11 MR. COE: Just a quick overview of 770. It
12 is basically a procedural thing for the ride. It
13 is up to the owner to develop operation manuals,
14 maintenance manuals, keep the parts documentation,
15 inspection documentation and training manuals.

16 MS. SULLIVAN: And maintenance
17 documentation.

18 MR. COE: Right. And then it does add in
19 there additional requirements when you guys sell
20 used rides. It basically mandates what you have to
21 supply the buyer, and pretty much what it is going
22 to require you to do is give him all of the
23 information that you've produced for that ride.

24 AUDIENCE MEMBER: Thank you.

1 AUDIENCE MEMBER: What happens if somebody
2 doesn't or can't produce that to you once you buy
3 it? Who does that fall on?

4 MS. SULLIVAN: You should be wary.

5 MR. COE: Depending on where you go, there
6 are -- I just got a phone call from Ohio. They
7 actually would not permit the gentleman's ride, a
8 King ride, because he didn't have a manual. Where
9 do you come up with a King ride manual?

10 AUDIENCE MEMBER: I'm talking about parts,
11 you said a specific bolt where it comes from, part
12 replacement.

13 MR. COE: They should be giving that to
14 you. I mean, the biggest thing we find is the
15 trail of the NDT is on some rides, you know, well I
16 sold him the ride. Well, did he give you -- I have
17 even done it myself. Do you have that NDT? He is
18 like no, I will have to call and get it from him.
19 He should have had that because some of those NDTs
20 are, as an example, multi-year. You have to have
21 it done once every two years or once every three
22 years.

23 If you buy a ride and that documentation
24 does not come with it, I mean, an inspector can say

1 hey, you are not compliant, get it done unless you
2 can cough up the paperwork.

3 MS. SULLIVAN: Well, and the good thing
4 about this is if you buy a ride, parts that have
5 been replaced, any kind of modifications that have
6 been done, all of that will be included in the
7 package, and those things are things you should be
8 including in your folder on that ride as far as
9 maintenance updates and really maintenance logs,
10 inspection logs, that kind of thing for that
11 particular ride are, are -- not all of the
12 inspection logs, of course, but maintenance logs.
13 If you have changed something or have just done
14 your regular maintenance, those things should all
15 -- you should be keeping all of those kinds of
16 documents, and then those can go with your ride if
17 you sell it. Then the new owner knows, you know,
18 you've been doing proper maintenance all along, you
19 have had the NDT or required NDT things done, oh,
20 such and such big part went out and you replaced it
21 through the manufacturer with the correct part,
22 those kind of things.

23 AUDIENCE MEMBER: Call for a motion.

24 MS. SULLIVAN: Well, a motion has been

1 made. Second.

2 AUDIENCE MEMBER: Call for a vote.

3 CHAIRMAN: All in favor to accept the
4 motion as read, say aye.

5 (Ayes heard.)

6 CHAIRMAN: Opposed?

7 (No response.)

8 CHAIRMAN: Motion is passed.

9 Tom, to address one other thing, maybe I
10 should have clarified this before we voted, do we
11 need to determine a date on 2374?

12 MR. COE: We do. So it is either we accept
13 the date that's published in the standard, which is
14 February of 2018, or we can choose a date, today,
15 January 1st next year.

16 MS. SULLIVAN: Or we can say February 1st,
17 2020, and then if somebody is buying something, it
18 gives them a little time.

19 MR. COE: Is Yolanda on the phone?

20 MR. BENNETT: I agree. That's fine.

21 MS. CARRILLO: Yes.

22 MS. SULLIVAN: She said yes.

23 DIRECTOR KLEINIK: Yolanda, I just wanted
24 to clarify, since the manufacturer, we adopted

1 these and the manufacturer says certain date, can
2 we change that date to a different one?

3 MS. CARRILLO: Director, I can't hear you.
4 Can you repeat that, please?

5 DIRECTOR KLEINIK: Since we adopted these
6 rules and the manufacturer says the date is in '18,
7 can the Board change that date to today or a future
8 date and still be --

9 AUDIENCE MEMBER: ASTM set the date, not
10 the manufacturer, right?

11 MR. COE: It is just the standard date.

12 AUDIENCE MEMBER: The standard date that
13 ASTM did, not the manufacturer.

14 MS. SULLIVAN: If I pick this up, does it
15 cut them off?

16 MR. SPARKS: It is blank.

17 MS. SULLIVAN: I apologize. I was trying
18 to -- I just picked it up like this.

19 MR. COE: It knocks them off.

20 MS. SULLIVAN: Sorry about that. Well, I
21 didn't touch any buttons.

22 MR. COE: The IT guy failed today.

23 CHAIRMAN: So punch in that number. There
24 it goes.

1 I apologize. When we moved the unit, I
2 think we cut you off.

3 MR. BENNETT: Right. Hi, this is Dave
4 Bennett again. I'm back on.

5 MS. CARRILLO: This is Yolanda Carrillo. I
6 am back on.

7 MS. SULLIVAN: Good. So Director, do you
8 want to ask that question?

9 DIRECTOR KLEINIK: Go ahead.

10 MR. COE: Yolanda, the question we have is
11 there is an adopted standard. That standard has an
12 effective date that it puts in there, and we want
13 to know if we can choose a different date to make
14 it effective.

15 Basically what it is, is new equipment, if
16 it is built from this date forward, it has to
17 comply, and the original date from the standard is
18 from February of 2018.

19 MS. CARRILLO: You want me to check the
20 date? Is it the standard is one that we are
21 adopting from someone else?

22 MR. COE: Yes, it is through ASTM.

23 MS. CARRILLO: So I believe you will be
24 able to, but it would have to be very clear where,

1 although we are adopting the standards, the
2 standards are being adopted with the modification
3 of the new effective date.

4 MS. SULLIVAN: Okay.

5 MR. COE: That's how we would write it in
6 the rule is we adopt ASTM such and such standard
7 with the modification that the effective date
8 become February 1st of 2020.

9 CHAIRMAN: Do we have a motion to --

10 MS. SULLIVAN: I will move --

11 CHAIRMAN: Okay.

12 MS. SULLIVAN: -- that we put an effective
13 date of February 1, 2020.

14 CHAIRMAN: Okay. Can we get a second?

15 MR. SPARKS: I will second.

16 CHAIRMAN: Wes seconds. All in favor say
17 aye.

18 (Ayes heard.)

19 CHAIRMAN: Opposed?

20 (No response.)

21 CHAIRMAN: Hearing none, the motion is
22 passed.

23 MS. SULLIVAN: Thank you.

24 MR. COE: Now --

1 CHAIRMAN: Go ahead, Tom.

2 MR. COE: -- we talked earlier about the
3 indoor aerial adventure courses. This last
4 standard was put in at the last minute. I don't
5 have a real pretty slide for it. I don't think it
6 affects anybody in the room.

7 MS. SULLIVAN: Bless you.

8 AUDIENCE MEMBER: Thank you.

9 MR. COE: It is specific to the design
10 manufacturer operation. It has all of that
11 information in it as a requirement for these
12 businesses.

13 Now, right now there is no oversight from
14 any jurisdiction on these types of amusements, and
15 what we have planned, we do have a set of rules
16 that we put together. It is modified a little bit
17 from the zipline rules which I don't think anybody
18 in here has a zipline either. But it is pretty
19 much a carbon copy of that which requires the
20 company to submit engineering documentation. They
21 have to have certification from an engineer because
22 most of this stuff comes from outside of the
23 country, you know, and then if the manufacturer
24 requires annual NDTs or anything like that, that's

1 what keeps this documentation up to today's
2 standards.

3 The biggest thing that we have in the rules
4 is we want to see the quality of manufacturing. We
5 do require that they have a third party that
6 specializes in this type of equipment to look at it
7 and approve it. They basically have all of the
8 requirements that we require of you guys, minimal
9 insurance, and it does set forth third party
10 training which I think is the most important thing.

11 The accident that occurred in Illinois was
12 lack of training 100%. We just had a new company
13 open up that, they are actually going to build
14 four. They have two of them operational now. That
15 company just had an accident in Florida which was
16 100% lack of training, operational training. In
17 both cases it was children that they called it a
18 Sky Ride. It is a zipline that runs on a solid
19 pipe or a channel, and both of those kids fell 20
20 feet.

21 So this was kind of a surprise. Is there
22 any discussion, or do you think we can pass it?

23 MS. SULLIVAN: The only thing that I would
24 add, after reading through what you have sent to

1 us, was at the bottom or at the end, you had
2 included the ACCT, you know, requirements, someone
3 was certified through them or NAARSO.
4 I would like us to add, or AIMS International,
5 because they are a training -- they do training and
6 inspections as well and --

7 MR. COE: Generally the statement that we
8 use in the rules is we will name some of the
9 organizations that we are very familiar.

10 MS. SULLIVAN: That one did.

11 MR. COE: And we will also add in there a
12 statement that says, or approved by us.

13 MS. SULLIVAN: But I think if you put
14 NAARSO in, you should also put AIMS in because they
15 are the premiere trainer, educator in the, in the
16 country.

17 MR. BENNETT: Right. I agree with that as
18 well. This is Dave. I know they have once-a-year
19 training in Texas, just had that in January.

20 MS. SULLIVAN: It was this week. I came
21 directly from there, and they do an excellent job
22 of training. They actually require more training
23 hours than NAARSO does.

24 So I think they are -- if NAARSO is going

1 to be mentioned, I think AIMS should also be
2 mentioned.

3 MR. BENNETT: Yes.

4 CHAIRMAN: Sounds reasonable.

5 MR. COE: Do we have a motion, I guess,
6 first accept the standards?

7 MR. BENNETT: Motion to what Patty said or
8 to --

9 MS. SULLIVAN: No, he is saying the entire
10 new standard on aerial adventure courses.

11 Well now, is that what you want, or what
12 you sent us, you want that to become part of our --

13 MR. COE: You would have to vote on that,
14 too. That's the second part.

15 MS. SULLIVAN: Well, I'm just asking.

16 MR. COE: Yes, that's the second part.

17 MS. SULLIVAN: Okay. So but first you
18 would like for us to -- okay.

19 MR. COE: I just kind of arranged it that
20 way. We were talking about ASTM. That was the
21 next standard in the list.

22 MS. SULLIVAN: Okay. So I would make a
23 motion that we accept or adopt F2959-19 as part of
24 our regulations.

1 MR. COE: Yeah.

2 CHAIRMAN: Can we get a second?

3 MR. SPARKS: I will second.

4 CHAIRMAN: Wes seconds. All in --

5 MR. BENNETT: I have a question or comment.

6 Are we discussing Section 6000.352?

7 MS. SULLIVAN: No, this is the ASTM --

8 MR. BENNETT: Okay.

9 MS. SULLIVAN: -- standard.

10 MR. BENNETT: Okay. That's fine. Thanks.

11 MS. SULLIVAN: I'm sorry, you should be
12 answering.

13 CHAIRMAN: That's all right. This is -- so
14 we had a vote. Not yet.

15 MS. SULLIVAN: We still have to vote.

16 CHAIRMAN: We still have to vote. All
17 right. All in favor, aye?

18 (Ayes heard.)

19 CHAIRMAN: Opposed?

20 (No response.)

21 CHAIRMAN: Hearing none, the motion is
22 passed.

23 And then we need to have a second vote on
24 whether to add AIMS as an improved --

1 MR. COE: Correct.

2 CHAIRMAN: Into the rules. Can we have a
3 motion for that?

4 MR. SPARKS: I will make a motion.

5 CHAIRMAN: Wes makes a motion.

6 MR. BENNETT: I will second that.

7 CHAIRMAN: We have a second. All in favor,
8 say aye.

9 (Ayes heard.)

10 CHAIRMAN: Opposed?

11 (No response.)

12 CHAIRMAN: None. All right. Motion is
13 passed.

14 MR. COE: I guess does the Board have any
15 discussion about the proposed rules?

16 You guys don't have a copy of it. I mean,
17 I can get you there if you want to look at it.

18 MR. BENNETT: I didn't hear, Tom, at the
19 end. Now are we talking about Section 6000.

20 MR. COE: Yes.

21 MR. BENNETT: I do have questions because
22 at the end you had discussion points.

23 MR. COE: There are two.

24 MR. BENNETT: I have maybe some concerns

1 there because the language states that the course
2 staff shall be 18 years of age or older and shall
3 have complete knowledge of the operation of the
4 element which they are assigned.

5 So two things. One that when it says
6 complete knowledge, that might be overbroad. You
7 know, I think if there is any accident or suit, it
8 is difficult to meet that standard of complete
9 knowledge, what is complete knowledge. I don't
10 know if that's defined.

11 MS. SULLIVAN: It is pretty absolute, isn't
12 it?

13 MR. BENNETT: Yeah, complete knowledge.
14 Well, it is hard to say yes. Maybe I'd recommend
15 --

16 MS. SULLIVAN: Properly trained?

17 MR. BENNETT: -- properly trained or take
18 that out. I'm talking about sufficient,
19 reasonable, satisfactory.

20 MR. COE: Generally what we look, what we
21 would look at is the owner of this would be
22 required to maintain training documentation for
23 each individual, and in most cases that is going to
24 be from a third party accreditation, and it could

1 be that they have to maintain that and keep that
2 record for each operator if there is more than one
3 operator on these courses.

4 Under the rules, if we adopt the new rules
5 there will be multiple operators. None of the here
6 is the guy at the gate, go have fun.

7 MR. JENNINGS: The biggest problem is they
8 didn't -- any attorney is going to tear up that
9 complete knowledge. I mean, they will destroy it.

10 MR. COE: Right. That was -- you know,
11 actually when we were researching rules, there is
12 another state. Those were both pulled from that
13 state's rule requirement for indoor courses. There
14 is very few states that regulate this type of
15 amusement.

16 MR. BENNETT: Right. I just don't think
17 you can meet that, or if there is an accident or it
18 sounds like you can say well --

19 MR. COE: We can reword that into proper
20 training.

21 MR. JENNINGS: Proper training, something
22 along that order.

23 MR. BENNETT: Yes, training or proper
24 training and have knowledge of the operation maybe.

1 MR. COE: The second talking point on that
2 about an age requirement, again, that was picked
3 up. That is kind of a tough one. You know, our
4 requirement right now is 16 years or older. There
5 are very responsible, very good 16-year-olds, and
6 it does not necessarily mean that an 18-year-old is
7 going to be responsible either. But that was just
8 an interesting thing that came up. We do not have
9 to accept that. We can just leave it as all
10 encompassing, you have got to be 16 years or older
11 to be an amusement ride operator.

12 Most of the companies, I talked to a couple
13 of the high-end ski lift area companies. They tend
14 to be very selective about who they put in charge.
15 Most of them won't hire anybody under 18 to be the
16 primary operator.

17 MS. SULLIVAN: Well, even for -- yeah, any
18 operator on ziplines and adventure courses, there
19 are a lot of things that can go wrong, and they
20 personally attach people and do those things which
21 is more than helping a patron into their seat and
22 properly locking whatever device is on that seat
23 because they may have to know how much they weigh
24 and choose the right bindings. And, I mean, there

1 are a myriad more things that, that these operators
2 have to do and be trained and knowledgeable with
3 than some amusement ride operators. Not that there
4 aren't rides that have lots of requirements for the
5 operators, but I think for this, the appropriate
6 thing would be 18 years old just because there may
7 be a little bit more maturity and better decision
8 making.

9 CHAIRMAN: Any other comments?

10 MR. JENNINGS: You know, if you think about
11 the people that are getting on these courses that
12 are enjoying them, there is a lot of the 16,
13 17-year-olds that are going to be doing this all of
14 the time. I have got a grandson that rock climbs
15 and does all that kind of stuff, and at 16 or 17,
16 he would probably more knowledgeable than a lot of
17 the people that are 19, 20, 21, 22 as to exactly
18 what is going on.

19 There again, when you -- who wants to say
20 that on day 17, 364, you don't have that knowledge
21 and 366 you do. Eighteen, to me, seems to me like
22 in a lot of these cases where you are going to have
23 a permanent facility there, you are going to have
24 some staff moving through it, and a lot of these

1 kids are -- they work here three, four years maybe
2 through college and will be going on. I don't
3 know. I'm not sure there is a cut and dried right
4 answer to that question.

5 MR. COE: That's -- you know, my perception
6 of it is, yes, you know, you can have a very good
7 16-year-old, you can have a very poor 18-year-old.

8 CHAIRMAN: Yeah, I would agree.

9 MR. COE: It does, you know, from an owner
10 standpoint, it very much limits you for the pool of
11 employees that you are going to be able to pull
12 from.

13 CHAIRMAN: I'm not sure that the
14 restriction would garner --

15 MR. COE: Guarantee.

16 CHAIRMAN: -- the gain that we might be
17 looking to achieve.

18 MR. COE: Okay.

19 MS. SULLIVAN: However, the state itself
20 has 18 minimum age requirement for working with
21 machinery, and, and I think that's a good thing
22 because hands can come off and all kinds of bad
23 things can happen, and if we include proper
24 training and knowledge instead of complete, you

1 know, knowledge.

2 MR. SPARKS: Operational knowledge.

3 MS. SULLIVAN: Yes, operational knowledge.

4 CHAIRMAN: Yeah, I like operational
5 knowledge.

6 MR. BENNETT: I would be in favor of 16
7 years old and not 18. What Tom has said and others
8 have said was properly trained, knowledge, there
9 are good 16, 17-year-olds still with the managers
10 to be 21.

11 CHAIRMAN: Yep. That makes sense. I agree
12 with that.

13 MS. SULLIVAN: Okay.

14 CHAIRMAN: So how do we need to draft that
15 to make a motion to move that forward?

16 DIRECTOR KLEINIK: I think need to read
17 through what the motion is going to be.

18 MR. COE: Well, the motion, the motion
19 would be that an attendant could be under our
20 current rules, 16 or older, but we would require
21 the -- I forgot.

22 MS. SULLIVAN: Manager.

23 MR. COE: Manager. There would be one
24 primary responsible person that would be 21.

1 MS. SULLIVAN: At least 21.

2 MR. JENNINGS: Then the language change
3 about the knowledge.

4 MR. COE: Correct.

5 MS. SULLIVAN: Proper training and
6 operational knowledge instead of complete.

7 CHAIRMAN: All right. Yeah. Do we have a
8 motion?

9 MR. BENNETT: One other question, I am
10 sorry, about the word "element". Is that -- I'm
11 not sure I know what that is. Is that defined
12 anywhere?

13 MR. COE: Typically how these attractions
14 are set up, they call each physical challenge an
15 element. So you would climb a cargo net. That
16 would be an element. They have what they call
17 hanging steps which hang from a rope. So as you
18 move through, there will be four, five, six
19 different challenges that are set up until you get
20 to the end which is, in most cases, typically the
21 zipline or the sky ride, and then you are out.

22 MR. BENNETT: Got it. Okay. I understand
23 now. So that's fine for me.

24 CHAIRMAN: Okay. So if I get this all

1 right -- Tom, help me out -- so we need a motion to
2 accept the current age of operator as 16 with a
3 manager that is minimum age of 18 --

4 MS. SULLIVAN: Twenty-one.

5 CHAIRMAN: -- minimum age of 21, with the
6 wording change of operational knowledge.

7 MS. SULLIVAN: Proper training.

8 CHAIRMAN: Proper training and operational
9 knowledge. Do we have a motion?

10 MR. SPARKS: I will make a motion.

11 MS. SULLIVAN: Second.

12 CHAIRMAN: Motion by Wes, second by Patty.
13 All in favor?

14 (Ayes heard.)

15 CHAIRMAN: Opposed?

16 (No response.)

17 CHAIRMAN: Motion has passed and carried.

18 MS. SULLIVAN: Okay.

19 CHAIRMAN: Covering a lot of ground today.

20 MR. COE: This is pretty major ground as
21 much as we have covered.

22 These are some general updates that we are
23 going to make again to the rules. Our rules didn't
24 specifically specify the annual training

1 requirement. So this is just a wording
2 clarification that would basically say annual
3 training is required for anyone that operates a
4 ride. Whether you have owned that ride for 50
5 years, you would have to have a training document
6 for yourself if you are going to operate it.

7 Any yeas, nays, discussion on that? Most
8 everybody does it, I will give you that. We
9 usually never have problems.

10 AUDIENCE MEMBER: Just more paper.

11 MR. COE: Well, it is something that came
12 up that needed to be done, and, you know, the
13 question was show me in the law. Well, it was not
14 spelled out.

15 MS. SULLIVAN: A refresher course never
16 hurts, I don't think.

17 MR. COE: Yeah, I mean, you know, basically
18 what we've seen is just the person's name with the
19 ride and check-off boxes and then who did the
20 training. So it is not a huge amount or
21 significant amount of paperwork.

22 CHAIRMAN: I think that's --

23 MS. SULLIVAN: Training has to be done.

24 CHAIRMAN: I think that's a good idea.

1 These are important positions that have a lot of
2 responsibility, and there is a lot of other things
3 we do in life that require annual refreshers and
4 training that are probably less significant. So I
5 think that's a good idea.

6 Can we have a motion to adopt the annual
7 training requirements for all ride operators?

8 MS. SULLIVAN: Do you want to make this
9 one?

10 MR. JENNINGS: I will make a motion.

11 CHAIRMAN: Makes a motion. Second?

12 MR. BENNETT: I will second that.

13 CHAIRMAN: Okay. We have a second. All in
14 favor say aye.

15 (Ayes heard.)

16 CHAIRMAN: Opposed?

17 (No response.)

18 CHAIRMAN: Hearing none, the motion is
19 passed and carried.

20 MR. COE: The last one, this is something
21 that would be thrown on top of the random drug
22 testing. It would rely heavily on the owner or the
23 operator. It adds a requirement of drug testing
24 after serious bodily injury occurs.

1 So it would not be at every reportable
2 accident, it would be only at those with serious
3 injuries. You know, a bumped head, a cut lip,
4 scrapes, cuts, bruises, you know, that would not be
5 required. Massively broken bones --

6 MR. SPARKS: Who makes that determination
7 on serious?

8 MR. COE: We kind of -- when you get into
9 the definition, that opens up a can of worms. We'd
10 like to leave it at the will of the operator, and
11 you guys are pretty good at what's bad, what's
12 just, you know, Johnny is scared, he is not really
13 hurt. This is something that, you know, we are not
14 going to penalize you specifically for unless there
15 is a blatant disregard.

16 AUDIENCE MEMBER: So does that mean the
17 results remain confidential?

18 AUDIENCE MEMBER: I think you are going to
19 run --

20 MR. COE: Into our department, yes. You
21 guys are exempt from confidentiality reporting to
22 us.

23 AUDIENCE MEMBER: Okay.

24 AUDIENCE MEMBER: You are going to need to

1 run -- I'd make sure you run that through your
2 attorneys as far as all results or just positive
3 results. You are going to want to run that up --

4 MR. COE: It would be the --

5 AUDIENCE MEMBER: It prohibits -- Federal
6 Motor Carrier just instituted their brand new
7 clearinghouse. They are prohibited from asking us
8 anything about other -- they are prohibited from
9 getting results anything but positive. They cannot
10 ask us anything else. They can ask numbers at the
11 end of the year but that's it.

12 MR. COE: We could write that in there,
13 that it would be just --

14 AUDIENCE MEMBER: I'd make sure you run it
15 through the legal chain because HIPAA is so
16 prohibitive of that.

17 MR. COE: I believe in our law, it exempts
18 them from the HIPAA requirement. I believe there
19 is an exemption in there that you can't be held
20 liable if you report to us just specifically --

21 AUDIENCE MEMBER: We can't. Maybe we can't
22 but release of that information, I mean, you know,
23 you can sign away your rights all day long. I
24 mean, not constitutional rights. Like, you can

1 sign those away all day long. You go to court,
2 Guess what? That document does not hold water.
3 You cannot sign away your rights, and HIPAA falls
4 under that. You cannot sign away your HIPAA
5 requirements. You cannot sign those away no matter
6 what.

7 MR. COE: So there -- that would be no
8 problem rewriting that just to report positive drug
9 tests.

10 AUDIENCE MEMBER: Again, I'm not saying one
11 way or another. I am saying make sure it is a
12 legal change that you guys have got checked the
13 hell out of that because it is, that's a very, very
14 slippery slope.

15 MR. JENNINGS: You are not requesting the
16 name of the positive test, right?

17 MR. COE: It would come up in the accident
18 report. The operator would --

19 AUDIENCE MEMBER: Because they know who the
20 operator is.

21 MR. JENNINGS: Right. But --

22 AUDIENCE MEMBER: I'm not naysaying this in
23 any way. I mean, I don't disagree with it, I just
24 think you are stepping on a slope that you probably

1 don't want to step on.

2 MR. COE: I mean, we can verify that. If
3 it is, becomes a legal issue, then yes, we can drop
4 it and fall back on the random drug testing.

5 AUDIENCE MEMBER: I think you are going to
6 have to check with the insurance company. I'm
7 going to have to check with mine. I mean, we have
8 it in our policy that we do that, but to give that
9 to you, I'm not -- I don't know if I want to do
10 that. You are opening a big can of worms because
11 --

12 AUDIENCE MEMBER: Liability wise.

13 AUDIENCE MEMBER: I think our insurance
14 company would not --

15 MS. CARRILLO: I know that there are
16 certain statutory language not regulatory in
17 Illinois that allows for an agency to request
18 certain information. So we would need to look into
19 it, and I'm not sure that we can do it by rule.

20 CHAIRMAN: Okay.

21 MS. CARRILLO: So It is going to require
22 some legal research.

23 CHAIRMAN: Okay.

24 AUDIENCE MEMBER: I also think you should

1 wait on this for the reason of legalized marijuana
2 because I know, talking to a couple of policemen,
3 they are working on a THC test that tests out seven
4 days. They are working on it. Doesn't mean it is
5 -- who knows when that will happen, but they are
6 working on that which would be a huge -- for every
7 industry, that would be a big thing. Even for the
8 police, that would be, you know --

9 MR. JENNINGS: Do you know what type of
10 test, because --

11 AUDIENCE MEMBER: No.

12 MR. JENNINGS: I can turn a marijuana urine
13 test out in 45 minutes.

14 AUDIENCE MEMBER: I can do it in 5 but that
15 is immaterial. It does not --

16 MR. JENNINGS: You are talking about --

17 AUDIENCE MEMBER: I'm talking about smoked
18 within the last seven days instead of 30 days that
19 they smoked pot. They are working on trying to
20 test that THC so they would know how far out they
21 tested at. That's what a couple policemen told me
22 that. I don't know that for a fact, but that's
23 what they told me.

24 MR. COE: That's what everybody is actually

1 working on.

2 AUDIENCE MEMBER: I want to be that guy.

3 MS. SULLIVAN: The company that comes up
4 with that first is going to do well.

5 MR. COE: So why don't we do this?

6 MS. SULLIVAN: Shall we table this?

7 MR. COE: Table this, and we will do more
8 of the legal research on it and come back and give
9 you guys an update.

10 AUDIENCE MEMBER: I mean, as far as I'm
11 concerned, you could write that, that we have to
12 have that in our policy, you can write that, but
13 not send it to you. That's up to you. I don't
14 have a problem with that. Maybe some other people
15 do, but I don't.

16 CHAIRMAN: All right. So we will table
17 that item, and we will come back to that at our
18 next meeting for further information and
19 discussion.

20 MS. SULLIVAN: Or we could make a motion to
21 add requirements for testing after an accident with
22 serious bodily injury period. Not mention the
23 results shall be sent.

24 CHAIRMAN: Does that do us any good?

1 MR. SPARKS: What do you gain?

2 MS. SULLIVAN: Well, what you gain is --

3 MR. COE: They already knew, the good
4 companies. I mean, a lot of companies do it
5 already. It is just we don't see it in a report,
6 and it should be for everybody and not a select
7 group of companies.

8 MR. JENNINGS: What advantage is it for the
9 department to have those results reported to us
10 other than the number of positives?

11 MR. SPARKS: I was going ask that question,
12 too.

13 MR. COE: It is our responsibility to
14 investigate accidents and determine cause and
15 recourse.

16 MR. JENNINGS: But that accident is going
17 to be reported anyway, right?

18 MR. COE: Correct, but the determination is
19 who caused it.

20 MR. CARRILLO: Tom, this is Yolanda. If
21 you remember, does the statute allow for department
22 subpoena power.

23 MR. COE: I do not believe I have read
24 that. That does not ring a bell with me.

1 MS. CARRILLO: I will double-check that,
2 right now. But my sense of the language that I was
3 supposed to search, that's only of value when we
4 have subpoena power. Otherwise, even just for
5 checking to see whether or not folks are doing it
6 or not, they could deny providing that because of
7 HIPAA reasons or something else. So we would need
8 to check whether, as you said, the department would
9 have authority to be able to request that
10 information.

11 If we do have the means by which to get it
12 such as subpoena power, then I think there could be
13 some value to it, but otherwise that is going to be
14 very limited.

15 MR. COE: Okay. So let's table it.

16 MS. SULLIVAN: We will table that one, the
17 whole thing.

18 MR. CEO: We will work on that and see
19 where we stand.

20 CHAIRMAN: Very good. All right.

21 AUDIENCE MEMBER: Is that in the file? Is
22 that in the packet?

23 AUDIENCE MEMBER: It is all in there. All
24 the slides are.

1 AUDIENCE MEMBER: Okay. Thank you.

2 MR. COE: This is our last big push. Under
3 the rules, they had not been updated since 2013
4 roughly. There's been a few updates here and
5 there, but as a whole, it's been awhile. These are
6 some of the changes that have occurred that we have
7 to have, basically check with the Board to approve
8 them, put them in the rules and rewrite the rules.

9 The first one is the easiest. They
10 actually changed the name to Amusement Ride
11 Attraction Safety Act. That should be pretty
12 simple.

13 And most of this, the challenge courses, we
14 have to change since we specifically call them out
15 and give an address, they changed addresses, and we
16 need to update that.

17 And, again, ANS is the same way. They
18 added this language, and what we were looking at
19 was some of the changes occurred in the law and
20 make sure that that change is carried over and
21 reflected into the Safety Act, it adds the term
22 "amusement enterprise" to the definition of
23 carnival worker and operator. So it adds one more
24 broad category.

1 The next one I don't know what functionally
2 changed on this one, but basically it clarifies the
3 definition of allowing the designation by the
4 Director for someone else to enforce our rules.
5 That does not happen very often.

6 MS. SULLIVAN: Why would this even come up?

7 MR. COE: I can give you probably a couple
8 examples where I have had police departments call
9 me and they want the worker's background check and
10 the carnival has refused to produce them, and then
11 I have to call them and -- if the police department
12 really wants it, I have to call them and tell them
13 to release the information to that police --

14 MS. SULLIVAN: Why do we -- why would we be
15 an intermediary there as the department? If the
16 police can't require it --

17 MR. COE: We can. I mean, it is part of
18 our rules. We require it, have to supply us with
19 your background checks, and I don't know that the
20 police department, per se, can just walk up and say
21 I want your background checks.

22 MS. SULLIVAN: Do they actually supply us
23 with background checks, or do they just make sure
24 that they have done background checks on everybody?

1 MR. COE: We verify everyone's background
2 checks to the best of our ability. So --

3 MS. SULLIVAN: But they don't supply them
4 to us?

5 MR. COE: We do not -- well, on occasion,
6 yes.

7 MS. SULLIVAN: Okay.

8 MR. COE: But that's very rare, too. That
9 occurs on a very specific --

10 MS. SULLIVAN: One-off basis.

11 MR. COE: -- one-off basis. Like I said,
12 there is probably once a year that we may see that.

13 MS. SULLIVAN: Okay.

14 MR. COE: But, I mean, that was in the
15 rules before, it was just maybe worded a little bit
16 differently.

17 MS. SULLIVAN: That they provide them to us
18 or just that they do them, they are required to do
19 a background check?

20 MR. COE: No, that the Director can
21 designate someone to enforce our rules.

22 MS. SULLIVAN: Usually it is our inspectors
23 who do that.

24 MR. COE: Correct.

1 MS. SULLIVAN: So this is saying that now
2 he can hand that off to a policeman if he sees fit?

3 MR. COE: That would be my --

4 MS. SULLIVAN: Why couldn't the police do
5 the background check?

6 MR. COE: It cost them money.

7 AUDIENCE MEMBER: They do every week.
8 Every week we go through a background check, every
9 employee every week.

10 MS. SULLIVAN: Well, they can -- I mean,
11 they can do their own.

12 MR. JENNINGS: But you work with the police
13 every week but let's say --

14 MR. COE: I can't --

15 MR. JENNINGS: -- you are not the operator
16 and you refuse to through the background check that
17 --

18 AUDIENCE MEMBER: They won't give you a
19 permit.

20 MR. COE: It is a little bit different for
21 the carnivals that operate in the Chicago and
22 surrounding area. Those jurisdictions up there are
23 very, very strict. They don't -- some of them
24 don't care that we come in and inspect it, they are

1 like we are going to inspect it and, you know.

2 MR. JENNINGS: In my case in downstate
3 Illinois, the fair, other than your permit, we
4 permit that carnival to come there. So there is no
5 city entity involved that would write that permit.

6 AUDIENCE MEMBER: Okay.

7 MR. JENNINGS: There is not a third party
8 entity, it is I'm counting on him to have that
9 under control. So if my police department went out
10 and said to Rich, I want to see your background
11 check on so and so and Rich says no, I'm not going
12 to give it to you, then the way I understand it,
13 the Director can call my police department, give
14 him the authority to go out and enforce our rules
15 here that you either give me the background check
16 or I am going to shut you down. Is that --

17 MS. SULLIVAN: I'm not saying we don't want
18 to cooperate with that, I just, I would think the
19 police --

20 MR. COE: It would be, it would be -- that
21 would be an example. It would very limited. I
22 could not see that, you know, being used on daily
23 basis or being used for much any other than just
24 information.

1 MS. SULLIVAN: Okay. Go ahead. I just --

2 MR. COE: Changes definition of dry slide.

3 It actually was changed in the law but has not been
4 updated in the written documentation. So it is for
5 all slides now. It used to be just over 20 feet.

6 This is an update, too. Welcome to the
7 20th century. You can pay with electronic fund
8 transfers. I guess when this was originally,
9 originally set up, it was either cash or check. So
10 we would update that.

11 We actually had talked about this and I
12 believe we didn't have 100% acceptance where we
13 felt comfortable with it, but there was a change in
14 the qualifications for hiring an inspector. It was
15 changed that he must have a college degree, and
16 what they wanted to do was change it back to have a
17 college degree or equivalent experience.

18 I believe, Patty, you approved that about a
19 year and half ago, maybe two years ago.

20 MS. SULLIVAN: I think we did.

21 CHAIRMAN: I remember that.

22 MR. COE: But it didn't come out real clear
23 in the --

24 MS. SULLIVAN: Wording?

1 MR. COE: Court reporting minutes. So we
2 wanted to verify that again.

3 At one time you were able, in lieu of
4 having the insurance coverage, you were able to
5 post a bond. That option is no longer available.
6 So we have to ask you to remove it.

7 So these are the changes that we are after,
8 and we just need to accept them.

9 MS. SULLIVAN: We have not had a deposit
10 with the department for years, have we?

11 MR. COE: I don't know.

12 MS. SULLIVAN: They may want their deposits
13 back.

14 MR. COE: Yeah, that's typically how the
15 bond works is you would put it up at the first of
16 the year, then it would be refunded at the end of
17 the year or fiscal year. I don't know how they
18 would quantify that.

19 MS. SULLIVAN: Okay.

20 CHAIRMAN: Any questions or discussion on
21 the items?

22 (No response.)

23 CHAIRMAN: Hearing none, we will request a
24 motion to approve the items covered listed in our

1 handout as updates to Amusement Ride and Attraction
2 Safety Act.

3 MS. SULLIVAN: So moved.

4 CHAIRMAN: Second?

5 MR. SPARKS: I will second.

6 CHAIRMAN: Wes seconds. All in favor say
7 aye.

8 (Ayes heard.)

9 CHAIRMAN: Opposed?

10 (No response.)

11 CHAIRMAN: Motion is passed and carried
12 forward.

13 MS. SULLIVAN: Well, that cleans up a lot
14 of stuff.

15 MR. COE: We have got a lot of little
16 grammatical things to add to that, too. Just quick
17 on the policy, 30 days.

18 MS. SULLIVAN: Just a quick question. Now,
19 grammatical things don't have to go through the
20 Board, they can just be editorially changed?

21 MR. COE: Right.

22 MS. SULLIVAN: Okay.

23 MR. COE: Department policies, we always
24 tell everybody 30 days prior. That's very

1 important at certain times of the year, opening of
2 the season, especially this year. We are one man
3 down. That's going to cause some problems. Last
4 year the same thing occurred. We got everybody
5 covered, but it was very difficult.

6 Expedited inspection fees, if it is a last
7 minute thing, you know, we have the right to impose
8 that.

9 Make sure we get the Zipper sign-off. If
10 you guys own a Zipper, that's always a hassle.
11 Have to make sure that -- we can't check the K bars
12 when it is assembled. So you guys are supposed to
13 check it in the off season and give us
14 documentation, signed documentation.

15 Operation inspections. So they dropped of.
16 Still going to continue to do them. That is where
17 we are going to randomly show up on a Friday night
18 or Saturday and just look at how things are
19 working. It seemed to work real well. We have had
20 some very positive responses, and, you know,
21 basically we have not seen any major problems so
22 far.

23 MS. SULLIVAN: Sometimes things go on that
24 show owners just don't know about. If an inspector

1 catches it, they probably would like to know.

2 MR. COE: Sorry about keeping you overtime,
3 but that's it, and if anybody has got any
4 questions? Yep?

5 AUDIENCE MEMBER: Got a comment. I want to
6 introduce Greg Chiecko. He is the President of the
7 OABA since February.

8 (Applause)

9 AUDIENCE MEMBER: So if you don't know
10 Greg.

11 Also, if you are not a member, join the
12 OABA, see Greg.

13 CHAIRMAN: All right. We are in the public
14 comments and questions section. Does anybody else
15 have anything from the floor?

16 (No response.)

17 CHAIRMAN: All right. I'd like to turn it
18 over to Director Michael, a couple words for us.

19 DIRECTOR KLEINIK: Yeah, a couple things.
20 I forgot one person who is very important, Mary who
21 keeps Tom going and does all the paperwork, makes
22 sure things get done the right way. A new addition
23 to the department.

24 MS. SULLIVAN: Does she also inspect?

1 DIRECTOR KLEINIK: No.

2 CHAIRMAN: Not yet.

3 DIRECTOR KLEINIK: We are going to double
4 train. So anyway, then I would like to say
5 thank you very much, Patty, for all your years that
6 you sat here, kept this thing going in the right
7 direction. On behalf of the Governor, thank you
8 very much.

9 MS. SULLIVAN: Thank you.

10 DIRECTOR KLEINIK: We still look forward to
11 you attending and having your input at the
12 meetings.

13 MS. SULLIVAN: I will look forward to
14 staying on the Board as long as they will have me,
15 and I do appreciate Brad being willing to take
16 over. And what was the other thing?

17 Well, I just want to, again, thank our
18 inspectors and thank everybody for coming and being
19 a part because you know, we, as a board, do not
20 want to do this in a vacuum and make, make
21 decisions without input from all of you because it
22 needs to work for everybody, and it needs to --
23 everybody needs to understand why we do what we do.

24 So oh, then, I have one other question of

1 the Director. Is there no way to be able to hire
2 another inspector during this time?

3 DIRECTOR KLEINIK: We need to get you, get
4 that one thing approved where we changed some
5 things around a little bit, and we have got
6 approval to do some hiring, so --

7 MS. SULLIVAN: Okay. So you have got --

8 DIRECTOR KLEINIK: It is forthcoming, I
9 just got to try to get through the right timing to
10 get it done where we can get it before everything
11 starts.

12 MS. SULLIVAN: I's dotted, T's crossed.
13 Okay.

14 DIRECTOR KLEINIK: We are moving forward
15 with that.

16 MS. SULLIVAN: Thank you very much.

17 MR. COE: If you have not signed the
18 sign-in sheet, it would be appreciated. If anybody
19 wants to -- if I missed anybody, there are copies
20 of the handout up here on the corner, and thank you
21 for coming. Appreciate it.

22 CHAIRMAN: Thank you, everybody. Do we
23 need a motion?

24 MR. SPARKS: I make a motion.

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MS. SULLIVAN: Second.

CHAIRMAN: All in favor?

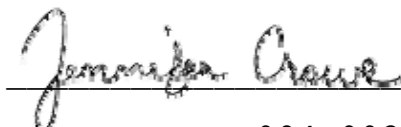
(Ayes heard.)

(Meeting concluded at 5:55 p.m.)

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CERTIFICATE OF REPORTER

I, JENNIFER L. CROWE, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that proceeding was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially interested in the outcome of the action.





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