

# **Council for Amusement and Recreational Equipment Safety**

## **SIXTH ANNUAL MEETING December 10 and December 11, 2001 Myrtle Beach, South Carolina**

### **Minutes**

The President, Marcus Lovelady, called the meeting to order at 9:00 AM

#### Attendee

Isadore Rommes	State of Florida
Dennis J. Wilson	State of Iowa
Jerry Butler	State of South Carolina
Richard Osworth	State of New Jersey
Joe Filoromo	Commonwealth of Pennsylvania
David Ruppert	State of New York
Maria Guizzotti	State of New York
Bob Cate	State of Louisiana
Kathy Fackler	Saferparks
Clyde Wagner	State of North Carolina
Jonathan Brooks	State of North Carolina
Don Hankins	State of Oklahoma
Danny C. Abner	Independent Inspector
Marcus Lovelady	State of Georgia
Mag A. Guirguis	State of Rhode Island
Carl Dills	Commonwealth of Kentucky
Mike Triplett	State of New Jersey

#### Web Site Demonstration

The first agenda item covered was the presentation of the web site and a discussion of its future development. The web site is accessed by [www.uscancares.org](http://www.uscancares.org). The domain name has been registered and a site has been established which includes the membership list, the current meeting announcement, minutes of past meetings, links to related sites, and the constitution. E-mail has been established with a link to [rosworth@dca.state.nj.us](mailto:rosworth@dca.state.nj.us) and all mail will be forwarded or responded to until further procedures and processes are established. Kathy then presented within the demonstration the potential for a member's only portion of the web site. It was demonstrated that through the use of Share Point, a feature within MS FrontPage 2002, that levels of access can be controlled, committees could manage projects within this section, and drafts of documents could be worked edited by the group, and you could have automatic notifications of changes or new posting go to your personal e-mail location. This feature will cost more money then the current site.

#### Web Site Development

Kathy suggested that the web site include a public education page with ride safety tips for parents and that helpful information regarding ride safety be part of the information at the site. Carl Dills suggested that page be added that listed information regarding regulations. Bob Cate suggested that a table be developed to show what equipment is inspected in the various states. More links to state pages should be added to the links section, and it was felt that the link should be a direct link to state program pages so the ride program is the item identified by the link no the general state home page.

It was decided by the Council to increase the level of support for the web site so that a member's only section could be hosted. The member's only section would then complete the second phase of the web site development project.

The third phase would be data input or uploading of data such as ride registration information, incident reporting and other data that members would find useful in their enforcement programs. Bob Cate indicated that there are some standardized data programs available so that we might be able to use one to standardized the data input process.

Georgia has agreed to support the costs of the web site and it was requested that the secretary investigate this.

#### Treasurers Report

CARES has an EIN number established and can now establish a checking account. The secretary will establish a checking account as soon as possible. A motion was made by Clyde Wagner and seconded by Carl Dills that the Secretary make application for non-profit status with the IRS and that the fee of \$150.00 be paid from Council funds. Motion was passed unanimously.

The budget was presented for the year 2002, and should be revised to reflect the increase in the cost of the web site hosting. Funds will come from meting registration fees for current expenses while other funding sources are explored with Georgia or other states.

#### Membership

Bob Cate reported on plans for an outreach program to states that have programs and are not members of CARES. A letter will be sent to those states introducing the web site and inviting questions while soliciting membership. Bob would like members to give him the right name of the persons in states that are to be sent letters, it is important to get to the right person. It was suggested that he first consult the CPSC directory of state programs.

It was again suggested that we could increase membership by having our meetings a few days before or after a national meeting such as NAARSO or AIMS. Carl Dills offered to put the Council on the 2003 NAARSO meeting announcement and that NAARSO would help with the arrangements.

A discussion on membership criteria was held in order to clarify the issue of whether a jurisdiction other than a state would be eligible for membership. The Constitution states at Article IV Membership 1:

Membership in the Council shall be restricted to full-time administrative level governmental personnel who are responsible for the promulgation and enforcement of amusement and recreational equipment regulations within their jurisdiction.

Membership should remain at the state level and that upon application by another level of government; the Council would then decide the issue. It was suggested that the Constitution committee review the entire constitution including this issue since the Council is in its sixth year of operation and there have been many minor requests over the year for revisions to the Constitution.

It was also a concern that new members would be more likely to join and current members more likely to participate if the Council continues to make progress on their goals. Concern was voiced that we are not doing enough to move the goals forward. It was pointed out that one major effort was a comprehensive NDT manual for members and that the standard application form is now available for members. The concern was one of how effective was the Council, is its name out there as the focus of ride safety so that the public and the industry look to the Council for information and standardization of process.

#### Constitution

Marcus Lovelady presented a concern on the part of Carl Kimble regarding actions taken at meetings not being the subject of letter ballots rather than voted upon by the membership present at any one meeting. It was decided that the Constitution committee would look at Carl's submission, but it was felt that some things should be voted on at meeting to move the Council forward as long as the 20% of members was present to constitute a quorum.

Constitution was also asked to look at the membership language and the executive committee language. A discussion was held regarding setting aside the Constitution to allow for the secretary to perform the duties of the treasurer while the committee reviews the issue of whether the two positions should be combined or remain separate. A motion was made by Clyde Wagner and seconded by David Ruppert to set aside the Constitution to allow for the secretary to hold two titles, secretary and treasurer, in order to complete the task of establishing a financial system for the Council and to pursue non-profit status for the Council. The motion was passed unanimously with Carl Dills abstaining. It was felt that we had discussed and made this decision at the last meeting, while this was a more formal resolution of the issue, concern was voiced that we had already made the decision.

#### Standardization

Don Hankins reported that Marion Holloway sent out a draft model law and regulations for comment by the membership. He received very little response, and would like to know what the next step should be. Several members indicated that they had comments

but failed to send them to Marion. It was the consensus of the group that the members should have one last comment period and that the model law and regulations should be posted at the web site for information and to support the concept of a law and program, realizing that they are model documents to be modified to any state's particular legislative and regulatory format.

#### Lunch Break

#### Publicity

Clyde Wagner reported that he plans a press release to support the concept of Amusement Ride Safety Week, and to send the press release with a letter to members so that they go forward with a proclamation from the governor of their state. In conjunction with the press release and the proclamation, the member states should plan a program of public education. It was suggested that outreach include an school program directed at second graders and that it include the OABA 17 minute tape on simple ride safety rules and that coloring contests, or similar contests be developed that would result in heightened interest in ride safety. Carl Dills indicated that OHIO has a tape that should be reviewed, further Kentucky had mixed results in getting schools involved in such a program and that he felt the bulk of problems with rider safety are at ages higher than second grade. It was discussed that research by the Elevator Safety Foundation found that second graders were the most responsive to such safety-oriented programs and that it had the most benefit. The Elevator Safety Foundation makes packets available to schools to show their Safety Rider Program which includes a video, class activity and sticker. Joe Filoromo discussed the Pennsylvania program with a contest and school oriented safety program. He indicated that he has his coloring book and safety brochure on their web site and states can download and use the information. Bob Cate indicated that he looked into printing 55,000 copies each of the coloring book and brochure to use in Louisiana and found the cost to be about \$30,000. He suggested that we could print them and sell them at cost to ride operators for use in their safety efforts or to have available at their shows or to give to sponsors to support ride safety. It was the consensus of the group that the press release should be done and the letters sent to member states requesting support for an annual safety program.

Kathy Fackler suggested that education programs be developed that begin to change the basic concept of ride safety. We are shown in advertisements and by example that we can hang out of ride, not hold on but put our hands over our heads, all of which may lead to serious injury. The how to and how not to examples as a teaching tool should be developed and included in the educational efforts.

#### National Amusement Inspection Program

Mark Mooney submitted three forms for discussion, Manufacturer's Data Report for Amusement Devices, Repair/Maintenance Report for Amusement Devices, and Amusement Incident Report. Bob Cate discussed that the forms are the first step to a National Amusement Inspection Program. The data report is a manufacturer's data sheet, which would be completed by the manufacturer at the "birth" of the ride. The data

report would be filed at a specific location and copies would stay with the ride. These would provide a complete record of the critical information upon which all future actions would be based regarding inspection, repairs and modifications. The other concept is that a unique number must be etched on the ride and the data report would match that unique identifier. The USID number was thought to be the best source for such a unique number and that the manufacturer would obtain the number and register with CARES as the clearinghouse for such unique numbers. The incident report and repair report are part of the necessary inspection process. The repair report will be filed by the owner at the time of renewal of their permit and would also be on file for the inspector to review prior to the annual inspection. The incident report would round out the forms indicating to the jurisdiction the nature of the incident, the injured, the witnesses, ride data, and other information on the cause, correction, etc. The incident report would be used to complete the investigation of the incident by the jurisdiction having authority. Bob Cate asked that the members review the forms and give their comments with suggested changes/solutions to Mark Mooney as soon as possible.

### ASTM Liaison

ASTM F-24 committee is in the process of revising the 1159 standard, which covers the design and manufacture of amusement ride. The effort is on going and Richard estimate several years to completion. The 1159 draft is begin review by the membership and went through a working group ballot in August. The September meeting was canceled due to the September 11<sup>th</sup> incident. The next working meeting during which the ballot comments would be discussed is set for February 1-3 in Tampa, Florida.

The committee balloted a new standard on the methodology for measuring g-forces. The standard would for the first time establish a standardized testing procedure to insure consistency in the testing process.

Other areas of involvement for working groups are the development of an inflatable ride standard, water park standard while also reviewing training and inspection standards. It was suggested that now is the time to join or become active if you are already a member, since these standards are those adopted in many states, the representation at committee meetings is very limited. Membership assures you the opportunity to comment on the proposal and to have input into standards the have been, for all practical purposes, industry self-regulation standards. You can access the membership information at [www.ASTM.org](http://www.ASTM.org).

### Advisory Board

Richard transmitted a request from Lary Zucker as a representative of IALDA that the Council consider adding a seat to the Advisory Board. The Council discussed the request and felt the IALDA would be a duplication of representation in that they represent ride manufacturers; suppliers and owners in litigation regarding the amusement ride industry. The CARES advisory board already has representation from the manufacturers, owners, insurance industry and consumers. The Council agreed that it would not increase the number of seats on the Advisory Board. It was made clear that our meeting is open to the

public and that Mr. Zucker or any other individual wishing to attend need only give notice and attend the meeting.

### Incident Reporting

As a follow-up to the last meeting's discussion on incident reporting, Clyde Wagner suggested that a basic minimum reporting process be established in the member's only portion of the web site. It was suggested that the data requirements be established and reviewed by the membership. The concept of reporting accidents is a concern to members in regards to public information requirements and to reporting incorrect information. It was suggested that while the information criteria are being discussed the states should review with their attorney general the impact of such a reporting procedure.

### USID number

Concern was raised regarding how to go forward with the concept of a single unique identifier. The states of Oklahoma, North Carolina, Georgia, and Florida use the USID number and have gone to great lengths to cross reference state id numbers with the USID number. Discussion was had regarding the possibility that CARES could produce the plates and be the clearinghouse for the numbers and that Florida had a history of being the clearinghouse but would be willing to discuss the future of the program. It was suggested that the task group that was suppose to look at the program and to bring final recommendations to the Council be given the assignment to complete by the next meeting. States are welcome to join the program by contacting Isadore Rommes.

### Inflatable Rides

The CPSC has put out a revised bulletin on the proper set-up and operation of an inflatable ride. The bulletin was a result of an increase in the number and seriousness of incidents involving inflatable rides, especially the Titanic Slide. Danny Abner explained his involvement in the bulletin and the development of the standards required to properly set-up an inflatable ride. Things are not perfect, however, this bulletin is the best out there to guide the inflatable industry. Jonathan Brooks explained the concerns in North Carolina and will supply a copy of their current regulations to the Council. (this was given out on the 11<sup>th</sup>)

### Adjourn

December 11, 2001

The council reconvened on December 11, 2001 and the same state and advisory board members were present.

The president called the meeting to order at 9:00 AM

On a motion by the members, the meeting opened with a moment of silence in remembrance of the victims of the September 11<sup>th</sup> tragedy.

## Future meetings

A discussion was held regarding the difficulty with travel by state employees with reductions in state budgets. It was decided not to have a semi-annual meeting but to rely on the member's only section of web site to conduct necessary business and to further the work activity of the various committees. Further it was felt that a meeting in conjunction with a national meeting would help attendance since many states already attend these larger meetings. Since the next NAARSO meeting, trade show, or other venue, might result in the Council not conducting its required annual meeting, on a motion by Clyde Wagner and second Jim Hankins, the Council unanimously approved the suspension of the Constitution to allow for a new meeting schedule to be established with the next annual meeting in January 2003. Further, on a motion by Don Hankins and a second by Clyde Wagner, the Council voted to hold the next meeting at a national meeting to be decided by the executive committee, one nay vote was received from Iowa since it would be beyond his ability to travel to a national meeting in a distant location.

## State Reports

New Jersey reported on their new law, which requires ride manufacturers to type certify a ride. Type Certification is a process by which the state reviews the design of the ride and its component systems, restraints, safeties and structural calculations. New Jersey currently does ride design reviews but the new law gives the state clear authority to require documentation be delivered. The manufacturers then after a ride is type certified can sell that ride in the state and owners would only be required to supply site information to get a permit to operate a type certified ride.

## Current Issues and Concerns

Bob Cate indicated that he would like to remind the members that the purpose of CARES was to begin to standardize the ride regulatory industry. That response on the standardized forms and the use of the forms is critical to the CARES mission. Marcus Lovelady indicated that CARES might spent time on other issues of uniformity such as the use of the NEC in ride regulations and inspections. Clyde suggested that we might want to consider what incentives we could offer the industry that would result in the use and adoption of these standard practices. Kathy Fackler indicated that Jim Strates felt the industry would support our efforts to standardize the ride regulatory process.

## Future Actions and Work Items

The President will finalize an insurance industry member and confirm a park member by the end of the week.

The President appointed a nominating committee to bring forth a set of candidates for the 2003 meeting as required by the Constitution. The committee is as follows:

- Carl Dills, Chair Kentucky
- Don Hankins, Oklahoma
- Jerry Butler, South Carolina

Carl Kimble, Illinois  
Joe Filoromo, Pennsylvania

Since a vacancy has occurred in the Vice President seat, the President has appointed with the advice of the executive committee, Bob Cate as Vice President and Clyde Wagner as Second Vice President.

Work items are as follows:

1. Review the positions of Secretary and Treasurer and advise if they should be combined permanently (Constitution Committee)
2. Apply for Non-profit status (Secretary/Treasurer)
3. Overall constitution review given past discussion to implement changes in the constitution (Constitution Committee)
4. Press release and draft proclamation on National Amusement Ride Safety Awareness Week (Publicity Committee)
5. Post on the web site in the members only section the model law and regulation for comment and review (Information Management)
6. Members to give Publicity proper contacts for the NARSAW program
7. Members to review and comment to Mark Mooney on the Manufacturer's Data Report for Amusement Devices.
8. Members to review and comment to Mark Mooney on the Amusement Incident Report and Repair/Maintenance Report for Amusement Devices
9. Reconvene the USID task group to finalize a unique identifier number program.
10. Post to the web site in the members only section the Incident Reporting form and data requirements for comment by the membership. Data entry and data storage capabilities to be looked into at a later date (Information Management)
11. Include in the members only section a talent search so that chairs of the committees can review the membership and their interests in the various committees (Information Management)
12. Constitution review and comments by the Executive Committee to the Constitution Committee.

The meeting adjourned at 12:30 PM

The next meeting dates and location to be announced.

Respectfully submitted  
Richard Osworth, Secretary