REPORT OF PROCEEDINGS 1/13/2022

1	ILLINOIS DEPARTMENT OF LABOR
2	AMUSEMENT PARK RIDES SAFETY BOARD MEETING
3	
4	JANUARY 13, 2022
5	4:03 P.M.
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7	REPORT OF PROCEEDINGS had in the
8	above-entitled cause via Zoom Videoconferencing.
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10	APPEARANCES REMOTELY:
11	CHAIRMAN DAVID BENNETT
12	MICHAEL KLENIK
13	WESTON SPARKS
14	DANIEL SCHWABE
15	JOSEPH REDSHAW
16	MICHAEL SUTTON
17	WILLIAM JENNINGS
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23	PAMELA S. MORGAN, CSR
24	084-001687

1	CHAIRMAN BENNETT: I will call the meeting to
2	order.
3	This is the Amusement Park Rides Safety
4	Board for Thursday, January 13th. We couldn't be
5	together personally and we were looking forward to
6	our first meeting in almost two years but this
7	will have to do.
8	So again, I am the chairman, David
9	Bennett, the chairperson for the board. So Mary
10	Pierce will do the roll call.
11	Mary, will you do the roll call?
12	MS. PIERCE: Yes.
13	Michael Klenik?
14	MR. KLENIK: Present.
15	MS. PIERCE: Weston Sparks?
16	MR. SPARKS: Here.
17	MS. PIERCE: Daniel Schwabe?
18	MR. SCHWABE: Yes, I'm here.
19	MS. PIERCE: Joseph Redshaw?
20	MR. REDSHAW: Present.
21	MS. PIERCE: Michael Sutton?
22	MR. SUTTON: Present.
23	MS. PIERCE: Dave Bennett?
24	CHAIRMAN BENNETT: Present.

1	MS. PIERCE: Bill Jennings? William Jennings?
2	MR. COE: He was on the phone earlier.
3	CHAIRMAN BENNETT: I think we can begin, we
4	have a quorum, right, Tom? Can we start?
5	MS. PIERCE: Is that you, Bill?
6	MR. JENNINGS: Yes.
7	MS. PIERCE: Bill Jennings?
8	MR. JENNINGS: Yes.
9	MS. PIERCE: And Jessica Yard is a no.
10	CHAIRMAN BENNETT: That is correct.
11	MS. PIERCE: All right. Thank you.
12	CHAIRMAN BENNETT: Miss Court Reporter, did
13	you get all the names and you should be all set,
14	who was on the roll call or member of the board
15	of the Ride Attraction Safety Board?
16	So we can begin. We have the agenda.
17	And first, we can approve the minutes from the
18	last meeting last September. Is there a motion to
19	approve the board meeting minutes from
20	September 16th, 2021?
21	MR. SCHWABE: This is Dan Schwabe. There's a
22	couple of corrections that I would like to put in
23	here that I found.
24	CHAIRMAN BENNETT: Okay.

1	MR. SCHWABE: On Page 7, Line 19, it says
2	Mid-America and it should be Great America. And
3	Line or Page 42, Line 15, the word is Lizzer,
4	with an L, and it should be Whizzer,
5	W-H-I-Z-Z-E-R.
6	CHAIRMAN BENNETT: Good. Any other changes or
7	corrections from you, Dan?
8	MR. SCHWABE: No, that was it.
9	CHAIRMAN BENNETT: With those corrections,
10	then, is there a motion to approve the board
11	meeting minutes from September?
12	MR. SUTTON: I move that the minutes are
13	approved. William Sutton.
14	CHAIRMAN BENNETT: Is there a second to the
15	motion?
16	MR. JENNINGS: Bill Jennings will second.
17	CHAIRMAN BENNETT: Any further discussion?
18	Hearing none, then those in favor of
19	approving the minutes the board meeting minutes
20	of September 16th say aye.
21	(A chorus of ayes.)
22	CHAIRMAN BENNETT: Opposed say no or nay.
23	(No response.)
24	CHAIRMAN BENNETT: Okay. Hearing none, then

1	the minutes are approved.
2	On the agenda is old business, it says
3	division manager.
4	Tom, do you want to take the floor and
5	discuss what needs to be discussed?
6	MR. COE: Yes.
7	CHAIRMAN BENNETT: Tom Coe is the chief ride
8	inspector for the state.
9	MR. COE: And everybody can see the starting
10	presentation?
11	UNIDENTIFIED SPEAKERS: Yes.
12	MR. COE: All right. Well, good evening and
13	welcome. Like Dave said, hopefully we were trying
14	to get this into a face-to-face meeting and get
15	more people in the room, that didn't quite work
16	out. So we are going to try to review real quick
17	here what's kind of happened over the last two
18	years. Some of this will be repetitive for the
19	board but there are some new people on the line,
20	so we will bring them all up to speed.
21	Some of the old business that we've
22	already gone through, approved, and is in force is
23	the fee structure for the large inflatables.
24	These are over 1500 square feet. There was a

1	clarification that was made to the rules on the
2	definition of slide, and this was a recommendation
3	from JCAR on the last set of rules updates that we
4	did for the aerial adventure courses. During that
5	update there was a change to require annual ride
6	operator training for everyone, where before we
7	were just actually checking the physical
8	operators, and we had kind of let some of the
9	long-term operators and owners just go ahead and
10	slide through on that process, but we will need to
11	see training on everyone that will operate a ride.
12	The last big update that we made, that
13	was with aerial adventure courses, that's been in
14	force since January 1st of '21. We have those
15	operators and have just about everyone in
16	compliance, and they are on track in the system
17	for this following year in '22.
18	These are probably the biggest project
19	that we had going, was going through our rules and
20	updating to the somewhat most current ASTM code at
21	the time. The first three of these were done
22	earlier and that's why they have an 18 and a 17
23	date, that's what the dash stands for is the date
24	of incorporation or enforcement.

1	The lest two standards we did server that
1	The last two standards, we did cover that
2	in our last meeting and they were approved and
3	will be included in the new updates for the 2291.
4	2970-20 is current because it is mentioned in the
5	emergency rules which we have in force for the
6	trampoline courts, which is our newest of
7	businesses that we are inspecting now, that was a
8	law and not a rule change, that did take effect
9	January 1st of this year.
10	Again, the January 1st, 2022, rule for
11	trampoline courts, there is a link, it is linked
12	off our main web page, if anyone wants to go take
13	a look at it, there should be no significant
14	changes to the permanent rule, it was just a
15	timing problem that we ran into and that's because
16	there was some significant delays caused by COVID,
17	basically is what it was.
18	Okay. I guess if we want to step back,
19	does anybody have any questions about the ASTM
20	standard adoptions?
21	Okay. Seeing none, we will go into some
22	of the statistics for the 2021 year, the accident
23	reports, bulletins, and department updates.
24	This is our summary table, it's kind of a

1	moving shot, it only goes back to 2015, but we
2	basically have it back farther than that. From
3	2021 from our last meeting, this would include
4	October, November, and December, which we see here
5	for the year-round operators, we had 764 show
6	dates. That's a little deceptive because of
7	COVID. We had 932 follow-up inspections. 2,463
8	total inspections, not follow-ups. And new
9	permits at 382 locations and 236 companies.
10	That's a pretty significant pick up from
11	2020, but still a little bit lagging behind 2019.
12	I don't expect those numbers to make any
13	significant increases in '22 unless there's a huge
14	turnaround.
15	Any questions on that?
16	Okay. Accident reports. 2021, there was
17	10 total accidents, that's a little pick up.
18	2020, there wasn't much going on, but that's
19	probably about an average year for us. The
20	makeup of those accidents were attributed to eight
21	patron, one operator, and one mechanical.
22	MR. SUTTON: Tom, this is Mike Sutton again.
23	Can you go back to the statistics? I do
24	have a question.

1 MR. COE: Sure. 2 MR. SUTTON: I'm new on the board. 3 So I'm looking at the number of follow-up inspections for 2021, you have 932, so that's not 4 too far removed from 2018, you know, but when I 5 6 look at issued inspections and I look at 2018, 7 why, you know, the number of follow-up inspections 8 is 932 and in 2018 it was 1,183, or even in 2019, 9 581, why is there such a variation in inspections issued? 10 11 MR. COE: Inspections issued are every time 12 that we visit the location, whether it's to give 13 them a permit, or it's just what we would call a 14 follow-up, or they need another inspection for a 15 single ride, anything like that, anytime we issue 16 a permit, that's an initial inspection and then 17 any other time we visit there and we make a 18 write-up in our program, it's a follow-up inspection. 19 20 I will say there's a lot of people that 21 have not been back for a while, there's guite a 22 few that have gone out of business, they just 23 couldn't survive, and that showed up in the total 24 number of companies that we are looking at, it's

1	picked up a little bit from 2020, but still
2	nowhere near what it was in the past, so probably
3	down about a third, and that did give us a little
4	bit of breathing room to actually do some more
5	follow-up inspections, where in the past the
6	initial inspections are so high that it makes it
7	very time restrictive for us to go back and just
8	basically knock on the door and say, hey, how
9	things are going, which is what we try to do.
10	MR. SUTTON: Okay. I think I understand now,
11	okay, because I was just again, just looking at
12	the number of 932 and inspections issued, 2,463,
13	and then when I look at 2018 I see 1,183 follow-up
14	inspections, and then I see 4,292 inspections
15	issued, maybe that's the again, from your
16	explanation, I got some clarity on that, okay.
17	Thank you.
18	MR. COE: There's one other point to make.
19	When we bring in new businesses, so for the
20	adventure courses and we're seeing it now for the
21	trampoline courts, their first time in takes a lot
22	more work on our part. So some of the trampoline
23	courts we've already made for visits to this year
24	to get them, you know, permitted once, and some of
1	

1	those are actually going to need follow-up
2	inspections, you know, we may go to one trampoline
3	company seven times in one month before everything
4	is completed. So anytime we add more regulated
5	businesses, it can affect that follow-up
6	inspection since it's really anything else where
7	we don't issue a permit.
8	Back to the accident summary. We've been
9	over this, all are single injuries. The first one
10	is an adventure course, that was in a landing knee
11	injury. Again, the adventure course is a medical
12	condition.
13	The next one was a contusion to the head,
14	a laceration to the head, and that was upon
15	exiting the ride. That was definitely a patron
16	issue in this ride, he said he was ejected from
17	the seat. There's no way that could happen. If
18	it was going fast enough to throw him out, he
19	would be probably hurt much more than that.
20	The next one was a fixed park, it was on
21	a roller coaster, the coaster came up, stopped
22	short because they had a train in the station, the
23	child was riding with his brother, he thought the
24	ride was over, hopped out, he moved forward, and

1	as he tried to hop in, he got his leg in a
2	situation stuck in the track. As bad as that
3	could have ended up, but it was just bruising and
4	some light injury.
5	The next one is another adventure course
6	and it was landing, this one really wasn't caused
7	by the landing, but the person expressed an injury
8	to their hand from grasping onto the rope or the
9	trolley.
10	The next one is a mobile carnival, fell
11	from the seat during loading, this is even before
12	the ride was operating, and received scrapes and
13	bruises. That was actually a ride when once you
14	are loaded, the platform does drop away, and she
15	just basically wasn't in the seat, nothing had
16	been locked down and the platform had not moved,
17	but she did fall up to the platform out of the
18	seat.
19	Another fixed park, car collision, neck
20	and back pain. That's a very common one that we
21	see each year.
22	Another fixed park, this was actually at
23	the state fair, on the slide, came off the mat,
24	and once you come off the mat, the run-off

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1	section, instead of grass turf area, which you
2	either slide through because you lose the friction
3	from the mat and hit the fence, or a lot of times
4	people will reach out with their hand and feet and
5	it will grab just like AstroTurf and twist an
6	ankle or twist an arm or a wrist.
7	The next one, another adventure course,
8	rigid zip line, and again it was another hand
9	injury after they got off.
10	The last one that we had this year, this
11	one is kind of interesting, it was a fixed park,
12	it was on an indoor go-kart track, there was a
13	barrier failure which resulted in leg and foot
14	injury to the driver, who was 10 years old. What
15	happened at this location was after the track was
16	initially installed, they decided to run it in the
17	opposite direction, which was counterclockwise,
18	they did consult the manufacturer of the track,
19	and the manufacturer had approved that process and
20	made some changes to the track. But what happened
21	was the barrier for the track was bolted to the
22	concrete floor with stand-offs, and the initial
23	track design and high-impact areas of these
24	stand-offs are three feet apart, or even shorter

1	distance, depending on what they potentially can
2	see there. When they changed the rotation, there
3	was a portion of the track and it came from a
4	downhill portion, which originally was an uphill
5	portion so there was no potential for heavy
6	impact. The stand-offs had been spaced at 10-foot
7	intervals. The car came down the hill and
8	actually hit that barrier, it snapped the two
9	stand-offs off of the floor and sheared the bolts
10	off, which allowed the barrier to lift, the car
11	drove under the barrier, and impacted the outside
12	wall of the building and stopped.
13	That was pretty lucky for everyone
14	involved that there wasn't much more serious
15	injury.
16	They did have to go through another track
17	redesign. Basically what they did is they went
18	and looked at the track and they did update and
19	add additional uprights to the barrier in
20	locations that they thought were subject to this,
21	the manufacturer did sign off on that again and
22	they've been operating since then without
23	incident.
24	MR. SUTTON: This is Mike Sutton again. Out

1	of curiosity, accident reports, settlements,
2	litigations, any?
3	MR. COE: There always is. Usually it doesn't
4	occur in the same year. Typically what we see is,
5	like accidents that occurred in '21, we will
6	actually see FOIA requests for information in '22,
7	and since I believe the statute of limitations is
8	five years, you know, we've had FOIA requests for
9	accidents that were over five years or just right
10	at that five-year timeline and go into litigation
11	finally.
12	CHAIRMAN BENNETT: Michael, I don't think I've
13	seen us tracking any lawsuits that are filed. As
14	Tom said, you might get a FOIA request, but the
15	statute of limitations is two years for adults and
16	for minors up to age majority of 18 plus two
17	years, so kids can sue up until their 20, but for
18	adults it's two years, for personal injuries.
19	MR. COE: That's interesting, I never knew
20	that.
21	So any other questions?
22	Okay. One of the things that we try to
23	update each year is we do have an NDT list that we
24	maintain on our website, you can get that, there

1	is a link off of our main page on the right-hand
2	side, the blue hypertext down towards the bottom.
3	We do have that, so it's helpful for some of the
4	operators. There are some additional links that
5	have databases that you can actually search, and
6	since there's no real one-stop-shop for
7	everything, take these for what they are because
8	there are additional bulletins out there that just
9	don't exist in a library somewhere.
10	The best place is, if you have any
11	questions, it's to the manufacturer, but then on
12	rides that are out of manufacture have no support,
13	you are basically trying to dig through one of
14	these databases or calling us about what needs to
15	be done.
16	One of the things that we are going to do
17	on our new rules update is we are going to add
18	some additional information on what's required on
19	an NDT report, there is actually a download from
20	our website that has that information in it, but
21	we are actually going to put it in the rules since
22	it is mentioned in there as a requirement.
23	Any questions on the non-destructive
24	testing?

1	We haven't really seen usually we will
2	go over some of the newer bulletins. We haven't
3	really seen any new bulletins in the last couple
4	of years, things have been pretty quiet.
5	Just an update on COVID 19, this is one
6	we like to throw out there, the state is in a mask
7	mandate for indoors and encourages for large
8	gatherings. This has changed. In the past it was
9	a different agency that handled this, DCEO, now
10	it's under IDPH. So you can use this link and
11	it's quite detailed about where the state's at and
12	what's going on.
13	So any questions so far?
14	All right. Department policies. We are
15	going to mention this, we are going to get a
16	little bit stricter on this as business picks up
17	and makes it more difficult on us. We do want to
18	see the applications 30 days prior and there is a
19	fee associated with that if it's a last-minute
20	inspection for us without, you know, significant
21	extenuating circumstances.
22	And again, we'd remind all the operators
23	with the Chance Zipper ride that they have to have
24	a compliance statement that's on file with us

submitted with their application before we will 1 2 permit those. 3 Any questions? Okay. We will just run right into new 4 business. Our legislative director, Anna Koeppel, 5 6 she's on the conference with us, she wanted to add 7 a little bit because we are in a weird state on 8 the trampoline courts and there's one other thing 9 that she's tracking that she wanted to update us 10 for. 11 So, Anna, do you want to just throw 12 something out there real quick? 13 MS. KOEPPEL: Sure. Thank you, Tom. 14 Hi, everyone. As Tom said, my name is 15 Anna Koeppel, I am the legislative director here 16 at the department. 17 Regarding the trampoline rules, those 18 were filed as emergency rules near the end of 19 December, so those are in effect currently, but we 20 will look to propose and adopt permanent rules 21 sometime in the coming months or two. If anyone 22 has input on those, those should be submitted to 23 me, we prefer them in writing so that we could 24 consider them.

1	And then the other thing that Tom asked
2	me to discuss is legislation, you know, all the
3	legislation that is filed I do review and we
4	discuss here at the department. So if anyone sees
5	any legislation or has ideas for, you know, a
6	change to the act, you can always send that my way
7	and we will be happy to evaluate it.
8	I know that there was proposed a bill to
9	amend the criminal code as it pertains to certain
10	folks working at amusement facilities and fairs,
11	and that bill would not be under the jurisdiction
12	of this department but, of course, we are
13	reviewing it and will consider how it affects the
14	work we do here.
15	You have my information in front of you.
16	If you ever want to e-mail me, please feel free.
17	Thank you.
18	MR. COE: Okay. If there's no questions, we
19	will go ahead and move along. This is old
20	information for the board but new information for
21	anyone that's in the meeting that hasn't been in
22	the past.
23	Basically just a quick review, it is in
24	effect now, the new rules do require third-party

1	inspection in practice, this is a little bit more
2	difficult than we anticipated for the industry, we
3	are working through that and have found some
4	contacts that we relay when they request
5	information from us, we kind of can't make
6	specific recommendations but we do kind of
7	maintain a list to help them out.
8	The third-party does have to certify that
9	it does meet the current ASTM F2970-20
10	requirements, and for any new facility they will
11	be required to submit a set of stamped drawings
12	for review before they open. This is just a brief
13	summary of ASTM 2970.
14	One of the important things that we
15	wanted to pull out of that is the maximum patron
16	to attendant ratios, 32:1, and the maximum
17	capacity is one patron per 60 square foot. That
18	should hopefully alleviate some of the problems
19	that we see in these facilities with injury rates.
20	This is another one, 2291-21, which is
21	design of amusement rides and devices, this is the
22	most current standard that they had, that was a
23	significant upgrade to this standard in 2018,
24	which basically started as going through the
I	

1	process of updating all the other standards which
2	also saw some fairly significant changes.
3	This is our general bible when we go out
4	and inspect, and people want to know what they
5	have to do, very detailed information on how
6	things should be put together and documentation
7	that's required.
8	These are some of the additions because
9	originally we had looked at 2291-18, I believe, as
10	the standard we were going to, but it took us long
11	enough because of COVID and getting everybody
12	onboard, and we just went ahead and adopted 21
13	since these are the only significant changes that
14	were made in that upgrade.
15	So any additional questions?
16	I guess following the agenda, it's public
17	comment.
18	If nobody has any comments, you know, I
19	appreciate you coming to the meeting. The
20	information is there. If you need anything, feel
21	free to give us a call, we are here to help, and I
22	will run it back over to Dave and we will close
23	the meeting out.
24	CHAIRMAN BENNETT: Thank you, Tom. Thanks so

1	much. Thank you for your presentation.
2	I will just ask again before we close, is
3	there any public comments? Any questions for
4	anyone who's attending or listening? Okay.
5	Hearing none, then we can adjourn.
6	Is there a motion to adjourn our meeting?
7	MR. SCHWABE: Motion to adjourn. Dan Schwabe.
8	CHAIRMAN BENNETT: Is there a second?
9	MR. SPARKS: I will second. Wes Sparks.
10	CHAIRMAN BENNETT: All those in favor say aye.
11	(A chorus of ayes.)
12	CHAIRMAN BENNETT: The meeting is adjourned.
13	It looks like the next one on the agenda is set
14	for September 15th, that could be in person down
15	in Springfield.
16	All right. Thanks, everyone, I
17	appreciate it. Talk to you soon.
18	(The hearing in the above-entitled cause
19	concluded at 4:42 p.m.)
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1	T DAMELA C MODCAN Contining Charthand
	I, PAMELA S. MORGAN, Certified Shorthand
2	Reporter in the State of Illinois, do hereby
3	certify that the above-entitled hearing was
4	recorded stenographically by me and was reduced to
5	typewritten form by means of Computer-Aided
6	Transcription.
7	I further certify that the foregoing
8	transcript is a true, correct, and complete record
9	of all proceedings had before me.
10	I further certify that I am not a
11	relative, employee, attorney, or counsel of any of
12	the parties, nor financially interested directly
13	or indirectly in this action.
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17	PAMELA S. MORGAN, C.S.R. 084-001687
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timing 7:15	21:1	20:3	2019 8:11 9:8	
.			2013 0.11 3.0	
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