| 1 | ILLINOIS DEPARTMENT OF LABOR |
| :---: | :---: |
| 2 | AMUSEMENT PARK RIDES SAFETY BOARD MEETING |
| 3 |  |
| 4 | JANUARY 13, 2022 |
| 5 | 4:03 P.M. |
| 6 |  |
| 7 | REPORT OF PROCEEDINGS had in the |
| 8 | above-entitled cause via Zoom Videoconferencing. |
| 9 |  |
| 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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| 20 |  |
| 21 |  |
| 22 |  |
| 23 | PAMELA S. MORGAN, CSR |
| 24 | 084-001687 |

CHAIRMAN BENNETT: I will call the meeting to order.

This is the Amusement Park Rides Safety Board for Thursday, January 13th. We couldn't be together personally and we were looking forward to our first meeting in almost two years but this will have to do.

So again, I am the chairman, David
Bennett, the chairperson for the board. So Mary Pierce will do the roll call.

Mary, will you do the roll call?
MS. PIERCE: Yes.
Michael Klenik?
MR. KLENIK: Present.
MS. PIERCE: Weston Sparks?
MR. SPARKS: Here.
MS. PIERCE: Daniel Schwabe?
MR. SCHWABE: Yes, I'm here.
MS. PIERCE: Joseph Redshaw?
MR. REDSHAW: Present.
MS. PIERCE: Michael Sutton?
MR. SUTTON: Present.
MS. PIERCE: Dave Bennett?
CHAIRMAN BENNETT: Present.

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| 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. |

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MR. SCHWABE: On Page 7, Line 19, it says Mid-America and it should be Great America. And Line -- or Page 42, Line 15, the word is Lizzer, with an L, and it should be Whizzer,
W-H-I-Z-Z-E-R.

CHAIRMAN BENNETT: Good. Any other changes or corrections from you, Dan?

MR. SCHWABE: No, that was it.
CHAIRMAN BENNETT: With those corrections, then, is there a motion to approve the board meeting minutes from September?

MR. SUTTON: I move that the minutes are approved. William Sutton.

CHAIRMAN BENNETT: Is there a second to the motion?

MR. JENNINGS: Bill Jennings will second.
CHAIRMAN BENNETT: Any further discussion?
Hearing none, then those in favor of approving the minutes -- the board meeting minutes of September 16 th say aye.
(A chorus of ayes.)
CHAIRMAN BENNETT: Opposed say no or nay.
(No response.)
CHAIRMAN BENNETT: Okay. Hearing none, then
the minutes are approved.
On the agenda is old business, it says division manager.

Tom, do you want to take the floor and discuss what needs to be discussed?

MR. COE: Yes.
CHAIRMAN BENNETT: Tom Coe is the chief ride inspector for the state.

MR. COE: And everybody can see the starting presentation?

UNIDENTIFIED SPEAKERS: Yes.
MR. COE: All right. Well, good evening and welcome. Like Dave said, hopefully we were trying to get this into a face-to-face meeting and get more people in the room, that didn't quite work out. So we are going to try to review real quick here what's kind of happened over the last two years. Some of this will be repetitive for the board but there are some new people on the line, so we will bring them all up to speed.

Some of the old business that we've already gone through, approved, and is in force is the fee structure for the large inflatables. These are over 1500 square feet. There was a
clarification that was made to the rules on the definition of slide, and this was a recommendation from JCAR on the last set of rules updates that we did for the aerial adventure courses. During that update there was a change to require annual ride operator training for everyone, where before we were just actually checking the physical operators, and we had kind of let some of the long-term operators and owners just go ahead and slide through on that process, but we will need to see training on everyone that will operate a ride.

The last big update that we made, that was with aerial adventure courses, that's been in force since January 1st of '21. We have those operators and have just about everyone in compliance, and they are on track in the system for this following year in '22.

These are probably the biggest project that we had going, was going through our rules and updating to the somewhat most current ASTM code at the time. The first three of these were done earlier and that's why they have an 18 and a 17 date, that's what the dash stands for is the date of incorporation -- or enforcement.

The last two standards, we did cover that in our last meeting and they were approved and will be included in the new updates for the 2291. 2970-20 is current because it is mentioned in the emergency rules which we have in force for the trampoline courts, which is our newest of businesses that we are inspecting now, that was a law and not a rule change, that did take effect January 1st of this year.

Again, the January 1st, 2022, rule for trampoline courts, there is a link, it is linked off our main web page, if anyone wants to go take a look at it, there should be no significant changes to the permanent rule, it was just a timing problem that we ran into and that's because there was some significant delays caused by COVID, basically is what it was.

Okay. I guess if we want to step back, does anybody have any questions about the ASTM standard adoptions?

Okay. Seeing none, we will go into some of the statistics for the 2021 year, the accident reports, bulletins, and department updates.

This is our summary table, it's kind of a
moving shot, it only goes back to 2015, but we basically have it back farther than that. From 2021 from our last meeting, this would include October, November, and December, which we see here for the year-round operators, we had 764 show dates. That's a little deceptive because of COVID. We had 932 follow-up inspections. 2,463 total inspections, not follow-ups. And new permits at 382 locations and 236 companies.

That's a pretty significant pick up from 2020, but still a little bit lagging behind 2019.

I don't expect those numbers to make any significant increases in '22 unless there's a huge turnaround.

Any questions on that?
Okay. Accident reports. 2021, there was 10 total accidents, that's a little pick up. 2020, there wasn't much going on, but that's probably about an average year for us. The makeup of those accidents were attributed to eight patron, one operator, and one mechanical. MR. SUTTON: Tom, this is Mike Sutton again. Can you go back to the statistics? I do have a question.

MR. COE: Sure.
MR. SUTTON: I'm new on the board.
So I'm looking at the number of follow-up inspections for 2021, you have 932, so that's not too far removed from 2018, you know, but when I look at issued inspections and I look at 2018, why, you know, the number of follow-up inspections is 932 and in 2018 it was 1,183, or even in 2019, 581, why is there such a variation in inspections issued?

MR. COE: Inspections issued are every time that we visit the location, whether it's to give them a permit, or it's just what we would call a follow-up, or they need another inspection for a single ride, anything like that, anytime we issue a permit, that's an initial inspection and then any other time we visit there and we make a write-up in our program, it's a follow-up inspection.

I will say there's a lot of people that have not been back for a while, there's quite a few that have gone out of business, they just couldn't survive, and that showed up in the total number of companies that we are looking at, it's

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picked up a little bit from 2020, but still nowhere near what it was in the past, so probably down about a third, and that did give us a little bit of breathing room to actually do some more follow-up inspections, where in the past the initial inspections are so high that it makes it very time restrictive for us to go back and just basically knock on the door and say, hey, how things are going, which is what we try to do.

MR. SUTTON: Okay. I think I understand now, okay, because $I$ was just -- again, just looking at the number of 932 and inspections issued, 2,463, and then when $I$ look at 2018 I see 1,183 follow-up inspections, and then $I$ see 4,292 inspections issued, maybe that's the -- again, from your explanation, $I$ got some clarity on that, okay. Thank you.

MR. COE: There's one other point to make. When we bring in new businesses, so for the adventure courses and we're seeing it now for the trampoline courts, their first time in takes a lot more work on our part. So some of the trampoline courts we've already made for visits to this year to get them, you know, permitted once, and some of

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those are actually going to need follow-up inspections, you know, we may go to one trampoline company seven times in one month before everything is completed. So anytime we add more regulated businesses, it can affect that follow-up inspection since it's really anything else where we don't issue a permit.

Back to the accident summary. We've been over this, all are single injuries. The first one is an adventure course, that was in a landing knee injury. Again, the adventure course is a medical condition.

The next one was a contusion to the head, a laceration to the head, and that was upon exiting the ride. That was definitely a patron issue in this ride, he said he was ejected from the seat. There's no way that could happen. If it was going fast enough to throw him out, he would be probably hurt much more than that.

The next one was a fixed park, it was on a roller coaster, the coaster came up, stopped short because they had a train in the station, the child was riding with his brother, he thought the ride was over, hopped out, he moved forward, and

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1 as he tried to hop in, he got his leg in a situation stuck in the track. As bad as that could have ended up, but it was just bruising and some light injury.

The next one is another adventure course and it was landing, this one really wasn't caused by the landing, but the person expressed an injury to their hand from grasping onto the rope or the trolley.

The next one is a mobile carnival, fell from the seat during loading, this is even before the ride was operating, and received scrapes and bruises. That was actually a ride when once you are loaded, the platform does drop away, and she just basically wasn't in the seat, nothing had been locked down and the platform had not moved, but she did fall up to the platform out of the seat.

Another fixed park, car collision, neck and back pain. That's a very common one that we see each year.

Another fixed park, this was actually at the state fair, on the slide, came off the mat, and once you come off the mat, the run-off

1 section, instead of grass turf area, which you either slide through because you lose the friction from the mat and hit the fence, or a lot of times people will reach out with their hand and feet and it will grab just like AstroTurf and twist an ankle or twist an arm or a wrist.

The next one, another adventure course, rigid zip line, and again it was another hand injury after they got off.

The last one that we had this year, this one is kind of interesting, it was a fixed park, it was on an indoor go-kart track, there was a barrier failure which resulted in leg and foot injury to the driver, who was 10 years old. What happened at this location was after the track was initially installed, they decided to run it in the opposite direction, which was counterclockwise, they did consult the manufacturer of the track, and the manufacturer had approved that process and made some changes to the track. But what happened was the barrier for the track was bolted to the concrete floor with stand-offs, and the initial track design and high-impact areas of these stand-offs are three feet apart, or even shorter
distance, depending on what they potentially can see there. When they changed the rotation, there was a portion of the track and it came from a downhill portion, which originally was an uphill portion so there was no potential for heavy impact. The stand-offs had been spaced at 10-foot intervals. The car came down the hill and actually hit that barrier, it snapped the two stand-offs off of the floor and sheared the bolts off, which allowed the barrier to lift, the car drove under the barrier, and impacted the outside wall of the building and stopped.

That was pretty lucky for everyone involved that there wasn't much more serious injury.

They did have to go through another track redesign. Basically what they did is they went and looked at the track and they did update and add additional uprights to the barrier in locations that they thought were subject to this, the manufacturer did sign off on that again and they've been operating since then without incident.

MR. SUTTON: This is Mike Sutton again. Out
of curiosity, accident reports, settlements, litigations, any?

MR. COE: There always is. Usually it doesn't occur in the same year. Typically what we see is, like accidents that occurred in '21, we will actually see FOIA requests for information in '22, and since $I$ believe the statute of limitations is five years, you know, we've had FOIA requests for accidents that were over five years or just right at that five-year timeline and go into litigation finally.

CHAIRMAN BENNETT: Michael, I don't think I've seen us tracking any lawsuits that are filed. As Tom said, you might get a FOIA request, but the statute of limitations is two years for adults and for minors up to age majority of 18 plus two years, so kids can sue up until their 20 , but for adults it's two years, for personal injuries.

MR. COE: That's interesting, I never knew that.

So any other questions?
Okay. One of the things that we try to update each year is we do have an NDT list that we maintain on our website, you can get that, there
is a link off of our main page on the right-hand side, the blue hypertext down towards the bottom. We do have that, so it's helpful for some of the operators. There are some additional links that have databases that you can actually search, and since there's no real one-stop-shop for everything, take these for what they are because there are additional bulletins out there that just don't exist in a library somewhere.

The best place is, if you have any questions, it's to the manufacturer, but then on rides that are out of manufacture have no support, you are basically trying to dig through one of these databases or calling us about what needs to be done.

One of the things that we are going to do on our new rules update is we are going to add some additional information on what's required on an NDT report, there is actually a download from our website that has that information in it, but we are actually going to put it in the rules since it is mentioned in there as a requirement.

Any questions on the non-destructive testing?

We haven't really seen -- usually we will go over some of the newer bulletins. We haven't really seen any new bulletins in the last couple of years, things have been pretty quiet.

Just an update on COVID 19, this is one we like to throw out there, the state is in a mask mandate for indoors and encourages for large gatherings. This has changed. In the past it was a different agency that handled this, DCEO, now it's under IDPH. So you can use this link and it's quite detailed about where the state's at and what's going on.

So any questions so far?
All right. Department policies. We are going to mention this, we are going to get a little bit stricter on this as business picks up and makes it more difficult on us. We do want to see the applications 30 days prior and there is a fee associated with that if it's a last-minute inspection for us without, you know, significant extenuating circumstances.

And again, we'd remind all the operators with the Chance Zipper ride that they have to have a compliance statement that's on file with us
submitted with their application before we will permit those.

Any questions?
Okay. We will just run right into new business. Our legislative director, Anna Koeppel, she's on the conference with us, she wanted to add a little bit because we are in a weird state on the trampoline courts and there's one other thing that she's tracking that she wanted to update us for.

So, Anna, do you want to just throw something out there real quick?

MS. KOEPPEL: Sure. Thank you, Tom.
Hi, everyone. As Tom said, my name is Anna Koeppel, I am the legislative director here at the department.

Regarding the trampoline rules, those were filed as emergency rules near the end of December, so those are in effect currently, but we will look to propose and adopt permanent rules sometime in the coming months or two. If anyone has input on those, those should be submitted to me, we prefer them in writing so that we could consider them.

And then the other thing that Tom asked me to discuss is legislation, you know, all the legislation that is filed I do review and we discuss here at the department. So if anyone sees any legislation or has ideas for, you know, a change to the act, you can always send that my way and we will be happy to evaluate it.

I know that there was proposed a bill to amend the criminal code as it pertains to certain folks working at amusement facilities and fairs, and that bill would not be under the jurisdiction of this department but, of course, we are reviewing it and will consider how it affects the work we do here.

You have my information in front of you. If you ever want to e-mail me, please feel free. Thank you.

MR. COE: Okay. If there's no questions, we will go ahead and move along. This is old information for the board but new information for anyone that's in the meeting that hasn't been in the past.

Basically just a quick review, it is in effect now, the new rules do require third-party

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inspection in practice, this is a little bit more difficult than we anticipated for the industry, we are working through that and have found some contacts that we relay when they request information from us, we kind of can't make specific recommendations but we do kind of maintain a list to help them out.

The third-party does have to certify that it does meet the current ASTM F2970-20 requirements, and for any new facility they will be required to submit a set of stamped drawings for review before they open. This is just a brief summary of ASTM 2970.

One of the important things that we wanted to pull out of that is the maximum patron to attendant ratios, 32:1, and the maximum capacity is one patron per 60 square foot. That should hopefully alleviate some of the problems that we see in these facilities with injury rates.

This is another one, 2291-21, which is design of amusement rides and devices, this is the most current standard that they had, that was a significant upgrade to this standard in 2018, which basically started as going through the
process of updating all the other standards which also saw some fairly significant changes.

This is our general bible when we go out and inspect, and people want to know what they have to do, very detailed information on how things should be put together and documentation that's required.

These are some of the additions because originally we had looked at 2291-18, I believe, as the standard we were going to, but it took us long enough because of COVID and getting everybody onboard, and we just went ahead and adopted 21 since these are the only significant changes that were made in that upgrade.

So any additional questions?
I guess following the agenda, it's public comment.

If nobody has any comments, you know, I appreciate you coming to the meeting. The information is there. If you need anything, feel free to give us a call, we are here to help, and I will run it back over to Dave and we will close the meeting out.

CHAIRMAN BENNETT: Thank you, Tom. Thanks so

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much. Thank you for your presentation.
I will just ask again before we close, is there any public comments? Any questions for anyone who's attending or listening? Okay.

Hearing none, then we can adjourn.
Is there a motion to adjourn our meeting? MR. SCHWABE: Motion to adjourn. Dan Schwabe. CHAIRMAN BENNETT: Is there a second? MR. SPARKS: I will second. Wes Sparks. CHAIRMAN BENNETT: All those in favor say aye. (A chorus of ayes.) CHAIRMAN BENNETT: The meeting is adjourned. It looks like the next one on the agenda is set for September 15 th, that could be in person down in Springfield.

All right. Thanks, everyone, I appreciate it. Talk to you soon.
(The hearing in the above-entitled cause concluded at 4:42 p.m.)

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I, PAMELA S. MORGAN, Certified Shorthand Reporter in the State of Illinois, do hereby certify that the above-entitled hearing was recorded stenographically by me and was reduced to typewritten form by means of Computer-Aided Transcription.

I further certify that the foregoing transcript is a true, correct, and complete record of all proceedings had before me.

I further certify that $I$ am not a relative, employee, attorney, or counsel of any of the parties, nor financially interested directly or indirectly in this action.

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