

1 ILLINOIS DEPARTMENT OF LABOR  
2 AMUSEMENT PARK RIDES SAFETY BOARD MEETING

3  
4 September 15, 2022  
5 4:14 PM

6  
7 REPORT OF PROCEEDINGS had in the  
8 above-entitled cause via Webex videoconferencing.

9  
10 PRESENT:

11 CHAIRMAN DAVID BENNETT

12 WESTON SPARKS

13 JOSEPH REDSHAW

14 ANDREW PURVIN

15

16 ALSO PRESENT:

17 Thomas Coe, Chief Ride Inspector

18 Jane Flanagan, Director

19 George Petrilli, Legal Counsel and Ethics Officer

20 Anna Koepfel, Legislative Liaison

21

22

23 BRIDGES COURT REPORTING  
24 BY: Jennifer Orozco, CER  
Notary Public

1 CHAIRMAN BENNETT: This is Dave Bennett, the  
2 chairman of the board. So I'll call our meeting to  
3 order, the Amusement Ride and Attraction Safety Board  
4 Meeting for today -- for Thursday, September 15, 2022.

5 Mary, could you call the roll?

6 MS. PIERCE: Yes. Thank you. Director Flanagan?  
7 Are you present?

8 DIRECTOR FLANAGAN: Unmuting -- I am present. I  
9 just had to unmute twice.

10 MS. PIERCE: Okay. Thank you. Wes Sparks?

11 MR. SPARKS: Present.

12 MS. PIERCE: Daniel Schwabe? Daniel Schwabe?

13 (No verbal response.)

14 MS. PIERCE: Joseph Redshaw.

15 MR. REDSHAW: Present.

16 MS. PIERCE: Michael Sutton?

17 (No verbal response.)

18 MS. PIERCE: Dave Bennett.

19 CHAIRMAN BENNETT: Present.

20 MS. PIERCE: Andy Purvin?

21 MR. PURVIN: Present.

22 MS. PIERCE: Bill Jennings? Bill Jennings?

23 (No verbal response.)

24 MS. PIERCE: Okay. I believe that's it.

1 CHAIRMAN BENNETT: Thank you, Mary.

2 And we do have a quorum. And then,  
3 Tom, do we have any new members that we should  
4 introduce?

5 MR. COE: We do have one new public member that  
6 just came to us on the board, Andy Purvin. He is  
7 present at this meeting. We welcome him aboard and  
8 appreciate his time.

9 Andy, do you want to say anything?

10 MR. PURVIN: I'm looking forward to  
11 participating, and I guess we'll go from here.

12 MR. COE: All right. Again, thank you very much  
13 for being a member. We appreciate it internally at the  
14 department.

15 I just wanted to tell you about a few  
16 new people that we have on board. I think all the  
17 board members are aware that Michael Klenik retired in  
18 January. And presently, as an acting director, Jane  
19 Flanagan has been with us since March. She did come  
20 from the State of Illinois government and definitely  
21 has a background, and we welcome her.

22 Two of the members that will be  
23 speaking -- we have one slide for each of them. George  
24 Petrilli is our legal counsel and head of the -- and is

1 actually the ethics officer now for the department.  
2 He'll talk to you a little bit further down in the  
3 presentation about the requirements training for the  
4 board.

5 And then, we also have present Anna  
6 Koeppel, who is our legislative liaison, who pretty  
7 much covers all the work that's necessary on the  
8 updates to any of the legislation we have and rules  
9 that we've posted recently. That's the new people.

10 David, if you want to go ahead, and  
11 we'll move on with the approval of the agenda.

12 CHAIRMAN BENNETT: Yes, we do have the agenda.  
13 Do -- does that need to be approved in a vote? Or do I  
14 move on to the minutes?

15 MR. COE: I guess we can go right into the  
16 minutes then.

17 CHAIRMAN BENNETT: I think so. If anybody has  
18 any questions, let me know about the agenda. But next  
19 on the agenda is the approval of minutes from the last  
20 meeting, which -- let me look. The meeting was in  
21 January last year. The last -- the minutes from the  
22 last meeting. So do I have a -- can I have a motion to  
23 approve the minutes from the last meeting?

24 MR. REDSHAW: I'll make a motion to approve the

1 minutes from the last meeting. Joe Redshaw.

2 CHAIRMAN BENNETT: Okay. Thanks, Joe. Is there  
3 a second to that motion?

4 MR. SPARKS: Second. Wes Sparks.

5 CHAIRMAN BENNETT: Okay. Is there any discussion  
6 about the -- approving the minutes from our last  
7 meeting?

8 (No verbal response.)

9 CHAIRMAN BENNETT: And I don't hear any, so I'll  
10 call it to a vote. Are -- all those in favor of  
11 approving the minutes from our last meeting, say yea.

12 (A chorus of yeas.)

13 CHAIRMAN BENNETT: And opposed, say no or nay.

14 (No verbal response.)

15 CHAIRMAN BENNETT: I don't hear any; so the  
16 minutes from our last meeting are approved.

17 Next on the agenda is the old business.  
18 Tom, do you want to --

19 MR. COE: Sure.

20 CHAIRMAN BENNETT: -- go ahead and talk about  
21 that, the old business and --

22 MR. COE: Go ahead and jump into the PowerPoint.  
23 Just one point for the new board members that I wanted  
24 to make. Andy, the meeting minutes, as soon as we get

1     them, they are posted on the website in case you ever  
2     want to go in and review them.

3             MR. PURVIN: I actually saw them.

4             MR. COE: Okay. Some of the old business that we  
5     discussed at our last meeting. The change to the fee  
6     structure for the large inflatables, that was approved.  
7     It's in place right now.

8                     We did update the rules to clarify the  
9     slide definition. This basically changed the  
10    definition so that we are only responsible for slides  
11    that are used in carnival or amusement applications.  
12    They wanted that clarification. Some people were  
13    reading it as we were to inspect all slides. That's  
14    every playground slide in the state, but we got that  
15    taken care of in the rules update.

16                    An additional requirement that all ride  
17    operators receive annual training, that was approved.

18                    And then the trampoline court rules  
19    were approved, and they have actually been in place  
20    under an emergency rule the first of the year, and  
21    then, I believe, under permanent rules on March 22.

22             MS. KOEPEL: That sounds right.

23             MR. COE: I wanted to discuss trampoline courts a  
24    little bit just to give you an update. We will look at

1 it specifically as it relates to accident reports.  
2 Generally, since we've had six months of dealing with  
3 this industry, some of the observations that we've seen  
4 while doing our inspections.

5           These two mandates that are required  
6 under the new rules is an attendant ratio of 1 to 32  
7 participants. That is a continuing problem with just  
8 about every trampoline court that we've been in. They  
9 tend not to follow that direction and typically only  
10 have one or two court monitors, and they can have as  
11 much as 100 people. We've seen as much as 100 people  
12 in one trampoline facility with one court monitor.

13           This is one that we're going to have to  
14 look at more closely, the second one, is the capacity.  
15 It's recommended -- or actually required that there's  
16 one patron per 600 square feet. If you look at the one  
17 facility we went to, they had approximately 100  
18 jumpers. There's no way they had 60,000 square feet of  
19 trampoline pad to accommodate that.

20           That's kind of what we've been up  
21 against. The biggest hurdle that we've run into is the  
22 unexpected additions of rides that we have seen inside  
23 the courts. One that the -- some people may be  
24 familiar with is a Wipeout that was originally an

1     inflatable ride. They have modified the ride to have  
2     the platform base as a trampoline pad and then jump  
3     from the trampoline pad to avoid the bar that spins  
4     around.

5                     That ride, right now, is under  
6     consideration for some operational changes to make it  
7     safer for the patron. We've had two back-to-back  
8     accidents within a two-day period. We have suspended  
9     that specific operation of that ride until we get a  
10    definite clarification on how we're going to move  
11    forward. Basically, what we are proposing, and the  
12    manufacturer has agreed, to limit the capabilities of  
13    the ride so that it just rotates on a slow speed in one  
14    direction.

15                    One of the other rides that we were  
16    surprised to see in the trampoline courts had to do  
17    with modified zip lines, and these were conventional  
18    zip lines over a foam pit. And, then, what they  
19    classify as a sit-and-zip, which is a low-level zip  
20    line -- you sit on a round swing base and run the line  
21    over a one foot thick foam pad.

22                    Those have been stop ordered. There is  
23    only one that -- under ASTM -- has required or  
24    requested and been granted a conditional operation



1 permit because that manufacturer could prove that that  
2 zip line had been operated for over five years, and  
3 there have been no significant mechanical -- or no  
4 significant accidents associated with that ride. If  
5 that ride does become a problem under the conditional  
6 permit, if they do have an accident, it is shut down  
7 until we make a further decision.

8 So that's basically in a nutshell the  
9 problem that we've run into is not just specifically  
10 trampoline related, but these additional rides that we  
11 were seeing in the facilities that we weren't  
12 expecting.

13 We have had discussions with ASTM.  
14 They are considering making updates to their standard  
15 to include some general provisions for these type of  
16 rides. They're kind of halfway in between playground  
17 equipment and a conventional amusement ride. So that's  
18 the problem that we're facing.

19 Does anybody have any questions, or is  
20 there any discussion that we want to go into further  
21 or -- and move on?

22 CHAIRMAN BENNETT: Tom, this is Dave Bennett. I  
23 just have a quick question. What's the name of that  
24 first ride that you talked about?

1 MR. COE: The first ride is called a Wipeout.

2 CHAIRMAN BENNETT: Okay. All right. Thanks.

3 MR. COE: Okay. If anybody comes up with  
4 anything or thinks of anything, just feel, you know,  
5 free to speak up, and we can go back or look at it  
6 again and discuss it.

7 These are the standards that we adopted  
8 previously, just a quick slide to keep it in there.

9 Andy, that's a lot of discussion to  
10 catch up on. That was over a period of three years  
11 that these were put to the board and voted on and then  
12 approved. These are all currently in place in our  
13 rules.

14 MR. PURVIN: And that was -- is that the  
15 administrative code that you sent?

16 MR. COE: Correct.

17 MR. PURVIN: Okay. I've been through that.

18 MR. COE: Yeah. And that section we reference  
19 ASTM and other standards and other governing bodies as  
20 it relates to the rules for the amusement rides that we  
21 have jurisdiction over.

22 MR. PURVIN: Okay.

23 MR. COE: All these previous changes were  
24 basically in effect January 1, 2022, and they are

1 currently available on our website.

2 MR. PURVIN: Okay.

3 MR. COE: Okay. This is the portion where we get  
4 into what is actually happening in the division. We go  
5 over some statistics, accident reports, updated safety  
6 bulletins, and then some department updates. And we'll  
7 have our legislative liaison and legal department  
8 representative jump in at the appropriate time.

9 This is our statistics slide. This is  
10 only up until the last day in August. It's kind of  
11 weird to keep it up-to-date because it does change day  
12 to day.

13 Right now, as a department, we are  
14 finishing up the seasonal pumpkin farms and started the  
15 haunted house. We're pretty much complete with the  
16 haunted houses. We'll have those mostly wrapped up  
17 next week, and that is usually the opening season for  
18 most of the houses.

19 The companies that should catch up and  
20 be pretty similar to what it was in 2021. We'll see  
21 these numbers climb, and I expect them to be fairly  
22 reasonable to 2021. There are more show dates. We've  
23 seen that more of the festivals and carnivals are  
24 coming back from the shutdown during COVID.

1                   We have a pretty similar total amount  
2 of inspections issued. The one thing that we've  
3 noticed this year, and I'm not expecting this to change  
4 much, is follow-up inspections. And this can be  
5 directly related to the additional work that we had to  
6 spend on the trampoline courts. We didn't anticipate  
7 that we would be having to go back to these courts five  
8 or six times which, at this point, pretty much seems to  
9 be the norm. And we still do have some follow-up  
10 inspections that we do need to do at the -- those  
11 courts from the first of the year. And shortly around  
12 the Thanksgiving time, we will start the reinspection  
13 for 2023, and that will usually boost these numbers up  
14 pretty well.

15                   Any questions about this slide?

16                   (No verbal response.)

17           MR. COE: Okay. We'll move on.

18                   This is our total accident report  
19 comparison year by year. 2022 is not over yet, and  
20 we've already set a record. I do believe at 31,  
21 currently, that is the record since the inception of  
22 the program. Hopefully, as the industry -- and this is  
23 trampoline courts I'm talking about -- as they evolve  
24 and become more compliant with regulations, that number

1 of incidences will decline, but I don't think it's  
2 going to go down to a level in the 10 or 12 range.  
3 It'll never be that low again.

4 This is a summary of how we classify  
5 accidents. There's basically three categories:  
6 patron-related, operator-related, and then a mechanical  
7 failure.

8 This next slide -- didn't save it.  
9 This is a summary of each accident that occurred up to  
10 today that we are aware of. These are reported  
11 accidents. The first two slides I've broken the  
12 industry apart so the first two will be carnival and  
13 indoor amusement park related. And the second two  
14 slides will be solely from trampoline parks. So we  
15 typically go accident by accident.

16 If we look at the first injury, that  
17 was a kiddie train in a mall. A bystander was on their  
18 phone and actually walked into the side of the train as  
19 it was passing. And, fortunately, I do not believe  
20 there was a serious injury, but the operator was not  
21 aware and did report it to us.

22 The next accident that occurred there  
23 were two injuries. It was a major ride. The tub  
24 detached from the ride. It was not a serious injury.

1 It was a mother and a daughter, scrapes and bumps and  
2 bruises.

3 The next accident, 7/16, was a fall  
4 after exiting the ride -- or while exiting the ride,  
5 and that was just reported scrapes and bruises.

6 And one thing most of you are aware of  
7 but just to make it clear, reportable accidents are  
8 only those that require medical treatment. So at the  
9 carnival, if they take an ambulance ride or they go to  
10 a doctor, it is to be reported to us.

11 The next accident was a fixed park.  
12 This one caused quite an issue with us. It was on a  
13 zip line. The participant slipped out of the harness.  
14 And as they arrived at the end point -- because they  
15 were hanging lower on the zip line, they did have  
16 injuries to their lower extremities as they hit the  
17 edge of the ramp.

18 This one we should probably talk about  
19 as a board again. This is a very special case because  
20 this is the only zip line that offers adaptive climbing  
21 and zipping. And what that means is people that are  
22 disabled -- and generally, it's wheelchair-bound people  
23 are allowed in a special harness to climb, interact on  
24 the attractions, and participate on the zip line.

1                   Currently, it's still an open  
2 investigation to us. They have paperwork and  
3 documentation that they have to submit to us. We have  
4 closed all adaptive climbing abilities at the facility  
5 until we make a determination on the safety of the  
6 equipment they are using.

7                   And just so everyone's aware, the  
8 harness that they had a failure in was due to some lax  
9 operator guidelines that were given. They basically  
10 allowed an individual who had more severe disability  
11 get on the line and in the harness than they should  
12 have allowed. This harness is commercially available.

13                   In talking to the manufacturer, it is  
14 typically sold to individuals. Most of them end up  
15 being younger individuals that are disabled and have  
16 the ability to participate in climbing, the upper body  
17 strength. That's what was missing in this patron  
18 was -- his upper body strength was not good enough to  
19 keep him in position in the harness.

20                   The next accident we had was a Dragon  
21 Wagon. It was a coupler failure. One of the cars, the  
22 lead car, did detach from the main train. The main  
23 train came to an abrupt stop as it hit one of the cross  
24 ties into the track. That ride does not really have

1 very significant restraints in it. And, typically, the  
2 result from that kind of accident is the child will hit  
3 its head on the edge of the car. And that's exactly  
4 what happened, and he received a cut that required  
5 stitches.

6 Next accident is another adventure  
7 course. This is on a zip line. It's an injury  
8 occurred at the landing site. They come in onto a foot  
9 and a half deep bed of mulch. But if they try to plant  
10 their feet, the momentum that they carry into that can  
11 cause ankle and leg injuries.

12 And these next three are all from the  
13 same facility. We usually -- though it was reported;  
14 so we're putting it on the list here. The next two  
15 injuries were both heat stroke, and that was probably  
16 the hottest day of the year.

17 The last one on this slide -- this was  
18 another horrific accident. This is probably the worst  
19 one that we had this year. It was a climbing wall.  
20 The operators of the climbing wall were distracted by a  
21 commotion inside the safety zone. They both turned  
22 their attention to the distraction. The child was  
23 actually brought up to the wall but was not clipped in  
24 yet. He was not given the instruction to climb, but



1 with their attention diverted, he took off on the wall  
2 and got about eight feet up and fell to the concrete.  
3 He did receive some very serious injuries but is  
4 expected to make a full recovery.

5 This investigation is closed. We  
6 required them to retrain the operators, emphasizing the  
7 incident that occurred. We did make a recommendation  
8 to them that they install some impact matting at the  
9 base of the climbing wall. They agreed to do that.  
10 And as the inspection moved forward, they -- we did  
11 have them replace some of their harnesses just as par  
12 for the course. It was wear and tear, but there was no  
13 failure of the equipment. It was basically an operator  
14 error.

15 So the next two accidents -- actually,  
16 three accidents, all occurred at the state fair. The  
17 first two were pretty much unavoidable. Those are --  
18 once they were off the ride, walking out the exit, both  
19 were falls. The one lady did scrape and injure her  
20 arm, and she did seek medical treatment.

21 The next one was a child. It was on a  
22 kiddie ride. When he fell, he did hit his knee on an  
23 edge and cut his knee so he did require stitches.

24 The last one was the giant slide. If

1 anybody's familiar with that, you are on a mat. At the  
2 end of the slide is a carpeted area, which slows you  
3 down and brings you to a stop. If you come off the  
4 mat, it leaves your feet hanging out in front. If you  
5 plant your feet, you will break your ankle.

6                   There was signage. We were out there  
7 every day. We did witness the operation of the slide.  
8 The operation was in good measure. It is just an  
9 accident.

10                   The last accident we had was  
11 September 4. It was a large size train -- track train,  
12 and derailment occurred on the car. When the train  
13 stopped, the car tipped enough that the rider was  
14 thrown out of the car onto the gravel. She did express  
15 that she had shoulder pain. She was taken to the  
16 hospital precautionarily and was released. We have no  
17 further details on her.

18                   What occurred is the track had actually  
19 moved. That's fairly common with tie wear and just  
20 wear and tear. The gauge narrowed up enough that the  
21 truck rode up on the rails and derailed. It was  
22 repaired. They did install, in that section of track,  
23 new ties and did have the entire track regauged before  
24 the train was sent back into operation.

1                   Now, this is the start of the  
2 trampoline-specific accidents. Most of them are  
3 labeled as a trampoline ride. You will see the -- that  
4 the two Wipeouts, which are still trampoline related --

5                   MR. PETRILLI: Right.

6                   MR. COE: -- but we just highlighted them by  
7 name. Even though most of these end up being a patron  
8 accident, some of them we'll discuss as we go along  
9 could have been avoided by having more court monitors  
10 in place to stop some of the bad behavior of the  
11 patrons.

12                   The first accident we had in January.  
13 No one should be able to jump from a fixed element that  
14 is over 50 inches tall. Once you're in the trampoline  
15 court -- this one, I believe, was -- if you visit a  
16 trampoline court, they will have islands out in the  
17 middle of the court that you can get on and jump off  
18 into the trampoline. This one truly did land wrong and  
19 was an ankle and leg injury.

20                   Next accident, landing prone, which is  
21 not recommended, but somewhat unavoidable. And as they  
22 came down on the mat in a prone position, there's a  
23 possibility of them snapping their head back on the  
24 mat. And also what can occur is, at the edges of the

1 mat where the trampoline courts are bound together,  
2 there is padding, though that becomes a much harder  
3 surface than the pad itself, and the pad actually  
4 becomes more stiff as you move out to the edge so that  
5 compounds the issue.

6 Our next one is another patron jumped  
7 off a fixed element. And when landing on the  
8 trampoline, whether he landed specifically on his arm  
9 or hit the trampoline and fell forward, he had an  
10 injury to his arm.

11 This is the one where I believe we had  
12 them modify the court so that this element, which was  
13 next to the trampoline court, it is a requirement that  
14 they would have to have that screened off in some way  
15 so that no one could come from that element and  
16 actually reach the trampoline pad. So that element has  
17 been changed so that that cannot occur any longer.  
18 And, in fact, I believe in this case that entire  
19 section of the trampoline facility is going to be  
20 removed and modified.

21 MR. PURVIN: Okay.

22 MR. COE: Our next accident, everybody, you may  
23 want to even look these up. Basketball -- they call  
24 it -- most of them call it a slam dunk. You can jump

1 on the trampoline pad and actually get high enough to  
2 dunk into a regular basketball hoop. The landings  
3 become problematic, and he injured his knee in that  
4 situation.

5 This one, I believe, was actually  
6 avoidable as I think he was playing on that court with  
7 another individual. That court is a single participant  
8 only. You can't have more than one jumper on it for  
9 obvious reasons.

10 Our next accident, a double jump that  
11 was a leg and ankle injury. A double jump occurs when  
12 another patron -- you'll have two patrons on the same  
13 trampoline pad, and if they jump in the right cycle, it  
14 either launches the second person into the air or, if  
15 they're in the air coming down and the trampoline pad's  
16 coming up, it's a pretty significant impact.

17 Our next one is a basic landing injury.  
18 This is going to occur no matter what anyone does.  
19 This is part of being on a trampoline. Actually, I  
20 take that back. This was the Wipeout.

21 So at this point, these were both on a  
22 weekend. One occurred on a Saturday. That individual  
23 was actually swept by the arm. And when that arm hits  
24 you when you're in the air, you have an uncontrolled

1 landing. They landed on their single leg and actually  
2 broke the leg.

3 MR. PURVIN: All right.

4 MR. COE: The next day, they decided operating  
5 the ride was okay again. They basically had the same  
6 scenario happen again where the arm -- rotating arm  
7 swept the participant. They landed with their arm  
8 extended, and when they came down, it broke the arm.

9 As soon as we got both these reports,  
10 which was on a Monday, the ride was shut down and then  
11 inspected the ride. There was some mechanical defects.  
12 We put a stop order on the ride and then investigating  
13 further. This is where we got into the manufacturer,  
14 and we're still not confirmed on the modifications  
15 we're going to make to the operation, but that should  
16 be coming shortly.

17 Next, trampoline accident, contact with  
18 the frame. That is a continuous issue with trampoline  
19 courts. The padding is situated on the edge where the  
20 trampoline courts come together. There is usually a  
21 steel beam that connects the springs to the pad -- to  
22 the actual bouncing pad. These pads are not really a  
23 permanent addition to it. They have string ties on  
24 them. If the court monitors are not very diligent,

1 those pads continuously move and need to be adjusted  
2 hourly.

3                   And what happened was one of the pads  
4 was loose. The jumper got close to the edge, went  
5 under the pad, hit their leg on the trampoline frame.  
6 And I don't know if it resulted in a broken leg, but  
7 they did end up being taken in an ambulance.

8                   The next one's kind of minor. That's  
9 going to happen pretty much anywhere. Most trampolines  
10 are on a raised platform so you'll have three or four  
11 steps to go up to the platform so you can get entrance  
12 to the trampoline pads themselves.

13                   There was a slip and fall on the steps,  
14 and she broke her ankle. We do consider that -- in the  
15 definition that those steps and the platform that  
16 surrounds the area of the trampoline pad are considered  
17 part of the ride; so it was a reportable incident.

18                   Next one, again, was a landing issue  
19 from jumping and injured the knee.

20                   The following one, jumping at the lip,  
21 but it -- I'm assuming by the description that it did  
22 require stitches, and they did go to the emergency  
23 room.

24                   The next one is landing again and an

1 ankle injury, another landing injury to the arm, and  
2 the third landing, injury to the leg.

3                   7/15, this injury boggles my mind. I  
4 have no idea how this came about. We weren't aware of  
5 it until this accident was reported, but a few of the  
6 trampoline parks are advertising and conducting what  
7 they call glow parties. And this is where they shut  
8 the lights off in the trampoline park and you wear  
9 glow-in-the-dark amenities on yourself, and you jump on  
10 the trampoline.

11                   What occurred here was they shut the  
12 lights off. The trampoline court had not been cleared.  
13 This person did not have any glow on. And as everyone  
14 rushed in to get into the park, they didn't see her,  
15 started jumping. They had a collision, and she was  
16 injured. She had an ankle injury.

17                   No regulation against doing that. I  
18 recommended that they don't, but that would have to be  
19 a special rule that we would have to pass to stop that  
20 unless something comes up in the next iteration of the  
21 trampoline ASTM rules. I have not personally witnessed  
22 one, but my visual on that would be not to do that.  
23 There's a great potential there in the dark to have  
24 people seriously injured.



1                   The next one, again, landing, an arm  
2 injury, and then another landing injury to the ankle.

3                   That pretty -- sums up the reportable  
4 injuries that we have on the trampoline parks. From  
5 the list that we have, I think there's a significant  
6 number of these that could have been avoided by more  
7 monitoring of the jumping that was occurring at the  
8 facilities.

9                   And do we want to have any discussion  
10 about any of the injuries that have occurred and what  
11 the future injury rate's going to look like?

12                  CHAIRMAN BENNETT: Tom, about the one accident --  
13 the glow -- the night, you know, night session with  
14 glow-in-the-dark and that, yeah, that sounds obviously  
15 dangerous and shouldn't -- they shouldn't do it. I  
16 don't know what -- about their insurance if they even  
17 know about that, but is there any directive you could  
18 send out or we would send out or just a --

19                  MR. COE: The only thing we could do since  
20 there's no specific rule that we have or there's no  
21 standing in any of the standards, we can only make  
22 recommendations, which is what I did in this case for  
23 this accident. I have not seen how they actually  
24 operate these rides but made some suggestions to their

1 operating procedures to make it a little more safe that  
2 there would be a safety check with the lights. And  
3 they would have to do another safety check before they  
4 shut the lights off. But you know, other than  
5 recommending a lighting level or just flat out not  
6 doing it, it would just be a recommendation at this  
7 point and not enforceable.

8                   But that is one of the issues we could  
9 look into further because we've been focusing on the  
10 Wipeout ride pretty hard, trying to get that resolved,  
11 and we could pose it to other states to see what they  
12 consider appropriate or not. But again, I think it  
13 would require specifically for us to put it in the  
14 rules to make it enforceable.

15                   One point I will make here. We have 32  
16 trampoline parks. If you look at the reported injury  
17 list, you can see that there are some -- probably half  
18 of the trampoline parks that aren't even present on  
19 this list. And that the trampoline parks that are  
20 present, they have reported multiple injuries.

21                   We considered this an anomaly. So over  
22 the course of the last couple months and years and  
23 years ago, we did this with go-kart tracks. We had  
24 gone to the municipalities that serve those trampoline

1 parks and requested their emergency responses to the  
2 parks. It took quite a while. We have not had the  
3 opportunity to review all of the reports. The Chicago  
4 area is pretty volumus, but I will tell you that they  
5 are supposed to report accidents to us. And I am --  
6 can almost guarantee you that the list we have  
7 presented here is significantly -- underreports the  
8 accidents that are occurring. By the next meeting, we  
9 should have that data all compiled, and we can revisit  
10 that.

11 That goes back to one of the issues  
12 that's going to come up here in a moment on changes to  
13 legislation. Right now the only recourse the  
14 department has to punish someone who doesn't report  
15 accidents is to pull their operational permit. What we  
16 would like to do is have another step in between that,  
17 which would be a monetary penalty.

18 MR. PURVIN: Like a fine?

19 MR. COE: Yeah, they would actually be fined for  
20 noncompliance of any of our requirements. So if we  
21 caught them without their worker roster up to date, if  
22 we caught them lapse -- you know, with their insurance  
23 expired, any of these nonreportable accidents, you  
24 know, on some cases, you know, it's -- and documents

1 that aren't correct, we can basically say, "You know  
2 you're in violation. This is your chance. You're  
3 going to get a monetary fine. The next step will be  
4 pulling your permit to operate in the state."

5 MR. PURVIN: So that would act as progressive  
6 discipline?

7 MR. COE: Basically, yes.

8 MS. KOEPPPEL: And not only the fine, but they  
9 would have to come into compliance; right?

10 MR. COE: Right.

11 MS. KOEPPPEL: So they would need to do the report  
12 or they would need to get the insurance or whatever.

13 MR. COE: Right. We would fine them, and the  
14 condition would be they would have to correct the  
15 issue. And if they didn't correct the issue, then we  
16 would pull the permit.

17 And if they continually, you know -- if  
18 we got into the cycle where they were continually  
19 violating, not reporting accidents, or they were  
20 continually violating the background checks, we --  
21 we're not going to issue fines to somebody 100 times.  
22 At some point, we're just going to say, "This is it.  
23 You're done." We're not going to issue you permits to  
24 operate for a year or however long the severity of the

1 issue requires.

2 MR. PURVIN: Okay.

3 MR. COE: This is going to be geared more towards  
4 the other people that may be present, but I don't think  
5 so. Visit our website. That's where all the  
6 information's contained. We got the rules update, the  
7 specified required information, the NDT list. We  
8 usually post that as soon as possible. There's other  
9 outside people that we've mentioned here. They're --  
10 that have other ride databases that can be checked  
11 also.

12 One of the changes we made to our rules  
13 is -- we actually put it in the rules -- there is a  
14 format that the NDTs have to be submitted in. Again,  
15 that was kind of a vague question there, and we ran  
16 into some paperwork issues. So we just put it in the  
17 rules, and that's what it will be next year. Generally  
18 speaking, we don't have a problem, but there are a few  
19 that we have issues with, and this will solve that.

20 This first item here. Applications  
21 must be received 30 days prior to claim the first spot  
22 in order to avoid expedited inspection fees. We know  
23 that coming off of COVID and the way things have  
24 progressed in the industry, there's a lot of

1 last-minute issues. The problem that we've run into  
2 this year is we are just about at the end of the rope  
3 as far as handling expedited inspection fees. There's  
4 just times of the year that we just can't do it with  
5 the additional workload that we had this year. There's  
6 been a couple weeks that we did not know that we were  
7 going to be able to accommodate everybody's inspections  
8 before they opened. So far, we've been able to do it,  
9 but it's been right on the razor's edge.

10 One of the other things, and this is  
11 specific to a ride. The -- they do have a yearly  
12 requirement that the owner does have to fill out. They  
13 have to look, as the ride is assembled each year, and  
14 verify that the part is in proper condition. This is  
15 very difficult or impossible to view when the ride is  
16 assembled. So on the -- at the field, we use that  
17 certification from the owner and then proceed forward.

18 Okay. This is our new business slide,  
19 and we introduced George Petrilli as one of our new  
20 legal counsel. He's in charge of the ethics  
21 compliance. And I want to introduce George and let him  
22 give you a short spiel on what's going to be required  
23 for the board members.

24 MR. PETRILLI: Thank you everyone for appearing.

1 Again, I'm George Petrilli. I'm a deputy general  
2 counsel here at Department of Labor now and also in  
3 charge of ethics so that falls for training for all of  
4 our board members as required by the State of Illinois.

5 I know some of you have performed some  
6 of your necessary training. Thank you for that  
7 already. I'll be reaching out to each one of you  
8 individually, letting you know what you've already  
9 accomplished and what we need to get done by the end of  
10 the year. So if you're having any trouble, I -- I'll  
11 send all my information out tomorrow to everybody and  
12 also, again, following up with individuals on what we  
13 need to still get done.

14 So if I could be of any assistance with  
15 that, I really appreciate you putting the time in to do  
16 that already. And, again, I'll be in touch and make  
17 sure that you have everything you need to get those  
18 done.

19 MR. COE: Okay. And if you guys have any  
20 questions, you can also contact myself.

21 Okay. This is probably the best thing  
22 that anyone's going to get out of this presentation.

23 MR. PETRILLI: It wasn't that?

24 MR. COE: We have started progress on creating

1 our new rides system, which will include -- the first  
2 step in that is a web-based application. Don't  
3 everyone cheer at once. This will eliminate quite a  
4 few issues that we have with the Adobe application that  
5 we presently use. Unfortunately, I don't think it will  
6 be live by the 2023 application. We'll probably still  
7 have to start the year off with an Adobe application.

8           The significant advantage to doing it  
9 web-based for us is it does offer an auto history  
10 retrieval. So once you get set up and once we get the  
11 first application in, basically all you're going to  
12 have to do is log in and make the one or two  
13 modifications you need and resubmit instead of going  
14 through filling in all the blanks. This will give it  
15 the ability for you to have a document and upload  
16 section so it's all in one. The NDTs or any other  
17 pertinent paperwork can be included in that.

18           The downside to it, the owners and  
19 operators will be required to set an account up so we  
20 can track it.

21           It should be fairly easy. It's on the  
22 state's portal system. We use this same identical  
23 system on other divisions that require applications to  
24 the state; so they've been through it once or twice.



1 It should be pretty smooth sailing on that. But you  
2 know, the first time in when we open this up, there may  
3 be some rough spots, but after that first year, it  
4 should be going pretty smooth after that. Any  
5 questions?

6 Okay. This next slide is mostly what  
7 Anna Koeppel has worked on for us. She has also done  
8 quite a bit of work on it for the rules updates that  
9 we've done. She's going to speak to you a little bit  
10 on the statute changes that we're looking at.

11 MS. KOEPPEL: Good afternoon, members, Anna  
12 Koeppel. I'm the legislative director here at the  
13 department.

14 So, first, just to give you some  
15 context for changes that we would be proposing to the  
16 law governing amusement rides and attractions.  
17 Timeline is that the general assembly, the legislators,  
18 convene in January. And between now and January is  
19 when we develop our legislative proposals for the  
20 coming spring legislative session. We do meet with the  
21 governor's office to present to them our proposals,  
22 including this one. And then, if they're on board,  
23 then we begin the process of drafting and working with  
24 legislators to file our proposal. So we're coming to

1 you now to get your input on some of the things that  
2 we're considering for our proposal so that we can be  
3 better prepared to go through the legislative process  
4 in January.

5                   So as Tom alluded to earlier, I  
6 would -- if I were to characterize some of the changes  
7 that we're making, we're not looking to necessarily  
8 overhaul or make any changes to the day-to-day  
9 operations of the amusement ride division. We are  
10 looking to make sure that they have the tools that they  
11 need to hold accountable operators that have violated  
12 the Act in one way or another and to also clarify some  
13 of the terms that might not be clear in statute. You  
14 know, we all know what they mean and how they're  
15 applied, but just making sure it's clear for anybody  
16 who would read the law. So that's -- that would be,  
17 you know, clarifying the definition of who the director  
18 and, you know, what employee -- you know, saying that  
19 employees, inspectors go out and conduct inspections,  
20 and what does it mean to be an inspector. Well, you're  
21 an employee of the department charged with enforcing  
22 this Act and so on. So that's minor.

23                   As Tom mentioned, in addition of the  
24 fine -- the \$1000 dollar fine, so that is the

1 progressive discipline idea that we've been discussing,  
2 just making sure that the department has some  
3 discretion to issue appropriate penalties, depending on  
4 the severity of the violation, and also making sure  
5 that those are, you know -- that the factors on which,  
6 you know, something will be considered a major or minor  
7 violation are spelled out so that everybody knows what  
8 they're getting into.

9           And then, background checks. So I  
10 believe, currently, all ride operators -- so not just  
11 owner operators but staff are required to go through a  
12 background check process. We've been told by the state  
13 police that the -- that requirement is a little bit  
14 antiquated and that we should upgrade to a  
15 fingerprinting-based background check rather than just  
16 a name and address check.

17           And then, the volunteer definition,  
18 this is something I really wanted to see if you all had  
19 some input on. The ride exempts -- or pardon me. The  
20 Act exempts volunteers in amusement ride and attraction  
21 situations from getting background checked and drug  
22 tested. And I heard from Tom that there may be  
23 situations where unscrupulous ride actors will call  
24 their workers volunteers when they're not really

1 volunteers to get out of that background check, drug  
2 test obligation. And so what we want to do is try to  
3 close that loophole to make sure that nobody is  
4 misusing that volunteer definition.

5 We want to make sure that the people  
6 who are operating these rides are safe to do so if  
7 they're around children while understanding that there  
8 may be true volunteer situations where maybe it doesn't  
9 make sense for the state to require, you know, a drug  
10 test. So think about a school carnival, you know, the  
11 PTA or something like that. So I'm really interested  
12 in hearing from you all on your thoughts about how that  
13 may work out in the real world.

14 MR. SPARKS: From the portable side of it --

15 MS. KOEPPPEL: Go ahead.

16 MR. SPARKS: From the portable side of it, I can  
17 tell you the turnover rate on employees is tremendous  
18 and fingerprint is sometimes pretty hard to pull off.  
19 We've done it at a few spots where cities do it, and  
20 you have to do it months in advance. And a month in  
21 advance is -- we don't know who's going to be there  
22 from day to day.

23 MS. KOEPPPEL: Is there a particular company you  
24 use or?

1 MR. SPARKS: A few cities do it through the  
2 police departments. And then, there is some -- I can't  
3 think of the name of it right now. It is a  
4 fingerprinting company, and you can go to them or they  
5 can come to you, but it's still -- it has to be done, I  
6 want to say at least two weeks in advance, for them to  
7 get the results.

8 MS. KOEPPPEL: Okay. That's good to know. Any  
9 other thoughts from anybody?

10 MR. SPARKS: I don't think so.

11 MR. COE: We can make some comments on the  
12 volunteer definition. That basically arose and -- if  
13 we want to call out an industry, it was the haunted  
14 house industry. Some of them are very good. Some of  
15 them, not so good. And they used that volunteer list  
16 exemption that we had to get around actually  
17 considering their employee -- their actors as  
18 employees, and we wanted to eliminate -- or try to  
19 figure out how to eliminate that loophole.

20 MS. KOEPPPEL: Any other comments on anything I  
21 mentioned or anything else in the Act that you have  
22 input on? Now would be the time.

23 MR. COE: Okay.

24 MS. KOEPPPEL: Okay.

1 MR. COE: Thanks, Anna. And if anybody comes up  
2 with anything, please, you know, feel free to shoot me  
3 an email or phone call.

4 MS. KOEPPPEL: By all means.

5 MR. COE: We can relay that information. The  
6 next slide. Again, this is a rehash and is geared more  
7 towards the open public than the board. The board has  
8 seen all this. This is basically just some highlights  
9 from the already improved ASTM standards that we have  
10 in place now.

11 Okay. The -- I guess the next  
12 announcement that we want to make is to look at the  
13 next meeting. This is considered our winter meeting.  
14 In the past before COVID, we ran it in conjunction with  
15 the IAAF convention, which garnered quite a bit of  
16 attendance from the owners and operators. We'd like to  
17 continue that. We had it scheduled for the Thursday  
18 before the convention opens. It's January 19, 2023, at  
19 the Crowne Plaza in the Winter Garden Room from 4 to 7.  
20 Any discussion on that?

21 (No verbal response.)

22 MR. COE: Okay then. We'll have that set up.  
23 That's it that we have for our updates internally.  
24 Again, thank everyone for attending. We have the link

1 to our website there, my desk phone. Anybody wants to  
2 get a hold of me, please feel free. We can discuss  
3 anything that we've gone over in the meeting and any  
4 input you guys have would be greatly appreciated.

5 So at this point, one last time we'll  
6 ask, is there any questions from the public or the  
7 board?

8 Okay. David, I think at this we have  
9 no further input. So if you want to move to adjourn,  
10 we can.

11 CHAIRMAN BENNETT: Yeah, I will then. Okay.  
12 Well, thank you, Tom, Anna, and George. We appreciate  
13 it.

14 I didn't have any other -- about the  
15 volunteers, that's interesting and should try to close  
16 that loophole. But I just relate to my church. It's a  
17 large church and any volunteer who -- there's an  
18 application process and then a background check for  
19 somebody. But, Tom, you mentioned that's -- like a  
20 carnival and that could -- I don't know that can get  
21 out of control and who's really doing what, a small  
22 volunteer actually working. But that can be -- we can  
23 discuss it later. We can talk --

24 MS. KOEPPPEL: David, if I may? You're right.

1 And that's some feedback we've gotten just from  
2 discussing it in the office is -- at this -- in this  
3 day and age, most schools, most churches that have  
4 adult volunteers with the youth already have some kind  
5 of background check provision. So are we really adding  
6 an additional burden? Maybe in reality not for many  
7 schools and churches that might put on some kind of  
8 carnival. So that's exactly the kind of, you know,  
9 feedback that we're looking for.

10 CHAIRMAN BENNETT: Yeah, that's right. Our  
11 church does require that every volunteer goes -- has --  
12 fills out an application, and then, you know, discloses  
13 any prior convictions or whatever, what have you, and  
14 the background checks are performed. And then there's  
15 a team that I'm a part of that. We meet with somebody  
16 who has a questionable background and talk to them  
17 about it, so. But I don't have any other answers other  
18 than that.

19 All right. Well, then, if there are  
20 any -- guess I'll ask, are any other -- any public  
21 comment? I know, Tom, you asked about that. Anyone  
22 here from the public -- any public questions or  
23 comments? Just ask one more time.

24 But I don't hear any so, then, ask for



1 a motion to adjourn. Is there a motion to adjourn?

2 MR. REDSHAW: I'll make the motion to adjourn.

3 Joe Redshaw.

4 CHAIRMAN BENNETT: Okay. And is there a second?

5 MR. PURVIN: I'll second. Andy Purvin.

6 CHAIRMAN BENNETT: Okay. All those in favor of a  
7 motion to adjourn, say yea.

8 (A chorus of yeas.)

9 CHAIRMAN BENNETT: Any opposed, say no or nay.

10 (No verbal response.)

11 CHAIRMAN BENNETT: Hearing none. So then, our  
12 motion to adjourn passes. Thank you all. Thanks very  
13 much. Hopefully, next time, we can all be in person  
14 down in Springfield in January.

15 (Whereupon, the proceedings concluded  
16 at 5:28 PM.)

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1 STATE OF ILLINOIS )  
 ) SS:  
2 COUNTY OF DUPAGE )

3

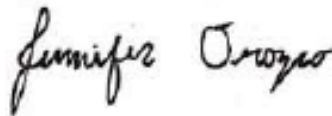
4 Jennifer Orozco, CER, notary public, being  
5 first duly sworn on oath says that she is an  
6 electronic reporter doing business in the State of  
7 Illinois; reported the proceedings held on the  
8 date, time and place set out on the title page  
9 hereof, and that the forgoing is a true and correct  
10 transcript of the proceedings so taken aforesaid.

11 I further certify that I am not related  
12 to any of the parties, and I have no financial  
13 interest in the outcome of this matter.

14

15

16



17

18

Jennifer Orozco,  
Certified Electronic Reporter,  
Notary Public

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