

## CARSAB MINUTES

December 10, 2024

### **Carnival and Amusement Ride Safety Advisory Board**

**Meeting, December 10, 2024**

**Held Virtually via Microsoft Teams**

#### Board Members Present

Edward M. Smith, Chair  
Lawrence Cohen  
William Gehlhaus  
Steven Hildner  
Geoff Rogers  
Len Turtora

#### Board Members Excused

Albert Belmont  
Debra Henderson

#### DCA Staff Present

Carrie Battista, Bureau of State and Local Code Inspections  
Marie Daniels, Code Development Unit  
John Delesandro, Bureau Chief, Bureau of State and Local Code Inspections  
Patrick Gallagher, Supervisor, Carnival-Amusement Ride Safety Unit  
Ian Rayfield, Code Development Unit  
Ashraf Tahoun, Carnival-Amusement Ride Safety Unit

#### Guests

Halley Beam  
Lary Zucker, NJAA

**A. Edward Smith, Chairman, called the meeting to order at 10:05 a.m. Roll call was performed.**

#### **B. Approval of the Minutes of October 26, 2023**

*Len Turtora made a motion, which was seconded by Lawrence Cohen to approve the minutes without change. The motion carried unanimously.*

#### **C. Old Business.**

##### 1. Incident Reporting

- The Board continued discussion from the previous meeting on incident reporting and the threshold needed in order to report. To that end, the Department offered a regulation change proposal to better define the intent of reporting. The first topic focused on amending the definition of *serious injury* so it does not cause reports that violate HIPAA provisions or rely on facts that would be unknown to ride owners and/or the Department. The second topic is the intention to include language that requires reporting for incidents involving key ride components and continued safe operation of a ride. Further discussion on this

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topic will continue at the next meeting after additional review from the Board of the topics discussed above.

### **D. New Business**

#### 1. Ride Safety Unit

Staffing - Five engineers, 18 inspectors

#### 2. Illegal Inflatables

- Department staff informed the Board that information regarding illegal operation of inflatable playhouses and other similar equipment will be disseminated to the public through Department press releases and other communication means. The Board questioned when this will take place and were informed that it will occur following approval by the Department Commissioner.

### **E. Information**

#### 1. Ride Statistics

- Department staff provided the Board with the current and previous year ride safety statistics. The Board noted that it appears inspection numbers are down compared to last year; however, it was explained that the current statistic timeframe is shorter by a month and Department inspections are ongoing. Board members requested that statistics from a greater sampling of previous years should also be included with the current statistics in order to view greater trends. Department staff agreed and will provide statistics and reports prior to the next Board meeting.

### **F. Public Comment**

- Lary Zucker requested a status update concerning the creation of a working group to review ATSM and type certification. Ed Smith stated that they are open to creating a working group and will discuss this item internally before moving forward.

- Lary Zucker noted for Board awareness of H.R. 10205, which is proposed Federal legislation that amends the Consumer Product Safety Act to include fixed rides for Consumer Product Safety Commission jurisdiction. In addition, he also noted the recent verdict of the court case involving a free-fall attraction in Orlando, FL and the potential negative consequences for the amusement industry.

- Halley Beam, an inflatable ride operator, questioned the Board on how many injuries in the ride reports are related to inflatables and if there is inflatable operator training in New Jersey. Department staff noted that training is performed by third parties and is mainly related to major repair certification. In addition, Department staff noted that they do not have the injuries figures on hand; however, they note that reports of injuries are rare and that a majority are unreported due to the type of the injuries.

**G. Adjournment**

*William Gelhaus made a motion, which was seconded by Len Turtora, to adjourn the meeting; the motion carried unanimously. The meeting was adjourned at 11:00 a.m.*

**H. Next Scheduled Meeting**

March 2025.

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October 26, 2023

### **Carnival and Amusement Ride Safety Advisory Board Meeting, October 26, 2023 Held Virtually via Microsoft Teams**

#### Board Members Present

Edward M. Smith, Chair  
Albert Belmont  
William Gehlhaus  
Debra Henderson  
Geoff Rogers  
Len Turtora

#### Board Members Absent

Lawrence Cohen  
Steven Hildner

#### DCA Staff Present

Carrie Battista, Bureau of State and Local Code Inspections  
Marie Daniels, Code Development Unit  
John Delesandro, Bureau Chief, Bureau of State and Local Code Inspections  
Patrick Gallagher, Supervisor, Carnival-Amusement Ride Safety Unit  
Ian Rayfield, Code Development Unit  
Ashraf Tahoun, Carnival-Amusement Ride Safety Unit  
Rosalyn Thrower, Bureau of State and Local Code Inspections

#### Guests

Edward McGlynn  
Lary Zucker, NJAA

#### **A. Mr. Edward Smith, Chairman, called the meeting to order at 10:15 a.m. Roll call was performed.**

*Before the meeting began, Mr. Edward Smith introduced the Board to Mr. John Delesandro, recently promoted Chief of the Bureau of State and Local Code Inspections.*

#### **B. Approval of the Minutes of February 23, 2023**

*Mr. Albert Belmont made a motion, which was seconded by Mr. William Gehlhaus to approve the minutes without change. The motion carried unanimously.*

#### **C. Old Business.**

##### 1. Boilers and Pressure Vessels – DOL inspections

- No further updates at this time from the conversation that occurred in the February meeting. Mr. William Gehlhaus told the Board that DOL inspected a soda fountain; however, there were no ride problems and no bill for inspection.

2. Incident Reporting - Interpretation clarification as it pertains to a “critical component”

a. Revised incident reporting form

- Mr. Patrick Gallagher informed the Board that changes will be made to the incident reporting form. The revised form to include a brief statement on actions taken to reopen ride and detail the malfunction and repair within the report. Additionally, the form will direct ride operators/owners to notify the Department of the issue within 24 hours. Mr. Albert Belmont requested that the revised form be sent to members.

b. Injury definition

- This item is tabled for discussion with possible draft language submitted in future CARSAB meetings. Serious injury definition could run afoul of HIPPA as that information is private unless provided by the injured party. Additionally, Mr. Patrick Gallagher stated that this issue can be handled with owners via one-on-one conversations, to which Ms. Debra Henderson agreed.

3. Ride Relocation – Engineer’s letter

- Mr. Ashraf Tahoun informed the Board of a new engineer’s evaluation letter that is required before inspections of relocated rides. The Department maintains that this merely changes details and not procedure and provides the Department with advance notice of a properly completed ride relocation before inspectors are on-site.

4. C.P. Huntington Train and Similar Rides Directive Update

- Mr. Patrick Gallagher informed the Board the initial directive has the train come to a complete stop, while the alternative plan has language covering the train not coming to a complete stop if area is clear of traffic. Alternatives to the directive will be reviewed on a case-by-case status. Mr. Albert Belmont stated the trains should ring bell and blow whistle procedurally every time.

**D. New Business**

1. Ride Safety Unit

- Successful season as far as reviews.

Staffing - Four engineers

- Replacement of Southern region supervisor

- One retirement and one temporary hire in the Northern region

**E. Information**

1. Ride Statistics

- Mr. Albert Belmont requested that accident information be broken down by

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location and other additional information to ensure accurate analysis of accidents. Mr. Patrick Gallagher informed the Board that this is not possible with the current system; however, the Ride Safety Unit is in line for a new system and anticipates that this will occur soon.

### 2. Additional information

- Mr. Edward McGlynn stated that appointments are out-of-date for every member of the Board and requests Mr. Ed Smith to contact the Department Commissioner to begin the process of reappointment.

- Mr. William Gehlhaus noted to the Board that Mr. Mike Triplett passed this year. Ms. Debra Henderson requested access to Mr. Triplett's training material for continued use. Mr. Lary Zucker stated that he still has access to the material.

## F. Public Comment

1. Mr. Lary Zucker requested a review of the totality of the current regulations and statutes to ensure currency and applicability to the standards held in the State. Mr. Zucker recommended an informal working group meeting to complete this action. Mr. Geoff Rogers agreed and stated that the Department should look into the ATSM regulations as they have changed significantly.

## G. Adjournment

*Mr. Albert Belmont made a motion, which was seconded by Ms. Debra Henderson, to adjourn the meeting; the motion carried unanimously. The meeting was adjourned at 11:00 a.m.*

## H. Next Scheduled Meeting

February 2024.

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, February 23, 2023  
Held Virtually via Microsoft Teams**

**Board Members Present**

Edward M. Smith, Chair  
Albert Belmont  
Lawrence Cohen  
William Gehlhaus  
Debra Henderson  
Steven Hildner  
Geoff Rogers  
Len Turtora

**DCA Staff Present**

Carrie Battista, Bureau of State and Local Code Inspections  
Marie Daniels, Code Development Unit  
Patrick Gallagher, Supervisor, Carnival-Amusement Ride Safety Unit  
Ashraf Tahoun, Carnival-Amusement Ride Safety Unit

**Guests**

Lary Zucker, NJAA

**A. Mr. Edward Smith, Chairman, called the meeting to order at 10:35 a.m. Roll call was performed.**

*Before the meeting began, members of the Board held a moment of silence in honor of Paul Lamberti. A moment of silence was also held in honor of Bob Bennett.*

**B. Approval of the Minutes of December 16, 2021**

*Mr. Geoff Rogers made a motion, which was seconded by Mr. Lawrence Cohen, to approve the minutes without change. The motion carried unanimously.*

**C. Old Business.**

There was no Old Business.

**D. New Business**

**1. Boilers and Pressure Vessels – DOL Inspections**

Mr. Patrick Gallagher introduced this item and noted to the Board that the New Jersey Department of Labor performs inspections on Boilers and Pressure Vessels. This is a required inspection pursuant to DOL regulations at N.J.A.C. 12:90 for any newly installed or existing boilers and pressure vessels. This is also reflected in our regulations for the operation of amusement rides.

**2. Ride Safety Unit – Staffing Status**

Mr. Patrick Gallagher provided an update on the staffing of the Ride Safety Unit and stated that the Department has ample qualified field inspectors and do not anticipate there will be an undue hardship in meeting inspection timeframes. The Board discussed engineering staff, and

Department staff noted that when new engineering staff are brought on, it can take about a year before new engineers are able to independently handle review of larger projects.

### **3. Incident Reporting – Interpretation Clarification as it pertains to a “Critical Component.”**

Mr. Patrick Gallagher introduced this topic and stated that there was a need for further clarification of what constitutes a critical component. It was noted that the regulations define a critical structural or mechanical component is any component whose failure results in uncontrolled operation or movement of the ride or failure of the restraint system. Board Members discussed various components within rides and asked whether or not they were considered critical. It was decided that this item would be tabled for further discussion.

### **4. Ride Relocations – Engineer’s Letter**

Mr. Patrick Gallagher reviewed the requirements regarding ride relocations with the Board. This includes the need for an engineer’s letter determining the relocation is undertaken appropriately.

### **5. C.P. Huntington Train and Similar Ride Directive**

Mr. Patrick Gallagher reviewed the Department Directive regarding trains with unrestricted patron access. This directive was issued as a result of an incident during the 2022 season in order to provide a more positive means of control of public access at all track crossing locations throughout the park. This includes the use of stopping when entering unrestricted public crossing areas and using visual and audible signals before proceeding, or the installation of automated crossing gates and warning lights. The Board discussed various hypothetical instances where this could apply, and the Department noted that it would provide an update on this issue at the next meeting.

### **E. Ride Statistics**

Mr. Patrick Gallagher presented the ride statistics and noted that 2021 serious incident numbers were high because they were utilizing the old definition of incident. He noted that since the adoption of the new definition, there is a clear decrease in serious incidents. One member expressed that there should be a breakdown in the statistics to show where the incidents occurred: water rides, go-kart, inflatable, fixed ride, etc.

### **F. Public Comment**

There were no public comments.

### **G. Adjournment**

*Mr. William Gehlhaus made a motion, which was seconded by Mr. Albert Belmont, to adjourn the meeting; the motion carried unanimously. The meeting was adjourned at 11:45 a.m.*

### **H. Next Scheduled Meeting**

October 12, 2023.



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December 16, 2021

### **Carnival and Amusement Ride Safety Advisory Board**

**Meeting, December 16, 2021**

**Held Virtually via Microsoft Teams**

#### Board Members Present

Edward M. Smith, Chair

Albert Belmont

Lawrence Cohen

William Gehlhaus

Steven Hildner

Geoff Rogers

Len Turtora

#### DCA Staff Present

Carrie Battista, Bureau of State and Local Code Inspections

Marie Daniels, Code Development Unit

Paul Lamberti, Chief, Bureau of State and Local Code Inspections

Ashraf Tahoun, Carnival-Amusement Ride Safety Unit

#### Guests

Edward McGlynn, NJAA

Scott Smith

Lary Zucker, NJAA

**A. Mr. Edward Smith, Chairman, called the meeting to order at 10:30 a.m. Roll call was performed.**

#### **B. Approval of the Minutes of December 3, 2020**

*Mr. Len Turtora made a motion, which was seconded by Mr. Lawrence Cohen, to approve the minutes without change. The motion carried unanimously.*

#### **C. Old Business.**

##### **1. Draft Rule, N.J.A.C. 5:14A-11, Go Kart Operations**

Mr. Paul Lamberti introduced this topic and noted that, at the last meeting, the Board voted to approve the draft rules. He stated that this proposal is now in the process of approval for publication.

##### **2. COVID Refunds – Round 2**

Mr. Paul Lamberti stated that the first round of COVID refunds were addressed in 2020. Feedback from that round of refunds expressed disappointment, and the Department has taken all comments into consideration. The disappointment stemmed from the fact that the Department always encourages ride owners to call for early inspections, but the way refunds were handled, those ride owners ended up being ineligible for refunds. The Department has secured additional Federal funds to provide refunds to ride owners who received early inspections. The Board expressed appreciation and stated that this is a fair solution.

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### **D. New Business**

#### **1. Rule Proposal Definitions of Types of Injuries – Update**

Mr. Paul Lamberti notified the Board that these rules were adopted in October, 2021. There was some discussion on how this adoption impacts incident reports. The Board discussed the importance of education to ride owners and operators about the adoption.

#### **2. Refunds Currently Being Processed**

As noted in Old Business item 2 above, the refunds are currently being processed.

#### **3. Staffing Issues – Engineers and Field**

Mr. Paul Lamberti informed the Board that the Department has ample qualified field inspectors and noted that, if we were to lose any inspectors, it would not be an undue hardship to hire new inspectors. However, engineering staff has been difficult to acquire, and it takes about a year to train engineers to be able to independently handle review of larger projects.

#### **4. Operator Age/Lifeguard Age**

Mr. Paul Lamberti stated that New Jersey Law requires ride operators to be 16 years old. That said, lifeguards can be certified at age 15. How this impacts water rides is a distinction in the position an employee can hold. For example, on a water slide, there must be an operator at the top of the slide; that operator must be at least 16 years old. If the manual requires a staff member at the bottom of the slide, but does not require that staff member to be an operator, it could be a 15 year old lifeguard without necessitating a variation from the ride regulations.

#### **5. Outside Engineer Review (DCA Position)**

Mr. Paul Lamberti notified the Board that, in accordance with New Jersey State Law, the Department cannot allow outside engineering review. The Board discussed potential changes to the Law and mentioned Pennsylvania's use of outside engineering firms. Board members agreed to provide information about Pennsylvania's requirements to the Department.

### **E. Ride Statistics**

Mr. Paul Lamberti presented the ride statistics and noted that, due to COVID, comparing these numbers to the 2020 season is not the most accurate. Most prevalent in the reports are violations for mechanical deficiencies. With the adoption of the definition of major injury, it is anticipated that incident numbers will drop over the next few years. Board members discussed the amount of ride failures but were assured that most failures were related to shut-downs where there were no injuries. It was noted that the impact of the pandemic meant that there was a decent amount of equipment that sat unused, and no owners were negligent in their duties throughout 2021.

### **F. Public Comment**

There were no public comments.

### **G. Adjournment**

*Mr. Geoff Rogers made a motion, which was seconded by Mr. William Gehlhaus, to adjourn the meeting; the motion carried unanimously. The meeting was adjourned at 11:55 a.m.*

### **H. Next Scheduled Meeting**

March 18, 2021.