

**Carnival and Amusement Ride Safety Advisory Board  
Meeting, May 11, 2017**

Board Members Present:

Edward M Smith, **Chairman**  
William Gehlhaus  
Len Turtora  
Debbie Henderson  
Albert Belmont  
Lawrence Cohen  
Geoff Rogers

DCA Staff Present:

Michael Baier, Acting Chief, Bureau of Code Services  
Carrie Battista, Bureau of Code Services  
Michael Triplett, Carnival and Amusement Ride Safety Unit

Members of the Public:

Lary Zucker, Marshall Denehey/NJAA  
George Henderson

**A. The meeting was called to order at 11:13 am.**

**B. Approval of the Minutes of November 10, 2016** A motion was made by Debbie Henderson seconded by Len Turtora to accept the minutes of the 11/10/16 meeting.

**C. Old Business**

1. RCMT Sub-committee – Ms. Henderson reported that the committee is meeting roughly twice a year. Ms. Henderson reported that there is not a problem with the RCMT program at this time.

2. Service proven documentation – the Department reported that this item was tabled at the last meeting because the Board wanted time to consider the changes that the Department made to the draft that was presented at the September Board meeting. Staff reported that it understood the Board to have concerns about the way environmental loads are treated, specifically for rides that are applying for an individual approval where the manufacturer either no longer supports the ride or is out of business. In cases where there is no manufacturer, producing calculations can be cumbersome. The Department modified the earlier proposal to allow the previous location of the ride to be considered in lieu of the calculations. The proposed change would allow a ride that was sited at a location during the service proven period where

environmental loads were equivalent or greater than the proposed location to be approved without calculations. A board member asked if this applied to portable rides. Staff reported that environmental loads are not applied to portable rides that can be dismantled prior to the environmental event. A Board member asked if the environmental conditions were for the operating condition or the non-operating condition. Staff responded that environmental limits under which the ride can operate would be in the manual, and that the loads in the proposal are for the non-operating condition. The Board questioned whether these loads are really related to rider safety since they deal with loads that the ride would be subject to when there would not be any riders present. The Board thought that the language should more precisely reflect the intent and suggested the following language change “Such limitations shall be established either through a statement from the manufacturer, calculations or a statement by the applicant that the environmental conditions for the proposed location of the ride are equal to or less restrictive than the previous location.” Several Board members wanted additional time to consider the proposal. A motion by Debbie Henderson seconded by Al Belmont was made that the Department modify the proposal to include the language above and to distribute to the Board for an electronic vote.

3. Accident, Incident or Mechanical Breakdown Reporting – Staff presented a proposal that was presented at the last Board meeting. Parts of the proposal were approved at the last Board meeting including elimination of the need to report incidents that only required first aid within 24 hours and the ability to make reports to the Department electronically. The other parts of the proposal were tabled. They included a change to the definition of “injury/illness” to agree with ASTM and to change the reporting requirements for breakdowns. With the exception of cases where the ride stopped due to a power failure the current rules require notification within 24 hours whenever the passengers are discharged at other than the normal loading or unloading location. The proposed change would require a notification to the Department only in cases where riders were unloaded from the ride at a location that is other than a designated emergency evacuation position. A Board member asked about the definition of mechanical malfunction. There was discussion about whether a mechanical malfunction was a failure of any part or if it was only for parts that were safety related. For example, the failure of a drive on a ride which stops operation but does not present a danger to the occupants might be construed as a mechanical malfunction. In addition, several Board members thought that complaints reported to the owner or operator should only have to be recorded if they are related to the safety of the ride. Staff responded that they would review the definition as part of the proposal. Mr. Belmont made a motion to have the Department look at the definition of mechanical malfunction and send a revised version of the proposal to the Board for an electronic vote. The motion was seconded by Len Turtora and passed.

#### **D. New Business**

1. Grace Period – Staff presented a proposal that would create a grace period when changes to the design standards in the rules were modified. Currently, changes to the design requirements in the rules become effective the day that the rule appears in the New Jersey Register. The proposal would allow the Department to review applications under the previous version of the design standards for a period of 6 months after the date that the design requirements appeared in the New Jersey Register. In addition, the proposal contains a change to the titles of the standards for soft contained play equipment and passenger tramways, as well as language that tells the user when the design standards are applicable. The Board will review the proposal and comment at the next Board meeting.

2. Electrical permits for carnivals and fairs - Staff reported that the current method that the Department is using to inspect electrical installations at carnivals and fairs is not consistent with the rules. The Department is seeking to establish a method of inspection in the rules that matches what is happening in the field. The rules that are applicable to this work are found in the Uniform Construction Code and require permits and inspections for all installations. The time line associated with most traveling shows does not allow for the issuance of a permit and certificate of approval prior to operation and the Department does not have enough manpower to inspect every site. A Board member asked if the ride unit could be assisted by electrical inspectors from other programs in the Department. Staff responded that they have done that on occasion but that there are not enough available electrical inspectors even when relying on other programs within the Department. The Department would like to investigate the use of a system similar to an annual permit under the Uniform Construction Code which would allow the Department to rely on certification from a qualified person in lieu of an inspection at each site. The qualified person would, because of the licensing laws in the State, most likely be a licensed electrician. Several Board members stated that there may be difficulty with this approach because electricians would not be willing to certify such installations. There was also discussion that the expense of hiring an electrician would create a financial burden on shows. A Board member asked if this would apply to all generators. Staff responded that smaller “plug and play” generators which currently do not require a permit under the UCC would not fall under the rule. The Department agreed to meet with the industry to discuss possible options. Al Belmont will work with staff to arrange a meeting.

#### **E. Information:**

1. The ride statistics were presented. Al Belmont asked about a separate listing for go-karts that was discussed at the last meeting. Staff reported that the data base does not have a unique identifier for go-karts and that to extrapolate such statistics would have to be done by hand and would take too much time. Staff noted that the number of inspections were down compared to last year and noted that this was likely due to Easter being later this year as well as a lag in the data entry system.

2. 2017 meeting dates. The next meeting date is scheduled for September 21, 2017

**E. Public Comment:**

1. Lary Zucker asked if documents that are to be considered by the Board could be provided to him and Mr. McGlynn prior to the meeting, or if there could at least be copies available so that they could follow along with the changes.

**F. Adjournment:** The meeting was adjourned at 1:34 pm.