



Minutes
Amusement Advisory Board Meeting
December 8, 2004

Attendees: Jonathan Brooks, Elevator & Amusement Device Bureau
Tom Chambers, Elevator & Amusement Device Bureau
Bobby Brinkley, Brinkley Entertainment
Les Powers, Powers Great American Midway
Robert Rippy, Jungle Rapids
Jeanette Isley, Alamance County Fair
Steve Burrell, Paramount's Carowinds
LouAnn Bowen, Hughie & Louie's Rentals
Clyde Wagner, Wagner Consulting Group
Steve Mains, Hickory American Legion Fair
Commissioner Cherie Berry
Nancy Vick, Elevator & Amusement Device Bureau

Commissioner Berry welcomed everyone and expressed thanks for participating in the Rider Safety Program. It was a huge success this year. We will be using Clyde the Clown coloring books again next year as they were very popular. We gave out nearly 2 million bookmarks for the county fairs to distribute to the kids. Of the estimated 10 million attending fairs this year, there were no recordable incidents/accidents. We look forward to next year and enhancing this program.

Jonathan welcomed everyone to the 2nd meeting of the Amusement Advisory Board. Introductions were made by all members and attendees. He wants everyone to understand more of what their roles are as a member of this Board before they leave today.

The Rider Safety Campaign was initiated this year for the county fairs as well as the state fair. Its purpose - to educate riders on the do's and don'ts and provide tips on rider safety.

1. Printed bookmarks for county fairs participating to give out to school kids. These had rider safety tips on the front, a list of county fairs with dates on the back and some had coupons for free gift given by the fair. Initially we were targeting K-5 ages, but some fairs gave to all students.
2. Printed large rider safety signs to be used at the entrances and some were used at the midway.

3. Operator training meetings were held with rider operators before each fair began. Operator Training Rules were explained and given to all rider operators. Operators were periodically checked during fair to insure they were complying.

In 2005, we want to expand this program. There is interest from the NC Festival Association as well as the permanent parks in North Carolina.

Feedback from those at meeting who participated:

1. Three signs were used at entrance gates of the Hickory Fair. Those standing in line could read as they waited. They would put signs at the ticket booths in the midway also next year. They also gave the bookmarks to K-12 targeting all kids with a free admission ticket. Attendance on School Day was highest it has ever been.
2. Used the bookmarks with coupons for kids and the coloring books. No one saw any of these in the litter/trash. So apparently the kids kept them.
3. Company had signs only and received many comments on having it displayed. They would like to use at all their rides next year.
4. Permanent park owner thought the signs would be good to have at permanent sites. They could take out or add things that do/do not pertain to their Park. Also, by having these displayed by NC Department of Labor, it would attract the attention and respect of their patrons. Jonathan agreed that we can tailor the signs to suit permanent parks.
5. After this first year, we can see it touching every aspect of this industry, i.e., permanent, traveling and water parks.

Mr. Brooks and Mr. Chambers have been to all types of fairs this year. They saw a lot of inconsistencies. Inspections should resemble each other somewhat. The Bureau is trying to work on some consistency with all the inspectors.

1. May have an Apprenticeship Program for inspectors. We would be on the Apprenticeship Program list.
2. May have competency certification. Teach and train for this occupation. This will give us credibility as being trained or certified, if need arises legally. Mostly, it will help in the consistency of our processes.
3. A checklist would be very helpful and should be used.
 - should have the points of inspection listed or a process by which to inspect.
 - would give the supervisor a tool to use with his inspectors.
 - would give the owner a knowledge of what to expect for inspections.
4. Need a training vehicle for inspectors that would teach them all to look at the rides the same way.

There is no code book to use (as in Elevator) to write violations on amusements. Amusement owners suffer in the end by not getting their rides open and losing money. We recognize there is a problem and want to make it better on our end. We will not tolerate any partiality on inspectors or show owners. North Carolina has the best reputation on inspections in the US.

The Massachusetts and Ohio accidents led us to seek some safety programs and training for inspectors. This Advisory Board can help if they know the problems. Then we can address them. Listen to what your industry members say and bring it to the Board.

Inspectors' opinions are not to be voiced to the ride companies.

We will continue to work on consistency. Legislation is needed for protecting inspectors legally. According to North Carolina statutes could they be prosecuted? The rule is that the state pays for all legal issues and all representation needed by our inspectors.

2005 Fair Changes

All members of the Board agree that rider responsibilities need to be discussed with Legal Department. Contributory negligence is always looked at and never thrown out of court by North Carolina judges. We will look at other states and see how they handle. Signs do not really help with some riders. The Board needs to step forward and seek some legislation.

ADA Standards and Rules and the new Handicap Rules are a great concern to owners. They have questions on the changed regulations. Should their rides be grandfathered on all current rides? They need time to adapt their rides. After ordering a new ride, it could take 2-3 years to get it. They may not be able to use it then because the regulations have changed. Handicapped pathways simply cannot be made all through the fairs. They need backup from the Department of Labor for these rules not to be passed. They asked for our comments online through IAAPA (International Association of Amusement Parks and Attractions) website.

OBA has a rating system for carnivals. We will be asked about it and are willing to look into it. This Board needs to agree on a response. The Department of Agriculture wants a rating system. The NC Fair Association has discussed this, but has not voted on it. We as a Board can give our opinions and ideas.

- some companies playing in NC are not putting any money back into their equipment and it shows.

- some companies coming in from out-of-state are not a quality group and have problems getting open.

The Department of Labor has reservations about getting into this. Most members do not want a local/state rating system. They are satisfied with the national voluntary system we currently have.

Spanish Speaking Employees

This is becoming more of an issue, mainly in translating to operators. Inspectors have a difficult time Ideas from members to help?

- Have one good employee provide training in Spanish to others.

- Have rules and regulations printed in Spanish.

- Have requirements for operators: they understand English in order to operate a ride. Get the word out now, before the 2005 fair season that they need to understand English.

- Have training required by their company.

Bureau Field Issues

Members have been sent documents on the new Penalties Sheet that the inspectors will use onsite during inspections. We would like members to review before implementing and before the Amusements Meeting in March. This is a final draft from our Legal Department.

Location Notices will be on our website for companies to print or complete online and submit to our office. Some members are happy with faxing the form since they do not use the computer often. We still require a 10 day notice on location notices.

Question on whether Incident/Accident Reports can be online and why we need the name and address on these reports. Mr. Brooks will talk with Legal Department to see if and why we must have name/addresses. Member suggested we also need deadlines (30 days?) on reporting accidents. There could be a better way to report accidents, maybe a fax sheet to complete. We need to work on the processes for these reports.

Members would like explanations on the wording “accident” versus “incident”. What is definition of each according to ASTM?

New software in the Bureau is a probability soon and will help in processing paperwork for them.

Industry Issues

The NC/SC Fair Association Meeting is January 5-7, 2004 in Myrtle Beach, SC. Jonathan Brooks and Tom Chambers will be attending and presenting.

We would like to place the membership list of the Amusement Advisory Board on our website. We would put only your name, company name and email address so you can be contacted with any concerns, ideas, etc. Members agreed to this.

The Amusement Company Meeting will be split this year into two meetings. Both will be on March 3, 2005 at the McKimmon Center in Raleigh.

Inflatables 8:00 am -12:00 pm Hard Rides 1:00 pm – 5:00 pm

Open Discussion

Some members would like to have meetings earlier in the day because of travel. Mr. Brooks set the next meeting for June 16, 2005.