

BOARD MEETING MINUTES
Indiana Regulated Amusement Device
Safety Board
Indiana Government Center South
Conference Room 2

July 9, 2009

1. The meeting of the Indiana Regulated Amusement Device Safety Board was called to order at 1:00 p.m., July 9, 2009, and the roll was called. A quorum was found to be present.

(a) The following Board members were present:

Ted Bumbleburg, Lafayette Parks Department
Terrance Hoffman, American Amusement Rides LLC
Danny Huston, Mid America Shows
David Dahl, Midwestern Engineers
Mike Kamp, Holiday World
Tim Bohlander, Poor Jack Amusements
Max Fitzpatrick, Indiana Fair Association

The following Board members were not present:

Lee Geiling, K & K Insurance
Steve Jordan, Indiana Fair Association

(b) The following departmental staff and guests were present:

Debra Jackson, Director, Elevator and Amusement Safety
Mara Snyder, Counsel, Indiana Department of Homeland Security

2. Minutes

A motion was made to approve the minutes of the April 9, 2009 meeting as presented was made by Max Fitzpatrick and seconded by David Dahl. It was voted upon and carried.

3. Old Business

LSA Document #09-147 will have a public hearing July 16, 2009 in Conference Center Room 19, beginning at 10:00 a.m. The members of the Amusement Board were invited to attend but advised that they should not respond to any public comments because this is an opportunity for the public to make their opinions known. A summary of the comments will be provided for the September Board meeting.

Ms. Snyder noted that James Schmidt, Office of the State Attorney General, felt that the rule, as published, is confusing. She provided the members of the Board a copy of language she proposed to clarify the rule, if it accurately reflected the intentions of the Board, and was told it did so. A copy of the proposed rule, a summary of the public testimony from the public hearing, and a memo outlining the language changes to clarify the rule will be prepared for the September meeting.

Mike Kamp, Holiday World, advised the Board that the ASTM website had been updated. F698 and F1950-99, both referenced material, are no longer available. He noted that ASTM F1193 is now used, and asked if the rule should reference F1193. Ms. Snyder said she would prefer to delete F698 and F1950, but will talk with James Schmidt before recommending what action the Board may wish to take. Mr. Kamp also noted that F846-92 and F2137 were reaffirmed without changes in 2009.

Ms. Snyder introduced Tom Nipp, Legal and Code Services, to the members of the Board. Mr. Nipp will be serving in the position previously held by Bob Robinson, including the Amusement codes.

Debra Jackson had asked that the topic of non-English speaking amusement ride operators be placed on the agenda. Her inspectors have been having trouble during inspections conveying what they need to some operators who are unable to speak English. Her concern is that if they are unable to communicate, it creates a safety hazard. In the new rule, it is required that operators be able to communicate with patrons to give safety instructions. To get information about the upcoming language requirement out before it is in effect, it was suggested that it be presented at the January fairs and festivals conference. It was also suggested that Outdoor Amusement Business Association (OABA) could provide the information to those who do not attend the conference since they have operator lists for each state. A question was raised about expanding the definition of operator. Ms. Snyder noted that an attendee at the public hearing can put it forward for consideration, but that it could not be a Board member or member of staff.

4. New Business

A discussion of the recent television interview of Debra Jackson was held. She said the media had asked how the economy is affecting the amusement industry. It was brought out that neither the Board nor the Amusement Device Safety

Section keeps that kind of information beyond comparing the increase or decrease in the number of inspections from year to year. It was suggested she send media to the operators if they wish a dollar figure. Mr. Johnson of OABA was also suggested as a contact person.

Ms. Jackson also explained that, following the interview, requests for 2008/2009 inspection information were made by the media and they noticed a lack of written confirmation of compliances being made. Ms. Jackson said that the inspectors are now doing sweeps and checking for written confirmation of compliance from owners/operators, and that, due to a change in computer programs, they were able to better track compliances.

5. Report from the Chief Inspector

Ms. Jackson reported that she now has a full staff of 18 with six not certified for amusement inspection. Ms Jackson also advised the Board that the legislation allowing certifications equivalent to NAARSO to be accepted had been signed into law. She also noted that at the end of October, the six inspectors will be qualified to take the NAARSO test.

6. Ms. Snyder reminded the members that the next meeting would be September 24, 2009, at 1:00 p.m. and that the October meeting would be cancelled. A call for any more business was made. There being none, the meeting was adjourned at 2:10 p.m.

APPROVED

Tim Bohlander, Chairman