

# MINUTES

## Amusement Ride Safety Committee

**DATE | TIME:** April 12, 2023 | 9:00 AM – 10:30 AM

**LOCATION:** 4501 S 2700 W, Taylorsville, UT 84129, Redwood A Conference Room | Google Meet

### BOARD MEMBERS PRESENT

Andre Meacham | Johnnie Miller | Larry Mullenax | Cara Sherlock | Pam Zoeller |  
Robert Miles (Non-voting Member)

### BOARD MEMBERS ABSENT

Benjamin Sheldon

### OTHER ATTENDEES

Rhett Arnell (UDOT Amusement Ride Safety Director), Michael Sheffield (UDOT Consultant),  
Peter Esplin (Deputy Director of Policy and Legislative Affairs at UDOT)

### WELCOME

- Johnnie calls the meeting to order and takes roll

### APPROVAL OF MINUTES FOR FEBRUARY AND MARCH MEETINGS

- Johnnie asks whether any members of the committee have identified any changes to the draft minutes that were previously distributed. No committee members identify changes and Johnnie asks for a motion to reapprove the UARSC meeting minutes for the February 1st meeting after an error was fixed and to approve the UARSC meeting minutes for the March 8th meeting. Andre makes the motion, Robert seconds the motion, and it passes with a vote of 4 - 0 - 2.

o Yeas - 4

Andre Meacham

Johnnie Miller

Pam Zoeller

Cara Sherlock

Nays - 0

Absent - 2

Larry Mullenax

Benjamin Sheldon

### CURRENT STATE OF AMUSEMENT RIDE ONLINE SYSTEM

- Rhett displays the online website that owner/operators, QSIs, etc. will use to access the online applications and additional resources relating to Utah amusement ride safety.
- Rhett states that he found a bug and the contractor quickly fixed it.
- Rhett states that all applications received thus far have not used the online system so he will enter in all the approved QSIs into the system.
- Rhett indicates that he receives email notifications when applications are submitted so he can immediately engage with the owner/operator or applicant and begin the approval process from his side.
- The need for additional information was identified to clarify what steps owner/operators and inspectors need to take to register, submit applications, and what each application is used for. Rhett says he is preparing something to assist users.

### CURRENT STATE OF PERMIT APPLICATIONS AND PERMITS ISSUED

- Rhett summarizes that he has received applications and has approved many Lagoon inspectors and has issued numerous amusement ride permits for Lagoon. He has also approved inspectors not affiliated with Lagoon and issued several mobile amusement ride permits.
- Andre asks about methods to contact owner/operators to ensure they are aware that amusement ride permits are needed. Johnnie states that the previous Director had compiled a list. Rhett indicates that he will use and expand it to contact owner/operators and potential inspectors to inform them as to how they can submit their applicable applications.
- Johnnie recommends that the online system be configured to send out notifications to the appropriate persons when a permit will soon be expiring. Rhett responds that it is already part of the system and believes that a 60-day notice will be provided to inspectors and owner/operators.

### REVIEW STATUS AND UPDATES TO RELEVANT FORMS, INCLUDING REPORTABLE SERIOUS INJURY FORM AND QSI APPROVAL CERTIFICATE

- Reportable Serious Injury Form
  - o Johnnie states that this form was updated since the previous committee meeting with the intent of collecting all information required by statute and easing the redacting burden on staff if a GRAMA request is made for information relating to the reportable serious injury.

- o Larry Mullenax joined the meeting at 9:34 AM.
- o Johnnie clarifies that the ride description, the owner-operator, the location of the amusement ride at the time the reportable serious injury occurred, and the general nature of the reportable serious injury are not considered protected by statute, which is why this is the only information requested on the form.
- o Two different versions of the reportable serious injury form are displayed; one has an open-ended text box to describe the general nature of the reportable serious injury and the other has checkboxes to indicate the nature of the injury as defined in statute.
- o A supplemental reportable serious injury form is displayed, which would contain protected information used to assist the Director in making the determination to allow operation of a mobile amusement ride following a reportable serious injury.
- o Cara asks what criteria would be used to make the determination to allow operation of a mobile amusement ride following a reportable serious injury. Rhett responds that there are not established criteria and each incident will be handled on a case-by-case basis. Rhett recognizes that a certain level of subjectivity will be needed as this is a new process.
- o Johnnie comments that the supplemental form focuses on the failure or malfunction and what was done to address it rather than additional information on the injury.
- o Several committee members comment and agree that each incident resulting in a reportable serious injury is different and the nature and length of the process to ensure the ride can be operated safely will vary.
- o Andre recommends that the supplemental form have a note stating that filling out this form is not required but will assist the Director in the review process.
- o Johnnie asks whether the supplemental form should include the date on which the owner/operator believes it would be appropriate to operate the ride again after a reportable serious injury occurred.
- o Peter Esplin comments that the general nature of the reportable serious injury could reasonably include more information like the part of the ride that caused the injury and where on the body the injury occurred.
- o Cara indicates a preference for the reportable serious injury form that has the checkboxes to simplify the information requested of owner/operators and guide them to only put in the proper and required information.

- o Johnnie comments that with both forms there is the objective to offer protections for involved persons if the Director has yet to authorize operation when the owner/operator believes it is ready, for example, or if authorization to operate is provided and another reportable serious injury occurs.
- o Peter comments that for a GRAMA request he would be comfortable providing the response to the open-ended text box asking the owner-operator to describe the general nature of the reportable serious injury and would not require staff to review and redact the response. The general nature of the reportable serious injury can be disclosed on a GRAMA request, the general nature was requested on the form, and the open-ended response is what the owner/operator put. Trying to protect the owner/operator from over-disclosure is a different issue.
- o Andre comments that the reportable serious injury form needs to be submitted within eight hours after the owner/operator learns of the reportable serious injury, so this is just an initial report making the committee and the Director aware that something serious has happened. Details on what part of the ride caused the injury and what part of the body was injured may not be fully understood when this report is submitted, so this form should be simple and not get deep into the details.
- o Rhett summarizes the identified changes to the reportable serious injury form as follows:
  - Add a note that the information requested on this form is required
  - Change the text of “eight hours” to “eight (8) hours”
  - Add a field for the owner/operator contact information
  - Add a field for the date and time of the injury
- o Johnnie asks for a motion to approve one of the reportable serious injury forms—either the open-ended or checkbox response type to the question about describing the general nature of the reportable serious injury—with these identified changes. No member of the committee responds so Johnnie states that these changes will be made to the form and final drafts will be completed and provided to the committee for approval at the next committee meeting.
- o Larry comments that there are amusement rides in operation and asks about an owner/operator's ability to comply with the rule and statute if this form is not finalized and available. Johnnie responds that this form helps make it easier for owner/operators to report each known reportable serious injury to the director but the required information could still be reported in a different format and a committee-approved form does not have to be used.

- o Larry makes a motion that the draft reportable serious injury form with the checkbox response type to describe the reportable serious injury along with the previously identified changes be approved for use by the Director if a reportable serious injury occurs prior to the form being finalized and approved by the committee. Andre seconds the motion, and it passes with a vote of 5 - 0 - 1.
 

<ul style="list-style-type: none"> <li>▪ <u>Yeas - 5</u></li> <li>Andre Meacham</li> <li>Johnnie Miller</li> <li>Larry Mullenax</li> <li>Cara Sherlock</li> <li>Pam Zoeller</li> </ul>	<ul style="list-style-type: none"> <li><u>Nays - 0</u></li> </ul>	<ul style="list-style-type: none"> <li><u>Absent - 1</u></li> <li>Benjamin Sheldon</li> </ul>
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- QSI Approval Certificate
  - o Rhett states that the seal and signature have recently been finalized, which precluded this certificate from being finalized for this meeting and says that it will be ready for the next committee meeting.
- Amusement Ride Permit
  - o Andre asks if an amusement ride permit is being developed. Rhett responds that there is not a requirement for owner/operators to display a permit and once the online system is fully operational it will automatically generate a ride permit that can be downloaded by the owner/operator once issued by the Director. The amusement ride permit applications received thus far were submitted outside of the online system so these permits need to be manually generated and are forthcoming.
  - o Johnnie asks how owner/operators know that an amusement ride permit application has been approved. Rhett responds that they receive an email stating that the ride has been approved.

#### ROUNDTABLE

- Johnnie asks if there are any roundtable discussion topics or any items to be put on the agenda for the next committee meeting. Larry asks to hear an update from the Director at the next committee meeting on his perspective and lessons learned with the recently established process for receiving and approving the various applications.

#### MEETING ADJOURNMENT

- Johnnie accepts a motion from Cara to adjourn the meeting, Larry seconds, and the meeting adjourns at 10:31 AM.