

STATE OF TENNESSEE
ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD

JUNE 3, 2025

LISA M. JONES, LCR #539
STONE & GEORGE COURT REPORTING
2020 Fieldstone Parkway
Ste. 900 - PMB 234
Franklin, TN 37069
(615) 268-1244

1 APPEARANCES:

2 Robbie Fox, Chairman
Fixed Amusement Device Representative

3 Victor Laporte, Board Member
4 Manufacturer Representative

5 Tom Herrod, Assistant Commissioner
Tennessee Department of Labor & Workforce
6 Development

7 David Hale, Board Member
Tennessee Fair Association Representative

8 Larry Moore, II, Board Member
9 Owner and Lessees Representative

10 Dewayne Scott, Deputy Commissioner
Tennessee Department of Labor & Workforce
11 Development

12 Jennifer Murphy, Board Secretary
Tennessee Department of Labor & Workforce
13 Department

14 Chance Deason, Legal Counsel
Tennessee Department of Labor & Workforce
15 Development

16 Melissa Owens, Legal Counsel
Tennessee Department of Labor & Workforce
17 Development

18 James "Otis" Steele, Chief Elevator Inspector
Tennessee Department of Labor & Workforce
19 Development

20 Mike H. Hardy, Amusement Device Manager
Tennessee Department of Labor & Workforce
21 Development

22

23

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A G E N D A

1. Call meeting to order.
2. Pledge of Allegiance
3. Introduction and Announcements
4. Adoption of agenda.
5. Approval of the meeting minutes and transcript
(December 3, 2024).
6. Elevator Unit's Report
7. Amusement Device Unit's Report.
8. Old Business - No items.
9. New Business.
- * Variance request - Anecdote Architectural Experiences
- KT Lamb - Goodnight Nashville - 209 Broadway Nashville
- Platform Lift
- * Board Approval Request - Fee Increases (TDLWD -
Rules 0800-03-04.25).
10. Open discussion.
- * ADU Accident Report and Guideline Procedures.
11. Calendar -- Scheduled Board Meetings 2025
- * September 3, 2025 9:00 (if needed)
- * December 2, 2025 9:00
12. Adjournment.

1 (Whereupon, the following proceedings were
2 transcribed as follows.)

3 * * * * * *

4 MR. FOX: We'll go ahead and call the June
5 3rd 2025, meeting of the elevator and Amusement Device
6 Safety Board to order and we're open for business.

7 If everybody would please stand for the
8 Pledge of Allegiance.

9 (Whereupon, the Pledge of Allegiance was held.)

10 MR. FOX: Roll call.

11 MS. MURPHY: Robbie Fox, Chairman,

12 MR. FOX: So we're going to start with
13 me.

14 MR. LAPORTE: Vic LaPorte, Board Member.

15 MR. MOORE: Larry Moore, Board Member,

16 MR. HALE: David Hale, Board Member.

17 MR. SCOTT: Dewayne Scott, Deputy
18 Commissioner.

19

20 MR. HERROD: Tom Herrod, Assistant
21 Commissioner.

22 MR. TARKINGTON: Jeff Tarkington,
23 Tarkington Elevator.

24 MR. ELLER: Rich Eller, Homelift.

25 MR. TAYLOR: Lawrence Taylor, Schindler

1 Elevator.

2 MR. FARMER: Chris Farmer, TKE.

3 MS. LAMB: KT Lamb, Anecdote

4 Architectural Experiences.

5 MR. GROVE: Matthew Grove, Department of
6 Labor.

7 MS. XIXI: Samatia Xixi, Department of
8 Labor.

9 MR. NEELEY: Kenneth Nealy, Department
10 of Labor.

11 MR. BECK: Richard Beck, Eastman.

12 MR. HARDY: Mike Hardy, Amusement and
13 Device Manager.

14 MR. SCOTT: Lance Scott, Assistant
15 Elevator Inspector.

16 MR. STEELE: James Steele, Chief
17 Elevator Inspector.

18 MS. MURPHY: Jennifer Murphy, Board
19 Secretary.

20 MS. OWENS: Melissa Owens, Legal.

21 MR. DEASON: Chance Deason, Legal.

22 MS. DIEFENBACH: Jamie Diefenbach,
23 Executive Admin Assistant.

24 MR. FOX: I appreciate everyone being
25 here this morning, trying to get through this as

1 painlessly as possible. Adoption of the Agenda, do I
2 have a motion to adopt the agenda as presented?

3 MS. OWENS: Mr. Fox, if we could just
4 get on the record whether or not we have a quorum
5 present for the vote.

6 MR. FOX: I'm sorry, I am so sorry. Let
7 the record reflect that we do have a quorum, we have
8 four board members in attendance.

9 Okay, let's see, we still need to adopt
10 the agenda, do I have a motion to adopt the agenda?

11 MR. HALE: I make a motion to adopt the
12 agenda.

13 MR. MOORE: I second.

14 MR. FOX: We have a motion to second,
15 any discussion?

16 Hearing none, all in favor of the
17 motion, let it be known by saying "aye."

18 (Affirmative responses.)

19 MR. FOX: All opposed, like sign.

20 (No verbal response.)

21 MR. FOX: You have the minutes, I think
22 sent to you, you have it in your packet. I would
23 entertain a motion to approve the minutes as presented.

24 MR. HALE: So moved.

25 MR. MOOR: I second.

1 MR. FOX: A second? Yes, I thank you.
2 It's like, I'm the Mayor of the City of Sevierville,
3 sometimes I have to wait on that second. Got a motion
4 to second, any discussion?

5 (No verbal response.)

6 MR. FOX: Hearing none, all in favor of
7 the motion, let it be known by saying "aye."

8 (Affirmative responses.)

9 MR. FOX: All opposed, like sign.

10 (No verbal response.)

11 MR. FOX: Motion carries.

12 Let's go to the Elevator Unit Report,
13 Mr. Steele, would you enlighten us, sir, to the all the
14 things we need to know?

15 MR. STEELE: I'll do my best. This
16 shows statewide growth over the last five years; we've
17 seen an increase in number of conveyances that we're
18 responsible for inspecting by 1412 units, that's nearly
19 three routes worth of conveyances, three inspectors'
20 worth of conveyances over last five years, average of
21 282 a year, and this year alone we've already increased
22 239 units. This has been a busy year.

23 Davidson County is still experiencing
24 the most growth. We have also -- sorry, I lost my place
25 here, Davidson County has experienced the greatest

1 volume of growth, 246 acceptance inspections performed
2 this year alone, Hamilton, Sevier and Knox also
3 experiencing notable growth.

4 We have also permitted 347 new
5 installations this year since January 1, 165 alterations
6 since January 1, so a total of 512 permits have been
7 approved this year. We have three inspectors in West
8 Tennessee, 16 in Middle Tennessee, 11 in East Tennessee.
9 We're currently two inspectors short, one in Knox
10 County, one in the Davidson County. We have been
11 approved to replace these inspectors, but we expect to
12 fill these vacancies by July 1st.

13 Three inspectors in West Tennessee cover
14 1604 conveyances; 16 inspectors in Middle Tennessee
15 cover 9249, and 11 inspection in East Tennessee covering
16 6356.

17 It shows our delinquents across the
18 State, we have 33 in West Tennessee, 13 in Middle, 91 in
19 East Tennessee. Part of the reason for the increase
20 here is due to staff shortages, we've lost four
21 inspectors over the last six months, we'll say, we've
22 been approved to fill two of those positions, like I
23 said, we've been approved to fill the two, the other two
24 hopefully by July the 1st.

25 This chart shows a couple of spikes in

1 delinquency, mainly around the times that we've lost
2 those inspectors. We've had some of our other
3 inspectors volunteer to pitch in and we are currently
4 just below our one percent goal at 0.80 percent. In
5 addition to the acceptances that showed while ago, our
6 guys have performed 13,877 bi-annual inspections this
7 year so far, so we're very busy, a lot of growth.

8 Any questions?

9 MR. FOX: Yes, sir. Just a comment.
10 Nashville had 246 new elevators?

11 MR. STEELE: That's acceptance
12 inspections, that's new and alterations.

13 MR. FOX: See we only had 33, it's my
14 goal to beat Nashville, I'm just saying.

15 MR. STEELE: We're going to need some
16 more guys in East Tennessee.

17 MR. FOX: Thank you, sir, great report.
18 Mr. Hardy.

19 MR. HARDY: Thank you, Chairman,
20 Amusement Device Unit. First graph that we have there
21 is our active companies, this data was pulled through
22 Sunday, May 25th, we had 528 active companies. On the
23 far right, the green bar is our projected goal, that was
24 number of operated permits that we issued for the last
25 fiscal year, which was a unit record, by the way.

1 just discussed that we permitted a record number of 531
2 companies last year through May 25th, we're 441, and we
3 are hopeful to at least meet or exceed that 531 number
4 by the end of the fiscal year, we may fall a few
5 companies short. We may actually have a few more
6 companies due to closures. We have experienced a few
7 inflatable companies, they'll start up and they'll
8 close, and that's usually, if there's any gap there,
9 that's usually where that will fall.

10 "Reportable Accidents," we've had what
11 we consider a good year with only two reportable
12 accidents thus far. Later -- later in the meeting and
13 at the suggestion of Board Member Ms. O'Connor, I'll
14 discuss our accident reporting process, how we classify
15 accidents as being a reportable or a non-reportable.

16 And as a follow-up, we finally received
17 the balance of the penalty that was assessed to company
18 from Alabama, K&S Southern Midways, we received that
19 final payment on the balance of that penalty, and after
20 receiving the payment, we have again permitted K&S, they
21 met all the permitting requirements and they are again
22 eligible to operate in the State of Tennessee.

23 A little more detail on our accidents;
24 you'll see that Rocky Top Mountain Coaster on the left,
25 that was an operator error, operator failed to brake

1 while coming into the loading station. He sustained a
2 back injury and there was damage to the carts, so we
3 classified this as a reportable, to exercise or ensure
4 that there was a post-accident report that was -- was
5 performed on the track as well as the carts that were
6 involved and we released those carts and the track to
7 operate accordingly.

8 On the right side there, Party Bounce
9 House Rentals of Knoxville, we had an issue with foam.
10 Foam has become quite popular in use with amusement
11 devices, but in this case, they used the foam in a
12 bouncy house that had an inflatable floor, and a couple
13 of toddlers got in there, they kind of panicked, got
14 lost, the parents, the operators couldn't find them and
15 they had some pretty significant respiratory issues, so
16 as a result of that, we -- we got together and we
17 created a bulletin or alert and sent that out in our
18 e-mail blast, put it on our website, that foam, in
19 Tennessee, foam is not allowable in an inflatable with
20 an inflatable floor, they can be used with a flat floor
21 in a containment area, only on flat surfaces. We've had
22 very little pushback on that, so I think -- I think
23 everyone is aware of that and are in compliance on what
24 we did there.

25 And lastly, and it's unrelated, but I

1 want to mention that in March of this year, the IOA,
2 which is Inflatable Operators Association, had their
3 annual expo and safety conference in Lebanon, out there
4 at the fairground, and we were given the opportunity to
5 attend and give a presentation on our program,
6 permitting requirements, accident requirements, I
7 thought the expo went well. We appreciate the
8 invitation, and I'm happy that they chose Tennessee for
9 the expo and they intend to return here next year, so
10 that went well.

11 And I'll entertain any questions that
12 anyone may have at this time.

13 MR. FOX: Any questions from the Board?

14 MR. MOORE: What was the other from the
15 last year, do you remember that?

16 MR. HARDY: The other accident?

17 MR. MOORE: Yes.

18 MR. HARDY: No, I don't think I put the
19 descriptions in there. I'll have to -- I'll have to
20 look that up and get back to you. I kind of got crowded
21 on my slide there.

22 MR. SCOTT: Well, that kid with the
23 finger.

24 MR. HARDY: The finger on the Mountain
25 Coaster, yea, it could have been, I'm not -- I'm not

1 real sure, there may be a Mountain Coaster -- that could
2 be it, but I'll look at that, Larry, and I'll send you
3 that information.

4 MR. MOORE: I believe it was, I believe
5 he's exactly right, I think it was the finger.

6 MR. HARDY: I guess I should have left
7 my detail in there.

8 MR. MOORE: You got on the right with
9 the other Mountain Coaster, I just --

10 MR. HARDY: No, I don't think there's a
11 Mountain Coaster listed on the 2024 fiscal year.

12 MR. MOORE: That may have been 2023.

13 MS. OWENS: Didn't you have an
14 inflatable, that sort of the sides can cave and there
15 was a child trapped?

16 MR. HARDY: That may have been the one
17 that was involved in foam.

18 MS. OWENS: Okay.

19 MR. HARDY: Because there was a
20 transport to on-site medical facility. And I'll send
21 slide and some information on that to the Board that has
22 all the descriptions of the accidents. And, again,
23 later in the meeting I'm going to discuss our process ib
24 how we make the determination on whether an accident is
25 reportable or non-reportable. Any questions?

1 MR. MOORE: Thank you.

2 MR. FOX: Just one comment. Mr. Hardy,
3 let me say that, as that old cigarette commercial used
4 to be, you've come a long way, in the reporting, when we
5 first started out with the graphs, I mean, this is
6 incredible, I just want to say thank you, and tell you
7 that you do a great job for the State of Tennessee, you
8 and Mr. Steele both, and we just want you to know that
9 this Board, I'm speaking on behalf of the Board, but
10 I'll tell you we appreciate what you and your team,
11 Mr. Steele and his team do for the State of Tennessee
12 and I thank you.

13 MR. HARDY: Well, I appreciate that, and
14 Otis will probably agree with me, but when we got our
15 latest administration, this guy right here is owed a lot
16 of credit, so especially for -- he's very analytical, so
17 we've had to keep up with him, right, Otis? So we
18 appreciate Tom, and I guarantee you we appreciate
19 everything he's done for us since he's been over the
20 WRC.

21 MR. FOX: I would agree with you, I
22 appreciate him as well. Thank you. There is no old
23 business. The new business, we have a variance request.
24 Is there anyone to speak to the variance request?
25 Please come to the table, this young lady over here will

1 need your name, address and probably phone number.

2 MS. LAMB: KT Lamb, Designer at Anecdote
3 Architectural Experiences, 508 Houston Street,
4 Nashville, Tennessee. Really, phone number too?

5 MR. FOX: She probably needs a way to
6 contact you incase there's a question.

7 MS. LAMB: 615-613-5351. And I also
8 have some documents to help with this variance, if I
9 could?

10 MR. FOX: You might want to give that to
11 the people who are going to look at it.

12 Everyone ready?

13 MS. LAMB: Okay. As I mentioned I am a
14 Designer at Anecdote Architectural Experiences. We had
15 the pleasure in being the designers leading 209
16 Broadway, which is Jelly Rolls' Goodnight Nashville that
17 opened in December of 2024. As I know you guys are
18 aware, Broadway bars are consistently changing, and one
19 addition that ownership wanted to add with Jelly Roll's
20 kind of heavily want is to add a stage to our level one,
21 which posed an accessibility need, meaning that we
22 needed a platform or a ramp. Also another thing that
23 you might notice, specifically on those floor plans, is
24 that we have a relatively small floor plate, so a ramp,
25 we weren't able to utilize a ramp.

1 When going through the permitting
2 process with Metro, they stated that either a ramp or a
3 lift was needed, so we reached out to Tristar Elevator
4 which they gave us the option couple options but all of
5 them being permanent. One thing they want to note on
6 again on that level one is that this is a portable
7 stage, wanting to speak back to the consistency and need
8 for flexibility within that floor plate because it is so
9 small, ownership was really wanting the capability to
10 utilize a portable lift. Again, I know that that's not,
11 many people love when we bring this up, but this is a
12 typical norm that you see on Broadway bars is that they
13 utilize the platform lift, I'm not stating as to why or
14 how they got that through, but this is one thing that we
15 wanted to ask for a variance on and utilize a portable
16 lift that you see in front of you. So we reached out to
17 James Steele in March of 2025 asking for a variance he
18 stated the need for it to be up to code of ASME 18.1
19 2020, as to what you see is actually highlighted I
20 believe on the third page of those specs, and we sent
21 him originally a different, a different lift, and he
22 stated that there would be a need for it to be fully
23 enclosed, totally makes sense, especially for safety
24 precautions. So what you see in front of you is the
25 fully enclosed lift to reach the portable stage and will

1 be housed in the basement that you see on, again, that
2 11 by 17, number one, in the storage room, when not
3 utilized, so what I'm asking today is to be able to
4 utilize that lift moving forward.

5 MR. FOX: Mr. Steele, would you like to
6 respond?

7 MR. STEELE: The reason we went with the
8 2020 version when we had our conversations, I spoke with
9 Chance and Tom about this, the 2014 version -- 2014
10 version that we're currently under does not address
11 relocatable lifts, so the '17 and the 2020 version does
12 address the relocatable lifts, which has some provisions
13 for the angular inclination, wheels being removed or
14 retracted when it's in use and that sort of thing; if
15 this is that Virtuoso Lift, I'm not familiar with what
16 it is, I've got so many plans, I've got three or four
17 different ones, so if that's what this one is, I
18 reviewed a video of it this morning from their website
19 and there are some issues with compliance there, one
20 being that there is no mechanical door lock on the upper
21 landing. The relocatable part of it, there's a lot of
22 the height is not fixed, it has to be manually set every
23 time the lift is moved, so I have some reservations with
24 that as well. Vic has also reviewed that video this
25 morning, he may have some comment on that as well.

1 MR. LAPORTE: So back up just a second,
2 just to be clear, we are under the 2014?

3 MR. STEELE: Correct.

4 MR. LAPORTE: 18.1 code, so this does
5 not meet code at all?

6 MR. STEELE: It does not meet anything
7 in the '14, correct.

8 MR. LAPORTE: The 2020 code, some of
9 this is from memory, so excuse me, help me out here.

10 MR. STEELE: Sure.

11 MR. LAPORTE: The relocatable lifts have
12 to meet all of the criteria of the fixed lift with just
13 a couple of exceptions explaining how the casters need
14 to be moved.

15 MR. STEELE: Most of it's
16 (unintelligible) provisional for the angle of
17 inclination of the wheels being in a retracted or
18 removed position, things that are specific to them being
19 relocatable.

20 MR. LAPORTE: Right. In the State of
21 Tennessee, we've not allowed open enclosure lifts.

22 MR. STEELE: Correct that was written
23 out of 8.18 when we adopted it in '21.

24 MR. LAPORTE: Right. So this has a
25 collapsable curtain for screen that must meet the

1 125-pound force, I don't know if this does or not, so
2 that would be a question I would have.

3 MR. STEELE: I do believe in those
4 videos that we watched, there is a safety switch in that
5 organ screen as well that will stop the lift if it makes
6 contact with something. I would have to review that,
7 but I'm pretty sure I saw that this morning that there
8 is some protection there, but the main thing I have is
9 that there is no mechanical interlock up there and the
10 fact there's no fixed -- it has to be reset by somebody
11 every time and --

12 MR. LAPORTE: Well it's -- the running
13 clearance has to be set properly, as well as travel.

14 MR. STEELE: Correct, there's lot of
15 room for human error.

16 MR. LAPORTE: That doesn't have a safety
17 switch on it that also travels through the lift, so when
18 the lift is down, we're not going to have the 42-inch
19 height criteria on the upper landing, so somebody on the
20 stage -- I don't know what's the height --

21 MS. LAMB: Thirty-inches.

22 MR. LAPORTE: So if it's 30-inches,
23 we're going to have a 12-inch tripping hazard,
24 basically, on that stage. I think in that environment
25 too, I would have a lot of concern because too, a dark

1 area, crowded, lot of alcohol probably involved, so
2 another issue too would be, look like this was plugged
3 in with an extension cord, you'll have to help me out
4 with this one. Do we have to have permanent power ---

5 MR. STEELE: I'm pretty certain AC is
6 going to be require (inaudible).

7 MS. LAMB: We have that already located
8 on sight in preparation for a lift.

9 MR. LAPORTE: Okay. So you can add that
10 to where the lift is going to plug in?

11 MS. LAMB: Yes.

12 MR. LAPORTE: Being relocatable, it
13 would need to be, not necessarily removed, I guess, but
14 at least installed by a qualified person each time you
15 do that, and if we did that, would we require a permit
16 and inspection to make sure if that was installed
17 properly? But would we still have a couple of issues we
18 talked about with no land or interlock on the upper
19 floor, then the tripping hazard when this lift is in a
20 down position? Will a permanent lift not fit in this
21 area? I understand the stage you want to be removable,
22 but this is fairly small footprint.

23 MS. LAMB: Right. No, we can add a
24 permanent lift, I think the problem is again when that
25 stage is removed, there's hazards within that, as well

1 as just that, again, through construction, our slab is
2 reinforced, it's 122-inches because a crane had to fit
3 on it, so any sort of cut into the slab, which would be
4 needed for the majority of the lifts would not be
5 feasible, so that is why we were looking into options
6 that are surface mounted that we wouldn't have to recess
7 into the slab.

8 MR. LAPORTE: There are lifts that are
9 surface mounted that you wouldn't have to cut into your
10 lab.

11 MS. LAMB: We would add an additional
12 ramp on top of that in order to get -- because there's
13 always going to be a two-inch to a three - like, I
14 believe from my understanding, again, is just a two-inch
15 lift, so it would have to add an additional ramp in
16 order to be able to get into the lift because I believe
17 retractable ramps are not allowed?

18 MR. STEELE: They usually come on
19 (inaudible) runways, that's usually where you see
20 retractables.

21 MR. LAPORTE: But they do make flush
22 mount lift that lands at the floor.

23 MR. STEELE: Well most of those that
24 don't have a ramp are recessed, they have a (inaudible).

25 MS. LAMB: Which we would not be able to

1 do on the slab that we have on that level.

2 MR. HERROD: We have a video ready if
3 that would help you see what's happening here.

4 (Whereupon, a video was played.)

5 MR. HERROD: We could continue on with
6 this, but it gives you an idea what the device looks
7 like; does that help you explain what you're trying to
8 --

9 MS. LAMB: Yes. Yes, it sure does.

10 MR. LAPORTE: That was helpful for me.
11 I think the question skirting this answer, that would
12 qualify as an enclosure, partial enclosure, and looks
13 pretty substantial like it was built to withstand
14 125-pound force, but I still have a lot of concern over
15 the travel of the unit having to be set each time it's
16 installed as well as the run clearance, and no
17 mechanical interlock switch on the other door, but no
18 mechanical interlock, that's a huge concern, the fact
19 that's traveling with the lift, we're creating a pretty
20 bad tripping hazard in a place that's likely going to
21 have poor lighting, when it's in the down position.

22 MS. LAMB: Question for you regarding
23 tripping hazard, are you saying when it's at this down
24 position? From my understanding, I thought it was
25 supposed to always remain up because, per ANSI, any sort

1 of lift, they have to have the ability to save
2 themselves, so that will always be up, as well as we
3 could always put implementation of security guards,
4 which is already something that they do around stages to
5 ensure people -- and I do value that drunk people are
6 really hard to control, so of course we can do other
7 ways, means, methods of ensuring trip hazard.

8 MR. LAPORTE: Yes. I don't know if it
9 says anything about it has to be parked in the "up"
10 position, but we're getting really dependent on human
11 interaction, that always scares me.

12 MR. FOX: Scares me.

13 MR. LAPORTE: Yea, I would have a lot of
14 concern with this, but you've answered my questions,
15 thank you. Any other comments from the Board?

16 MR. MOORE: Just a concern about the
17 electrical being as it plugs in a 110 outlet, do you
18 know the motor current requirements?

19 MS. LAMB: It's probably in that packet,
20 not off the top of my head.

21 MR. MOORE: One of my concerns is the
22 same, along the same lines that Otis had, was that one,
23 it can be plugged in anywhere, if that is normal 110
24 plug, meaning that it's not necessarily going to be
25 plugged into a circuit that is lockable for someone to

1 perform maintenance.

2 Also, I would -- I hate to say it, but I
3 have concerns, it would be used without the key if it's
4 key-only access for those that are handicapped, because
5 of affordability and use, it's -- I'll be -- I would
6 have concerns it would be used as a portable
7 (unintelligible), even though it says (unintelligible).

8 MS. LAMB: Sixty-inches though is the
9 maximum it can travel, which I know five-feet is great,
10 but not in that space, the fourth floor head is
11 immensely tall.

12 (Whereupon, court reporter asked for
13 speakers to talk louder.)

14 MR. FOX: Everybody raise their voice.

15 MR. MOORE: I said I was concerned about
16 it being used as a portable lift meaning it would be
17 used to lift freight and Vic answered that it is a half
18 horse power mower so it's not that hard.

19 MS. LAMB: Any other comments? Can we
20 return back? Were you afraid -- you commented on a
21 lockable, if we put a lockbox over that like power
22 supply, another key element this is a master
23 (unintelligible), so power is extremely difficult to get
24 within, so it was dedicated power source because we knew
25 that that was necessary. If we added a lockbox that was

1 only keyed for said user, would that be acceptable?

2 MR. MOORE: Yes, and -- well again, I
3 would like to see it, but it is portable, I would like
4 to see it permanently assigned, that disconnect for
5 that.

6 MS. LAMB: Okay.

7 MR. MOORE: But any time you have a 110
8 plug, it can be plugged in anywhere else and save
9 somebody's back lifting speakers or amplifiers or
10 whatever, that' just the fear I have with a portable
11 lift.

12 MS. LAMB: Okay.

13 MR. LAPORTE: Comments to that, it's
14 really not portable, so we don't allow it in our Code,
15 but had we adopted the 2020 Code, it's relocatable, your
16 plans to portable makes it sounds like it could be used
17 for other uses.

18 MR. FOX: There's a gentleman behind you
19 who wanted to make a comment, is he with your company?

20 MR. ELLER: I am not. I Rich Eller with
21 Home Lift.

22 MR. FOX: Did you sign in, sir?

23 MR. ELLER: Yes. There is Ascension
24 Owners offers a stage guard, so you can put a stage
25 guard, I'm not sure when you'd move it in and out.

1 Stage guards do interlock, but you have to affix it to
2 the stage when you're using it, and that's sort of where
3 no one falls down or accidentally does that, so it's a
4 part of -- it's a part of the product offer, I'm just
5 saying.

6 MR. LAPORTE: So if you did that, would
7 it be similar to like a Garaventa or Savaria, Concord
8 permanent lift in that way?

9 MR. ELLER: It would, the safeguard
10 would serve as a 42-inch plate basically, you would
11 bring the lift up to the stage, run it up against the
12 wall of the stage, so-to-speak, and that will serve as
13 your interlock, but you have to install the stage guard,
14 and a lot of people don't want 42-inches up on the
15 stage, if it's not permanent, I can't speak for what
16 you're doing, I just know they offer it as a part of
17 Ascension, so it comes up a lot in my discussions with
18 people trying to do school stages and things like that,
19 and that's where (unintelligible) try to get around that
20 issue. I'm just letting you know that it's available,
21 I'm not saying --

22 MR. LAPORTE: I appreciate that.

23 MR. ELLER: There's one going in Memphis
24 right now that's why I brought it up.

25 MR. LAPORTE: Okay. Any other comment

1 from the Board? Do you have anything else, ma'am?

2 MS. LAMB: Can I just have
3 clarification? Typically, when we go up and Code that
4 makes it a little bit more intense or a little bit more
5 scrutiny, would we not claim that 2020 code as a little
6 bit more ASME, a little bit more intense, like wouldn't
7 we be upholding something higher than 2014?

8 MR. LAPORTE: Well, you're not meeting
9 the requirements for your interlock on the door already.

10 MS. LAMB: So, I guess, just for
11 clarification, the problem is the interlock, and then
12 what else, if that was something that we could justify
13 an immediate order?

14 MR. STEELE: Whatever else the Board
15 might have an issue with.

16 MR. LAPORTE: I would have to go back, I
17 don't remember the Code word for word off top of my
18 head, but I think it's going to be the running
19 clearance, the upper landing being fixed at that
20 42-inches, interlock, and most likely a permanent lift,
21 because 2020 Code allowing relocatable lifts, again,
22 there's only a couple, of criteria that, have
23 specifically identifies relocatable part, mostly
24 regarding the casters; 2020 Code basically says that has
25 to be all the requirements of a fixed lift with these

1 couple of exceptions, so I think there would be quite a
2 bit that still would not meet the 2020 Code as is.

3 MS. LAMB: Okay. And when you mean
4 "dedicated power," like we do have dedicated power for
5 that. We have a disconnect switch because we were
6 moving forward with a permanent, and then due to slab
7 issues, we --

8 MR. LAPORTE: I would think permanently
9 pipes --

10 MS. LAMB: Conduit, yeah.

11 MR. LAPORTE: Conduit or even flexible
12 pipe would do better in the wake of the run.

13 MS. LAMB: Sure.

14 MR. LAPORTE: Just a regular 110
15 plug-in.

16 MS. LAMB: Of course, which is on-sight.
17 So how, I guess to your point, to prove that, would it
18 be logical plans and as photo taken?

19 MR. LAPORTE: Well, you're asking me
20 what the difference would be if we adopted the 2020
21 Codes --

22 MS. LAMB: Apologies.

23 MR. LAPORTE: Again, I'd have to
24 research again off top of my head, I could be a little
25 off on those things, I don't want to give you 100

1 percent for sure answer looking at 2020 Code, we can do
2 that.

3 MR. MOORE: One additional question, the
4 max height is what? 60-inches. And the stage height is
5 how high?

6 MS. LAMB: Thirty-inches.

7 MR. MOORE: So what would prevent an
8 operator from -- do you set a limit on that every time
9 or would this --

10 MR. STEELE: It is manually set every
11 time it is relocated, and it is in that video, if you
12 want me to fast-forward it to that part of the video, I
13 can show you.

14 MR. MOORE: If you don't mind, I'd like
15 to see that because my other concern would be is,
16 someone in a wheelchair can drink just as much as
17 someone standing, so if they were to hold the button too
18 far, it goes too high, that's a 30-foot drop -- or
19 30-inch drop, I'm sorry.

20 MR. LAPORTE: My concern is having
21 someone qualified each side.

22 MR. MOORE: Absolutely, who's doing the
23 adjusting?

24 (Whereupon, a video was played.)

25 MR. LAPORTE: I'd have to look again and

1 research the Code, but Otis, help me, two to four inches
2 running clearance would not meet Code, right? We're
3 like three-eighths to three-quarter, if I remember
4 correctly, so we could create pitch points for hands,
5 fingers, feet, toes, other, it's a neat item, but --
6 okay.

7 MR. FOX: Anything else, Mr. Steele?
8 Anything else from you, ma'am?

9 MS. LAMB: No, sir. Thank you.

10 MR. FOX: So at this time I would
11 entertain a motion to either approve or deny the
12 variance request.

13 MR. LAPORTE: I'll make a motion to
14 approve or deny the request.

15 MR. FOX: Well you need to pick one.

16 MR. LAPORTE: I thought you had to --

17 MR. FOX: Make a motion to deny the
18 request or to approve the request.

19 MS. LAMB: Sorry, could I ask for
20 clarification? If you approve or deny, am I allowed to
21 come back, if you deny, am I allowed to come back.

22 MR. FOX: I think you can, yes, ma'am,
23 we would have the next meeting, we do that at the end of
24 the docket, you can figure out when you would want to
25 return, if it is denied, I don't know that it will or

1 not.

2 MS. LAMB: Okay.

3 MR. FOX: So is your motion to approve
4 or deny?

5 MR. LAPORTE: I would make a motion to
6 deny the request.

7 MR. MOORE: I would second that.

8 MR. FOX: We have a motion and a second,
9 any discussion? Hearing none, all in favor of the
10 motion, let it be known by saying "aye."

11 (Affirmative responses).

12 MR. FOX: Opposed, like sign.

13 (No verbal response.)

14 MR. FOX: Motion carries. Ma'am, your
15 request is denied.

16 MS. LAMB: Thank you.

17 MR. FOX: Okay. Moving along to the
18 Board approval request. Mr. Deason.

19 MR. DEASON: Thank you, Mr. Chairman.
20 So we have submitted to both the Attorney General's
21 Office and the Governor's Office request to increase the
22 fees for the elevator unit inspections and the services
23 they perform. These fees have, current fees have been
24 in place for 15 years, since 2010.

25 (Whereupon, background conversations were

1 held, court reporter raised had for Mr. Deason to speak
2 up.)

3 MR. DEASON: Obviously like everything
4 else, operating costs have gone up, salaries have
5 increased, and there is a need to increase those fees
6 like I said, Attorney General's Office Governor's Office
7 has given they're okay, subject to the Board's approval
8 for us to move forward with this. And basically looking
9 at the rule, Tom has it up there, kind of a redline
10 version here, all the \$200 fees, permits, acceptance
11 inspections, operating, the unscheduled follow-up
12 inspections, all the ones 200 we're asking is that those
13 be raised to \$300.

14 And then you can see the acceptance
15 inspection for passenger training from 150, that'll be
16 doubled to 300. Both -- well \$55 operating permit for
17 new or existing elevators, dumbwaiters from 55 to 75;
18 and periodic inspection for elevator, dumbwaiters,
19 escalators from 60 to 75; that is the extent of the
20 change we're proposing the Board to make to the rule for
21 the fee structure, and if there's any questions for us,
22 anything I can answer about that, or Tom?

23 MR. FOX: Just for clarification, not
24 been a raise since 2010?

25 MR. DEASON: Yes, sir, that was the last

1 time that these rules were amended.

2 MR. FOX: Any questions from the Board?
3 Comments?

4 Okay. I would entertain a motion to
5 approve or deny the request.

6 MR. DEASON: May I ask the Secretary, do
7 we have anybody signed up for public comment on this?

8 MS. MURPHY: No, sir.

9 MR. HALE: I'll make a motion to
10 approve, I don't think the proposed fees are really
11 astronomically out of line, by any means. I think
12 they're a reasonable increase.

13 MR. MOORE: I second.

14 MR. FOX: We have a motion and a second.
15 Any discussion?

16 (No verbal response).

17 MR. FOX: Hearing none. All in favor of
18 the motion, let it be known by saying "aye."

19 (Affirmative responses).

20 MR. FOX: All opposed, likes sign.

21 (No verbal response).

22 MR. FOX: Motion carries.

23 MR. DEASON: Yes, sir.

24 MR. FOX: Excellent job.

25 MR. DEASON: Thank you, sir, I'll get

1 these filed.

2 MR. FOX: Next item on the agenda will
3 be the open discussion.

4 MR. HARDY: Thanks again. And my
5 apologies, Mr. Moore, I'm getting where the age, my
6 brain doesn't load as well as it used to. So if we can
7 review these fiscal year 2024 again. The other was in
8 fact a chemical that was put on a dry slide over in
9 Sevierville, Pigeon Forge, and some patron sustained
10 some allergies and some minor burns I think from that,
11 but correction action was applied. Of course it was
12 cleaned, as it should be.

13 The traveling carnival accident in '24
14 was the incident we had with K&S Southern Midways out of
15 Alabama, they were over in the Memphis area and a child
16 had an arm broken in one of the spinning -- spinning tub
17 rides. And the two fixed carnivals were Dollywood, they
18 were minor incidents at Dollywood and I'll review those
19 when I go through this portion, we'll talk about right
20 now, which is accident reporting clarification, our
21 guidelines and procedures that we use.

22 On the first slide there, the first
23 thing to look at and interpret from the statute is
24 whether or not the accident or incident is required to
25 be reported. We're all unfortunately aware of the

1 meaning of the word "fatality." But as you can see in
2 the definition of serious incident and serious physical
3 injury, in its simplest form, "If there is an immediate
4 transport to off-site medical facility, the accident
5 shall be reported," and that is verbatim what the law
6 sayings, whether it's a serious incident, whether it's a
7 serious physical injury. You know, the first -- the
8 first part of those definitions, "If there's an
9 immediate transport to a licensed off-site medical
10 facility, then that accident has to be reported."

11 Now we move to the statute 118 that
12 addresses the responsibilities of the owner/operator in
13 the event that a fatality, serious personal injury or
14 serious incident has occurred. You see the highlighted
15 portion of the statute that specifically states
16 "Resulting from the operation of an amusement device,"
17 and under C, "Caused by the operation of an amusement
18 device." Well, again, this current administration has
19 interpreted this version to give us criteria and more of
20 a common sense approach in making a determination of
21 whether a reportable accident has occurred. A sprained
22 ankle resulting from an awkward landing at a trampoline
23 park is not a reportable accident, and I'll discuss that
24 in a little more detail on the final slide here. I'll
25 read that top portion.

1 When we receive an online accident
2 report submission, the unit generally receives a
3 detailed description, along with supporting photos of
4 the area and videos of the specific incident when
5 available. We then make the determination as to whether
6 the accident was caused by or was a result of the
7 operation of the device. And some examples of
8 non-reportable accidents that I just mentioned, various
9 trampoline park injuries, we have arm, leg, ankle
10 injuries from awkward landings, what they called with
11 trampoline parks, double-bounces and things of that
12 nature, and I don't know of a trampoline park that we
13 have that we don't see video evidence of these
14 occurrences, and we take a look at those and see, you
15 know, if it a patron jumping on a trampoline, you know,
16 and we see obviously an awkward landing or a
17 double-bounce or something that caused that injury,
18 we're not requiring those companies to shut that portion
19 of the trampoline down and have a costly post-accident
20 inspection.

21 Pre-existing injuries, Chairman Fox, do
22 you remember the days that Dollywood where people have
23 fainted or had seizures as a result of, you know, being,
24 even at the park, not even on a ride, so we deem these,
25 as when we get a detailed description, as being

1 non-reportable. And also trip and fall on entrance and
2 exit incidents that aren't related to the operation of
3 the device, we make the determination whether there was
4 some kind of circumstance there that might have caused
5 the trip and fall before we clear those.

6 Some examples of reportable accidents;
7 Dollywood, I think we mentioned in a previous meeting,
8 they revamped their Lightning Rod Roller Coaster, had
9 some new ornamental rockets on the side that had a sharp
10 point, and a patron was going car to car or between cars
11 and hit that point of the rocket at the right place on
12 his thigh and had a puncture wound there. So we have a
13 good relationship with Dollywood, we work with them.
14 They got with their maintenance, they but a flat taper
15 on the end of that rocket, so that issue shouldn't
16 happen anymore, good corrective action.

17 I mentioned the dry slide reaction with
18 the chemicals. Correction action was applied there and
19 we allowed that company to continue operating.

20 We've had falling objects in trampoline
21 parks, like signage, that have caused accidents before,
22 which we've worked with those companies to remedy those
23 situations. And I think a couple years back on a
24 carousel at Dollywood, there was damaged fiberglass on
25 one of the carousel horses and a patron was getting on,

1 threw his leg over there and had a cut, had a laceration
2 there, they put that particular horse out of service
3 until maintenance could remedy that problem.

4 So most of what we have in reportable
5 accidents, that there is a corrective action, and we
6 ensure that those corrective actions are applied before
7 we allow the device to go back into service. So I hope
8 that gives you a little bit more of a clear
9 understanding of how we -- how we handle and process
10 these accidents and classify them as reportable and
11 non-reportable. Any questions on that, Board?

12 MR. FOX: Any questions? To me this is
13 just common sense approach.

14 MR. HARDY: Yes, sir.

15 MR. FOX: Common sense works very well.
16 Any additional questions or comments? All right.
17 Moving right along to the calendar of the scheduled
18 Board Meeting 2025, the next one is tentatively assigned
19 for September 3rd, and the next one would be -- would
20 be, excuse me September 3, 2025, and the next one would
21 be December 2nd, 2025, and we will have one on that --
22 December 2nd, correct, Mr. Herrod?

23 MR. HERROD: That's correct.

24 MR. FOX: And if needed, we will have
25 one on September 3rd?

1 MR. HERROD: Correct.

2 MR. FOX: Do I have a motion for a
3 adjournment.

4 Somebody please make a motion. Ladies
5 and gentlemen, we are adjourned. Thank everyone for
6 being here today.

7 (End of proceedings)

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CERTIFICATE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages 1 through 40 represent a true, complete, and correct transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in any way interested in the result of said case.

This, the 1st day of July 2025.

Lisa M. Jones, LCR #539
Notary Public