

STATE OF TENNESSEE
ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD

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

December 4, 2024

ORIGINAL

CASSANDRA M. BEILING, LCR# 371
STONE & GEORGE COURT REPORTING
2020 Fieldstone Parkway
Suite 900 - PMB 234
Franklin, Tennessee 37069
615.268.1244

1 APPEARANCES:

2 Robbie Fox, Chairman

3 Fixed Amusement Device Representative

4 David Hale, Board Member (not present)

5 Tennessee Fair Association Representative

6 James Roy Pope, Board Member

7 Traveling Amusement Device Representative

8 Larry R. Moore, II, Board Member

9 Owner and Lessees Representative

10 Kelly O'Connor, Board Member

11 Public-at-Large Representative

12 Victor LaPorte, Board Member

13 Manufacturer Representative

14 Mitch Rader, Board Member

15 Insurance Company Representative

16 Dewayne Scott, Deputy Commissioner

17 Tennessee Department of Labor & Workforce

18 Development

19 Tom Herrod, Assistant Commissioner

20 Tennessee Department of Labor & Workforce

21 Development

22 Melissa Owens, Legal Counsel

23 Tennessee Department of Labor & Workforce

24 Development

25 Chance Deason, Legal Counsel

Tennessee Department of Labor & Workforce

Development

Jennifer Murphy, Board Secretary

Tennessee Department of Labor & Workforce

Development

James "Otis" Steele, Chief Elevator Inspector

Tennessee Department of Labor & Workforce

Development

1 Appearances continued:

2 Mike H. Hardy, Amusement Device Manager
3 Tennessee Department of Labor & Workforce
4 Development

5 Deron Vanover
6 NAARSO Representative

7 Larry Nellist
8 ACCT Representative

9 Stone & George Court Reporting
10 Cassandra Beiling, Court Reporter

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*Reporter's Note: All names are phonetically
spelled unless otherwise provided to the Reporter.

Stone & George Court Reporting
615.268.1244

A G E N D A

1. Call Meeting to Order
2. Pledge of Allegiance
3. Introductions and Announcements
4. Adoption of Agenda
5. Approval of the Meeting Minutes and Transcript
(June 4, 2024)
6. Elevator Unit's Report
7. Amusement Device Unit's Report
8. Old Business-No items
9. New Business-No items
10. Presentation by NAARSO Speaker
Speaker: Deron Vanover
Topic: "Amusement Ride Safety and Inspection
Techniques"
Duration: 15-20 Minutes
Q&A Session: 10 Minutes
11. Presentation by ACCT (Association for
Challenge Course Technology) Speaker
Speaker: Larry Nellist
Topic: "Advancements in Inspection Techniques
and Technological Innovations for Challenge
Courses"
Duration: 15-20 Minutes
Q&A Session: 10 Minutes
12. Open Discussion
13. Calendar-Scheduled Board Meetings 2025

March 4, 2025	9:00 a.m.(CT) (If needed)
June 3, 2025	9:00 a.m.(CT)
September 3, 2025	9:00 a.m.(CT) (If needed)
December 2, 2025	9:00 a.m.(CT)
12. Adjournment

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2 CHAIRMAN FOX: Ladies and
3 gentlemen, I want to welcome everybody this
4 morning. We'll call the December 4th, 2024
5 meeting of the Elevator and Amusement Device
6 Safety Board to order.

7 And, Mr. Pope, could we ask you to
8 lead us in the Pledge.

9 (Whereupon, the Pledge of Allegiance
10 was recited.)

11 CHAIRMAN FOX: We have the
12 roll call this morning.

13 Madam Secretary, can we ask you to do
14 the roll call for us, please, and we will answer
15 in either "present" or "here."

16 MS. MURPHY: Robbie Fox,
17 Chairman?

18 CHAIRMAN FOX: Here.

19 MS. MURPHY: Mitch Rader,
20 board member?

21 MR. RADER: Here.

22 MS. MURPHY: James Roy Pope,
23 board member?

24 MR. POPE: Here.

25 MS. MURPHY: Larry Moore,

1 board member?

2 MR. MOORE: Here.

3 MS. MURPHY: Kelly O'Connor,
4 board member?

5 MS. O'CONNOR: Here.

6 MS. MURPHY: Vic LaPorte,
7 board member?

8 MR. LAPORTE: Here.

9 CHAIRMAN FOX: And Mr. Hale is
10 absent today.

11 MS. MURPHY: David Hale is
12 absent today.

13 CHAIRMAN FOX: At this point
14 we will declare a quorum so we can go forward with
15 the meeting.

16 We don't have any public comments
17 today, but I think you want to address that for
18 us; is that correct?

19 MR. DEASON: It's really not
20 that necessary today, but we -- if some of you
21 haven't been to any of these meetings in a while,
22 the Department has a new policy for all towards if
23 you wish to make a comment on an agenda item, and
24 the comments are limited to actual agenda items
25 and things that will be voted on, we would ask you

1 to sign up there so that we know that you wish to
2 make a comment.

3 And if you don't do that, the Chair
4 may or may not let you make a comment. But
5 certainly, if you know you want to talk about some
6 item on the agenda, please do that so that we're
7 aware and you can be heard. Today it would only
8 involve the adoption of the agenda and approval of
9 the minutes, so I don't think that's too
10 controversial.

11 CHAIRMAN FOX: It could be.
12 It's got a chance.

13 MR. DEASON: You know, I've
14 been wrong before, maybe more times than I'd like
15 to admit.

16 But anyway, that's our procedure now
17 and going forward to the next meetings. Thank
18 you.

19 CHAIRMAN FOX: So I would --
20 the next item on the agenda is adoption of the
21 agenda, and I would ask for a motion to approve.

22 MR. POPE: Motion.

23 MR. RADER: Second.

24 CHAIRMAN FOX: We have a
25 motion and a second. Any discussion?

1 (No verbal response.)

2 CHAIRMAN FOX: At this point
3 we will vote on the motion. Do we need to do a
4 roll call on that, sir?

5 MR. DEASON: Sir, I think a
6 simple yay or nay.

7 CHAIRMAN FOX: All in favor of
8 the motion, let it be known by saying, "yes."

9 (Affirmative response.)

10 CHAIRMAN FOX: All opposed,
11 like sign.

12 (No verbal response.)

13 CHAIRMAN FOX: This is a
14 little bit different than what we do, but we're
15 good with it. Okay.

16 Approval of the minutes and the
17 transcript of the last meeting on June 4th, 2024.
18 I would entertain a motion to approve that meeting
19 and the minutes.

20 MR. RADER: Make a motion to
21 approve the meeting minutes and transcript of the
22 meeting of June 4th, 2024.

23 MS. O'CONNOR: I'll second.

24 CHAIRMAN FOX: We have a
25 motion and a second. Any discussion?

1 (No verbal response.)

2 CHAIRMAN FOX: Hearing none,
3 all in favor of the motion, let it be known by
4 saying, "aye."

5 (Affirmative response.)

6 CHAIRMAN FOX: All opposed,
7 like sign.

8 (No verbal response.)

9 CHAIRMAN FOX: Well, moving
10 right along, we have the Elevator Unit Report, and
11 Mr. Steele...

12 I'm assuming you have to give us your
13 name, address, and phone number.

14 MR. STEELE: Serial number,
15 rank.

16 CHAIRMAN FOX: Rank. Just,
17 who are you so that everybody else will know? We
18 know who you are.

19 MR. STEELE: James Steele,
20 Chief Elevator Inspector for the State of
21 Tennessee.

22 This first slide here shows our
23 growth over the last five years. You can see that
24 we are consistently growing. We've added about
25 516 new conveyances this year and probably have

1 that many permitted to be installed right now for
2 next year. So we're steadily growing at about,
3 roughly, 5- to 600 a year.

4 This shows the notable growth. Don't
5 get too excited. That Sevier County there, I know
6 that looks good, but this is acceptances. It's
7 growth by acceptances that we performed. It shows
8 the work that our inspectors put in, really, more
9 than anything. It's not only the new ones, but
10 it's also elevators that have been modernized. So
11 it shows that above and beyond what just our
12 normal biannuals are, they're doing this many
13 acceptances on our conveyances.

14 We have 3 inspectors in
15 West Tennessee, 15 in Middle Tennessee, 12 in
16 East Tennessee. 1,599 elevators in
17 West Tennessee, 9,084 in Middle Tennessee, 6,296
18 in East Tennessee. We're one inspector short
19 right now. Bill Rogers, who took care of the
20 Crossville-Cookeville area, kind of the middle
21 ground over in there, he retired after 22 years of
22 service. We do have a candidate that we've
23 offered the position to. We hope to get him in by
24 the 16th of this month, and we'll be fully staffed
25 again.

1 Our delinquents across the state.
2 Our delinquent rate is 0.09 percent. We had six
3 in West Tennessee, nine in Middle Tennessee, and
4 one in East Tennessee. The majority of those are
5 delinquent for biannual inspection because they're
6 down for modernization. They're being worked on
7 at the moment, so we haven't inspected those.

8 This graph shows kind of our
9 performance over the last 25 weeks. You can see
10 that we've been consistently below 1 percent in
11 our delinquent rate. So we've been fully staffed,
12 and having a trained staff of inspectors has
13 benefited our performance.

14 Any questions?

15 CHAIRMAN FOX: Yes, sir. I
16 just think it's -- a statement. I think it's
17 amazing that our state continues to grow -- if
18 you're putting in elevators, we're growing. And I
19 think it's amazing that our state is continuing to
20 do that and I think that's great. I think it's
21 great for all of us. A high tide raises all
22 boats, as I say.

23 MR. RADER: Good report.
24 Thank you.

25 CHAIRMAN FOX: Yes, sir.

1 Any questions?

2 (No verbal response.)

3 CHAIRMAN FOX: Moving right
4 along, Mr. Hardy, the Amusement Device Unit
5 Report. If you will, for the sake of the
6 audience, tell us who you are.

7 MR. HARDY: Mike Hardy,
8 Amusement Device Unit Manager. Amusement Device
9 Manager.

10 Morning. How is everybody doing this
11 morning?

12 The first graph that you see is one
13 that Tom wanted us to put in for this fiscal year.
14 I believe we reviewed this graph back when we met
15 in June.

16 The green bar on the right side is
17 the number of permits that we issued last year, at
18 531. So we kept that number in there as our total
19 projection for this fiscal year.

20 But the bar on the far left is our
21 current active companies for Fiscal Year '25. So
22 if we hold our own, if we hold what we have now,
23 we'll again surpass the number of companies that
24 we permitted last year.

25 And there in the center, you can see

1 that we have permitted, so far this year, 169
2 companies with 362 remaining to permit to reach
3 our goal of 531 last year.

4 This is a history of our operating
5 permits issued. Of course, you can see the dip
6 for the COVID years there, but we did permit a
7 record number of companies in Fiscal '24 with 531
8 companies. Again, you can see that we have 169
9 companies already permitted this year, and we kept
10 our goal there at 531. I mentioned before that
11 this graph will eventually plateau, we hope, with
12 a gradual increase over time.

13 This is the New Operating Permits
14 Issued. Again, you can see that COVID gave us a
15 pretty good bell curve there with new companies
16 permitted, and we are into our second bell curve.

17 We issued 95 new companies for Fiscal
18 Year '24. We're at 36 new companies permitted
19 thus far in '25. This is a number -- we don't
20 know how many new companies are out there. So
21 depending on what we discover, we may increase
22 that bell curve. We expect that this second bell
23 curve will eventually -- or gradually decrease
24 over time or the years ahead of us.

25 We left the goal, the projection for

1 95 new companies. But again, there's no way to
2 know what we will have for new companies permitted
3 for the remainder of the year.

4 Number of devices that were inspected
5 or registered for Fiscal '24. You can see we
6 surpassed the '23 number. So, again, this is a
7 record number for the Unit. We left that
8 projection of the green bar, 5,121, for our
9 projection or our goal for this fiscal year, and
10 we're currently at 1,512 devices registered.
11 These devices have been inspected. And there's a
12 direct correlation between this graph and the
13 companies permitted, which we do expect it to
14 plateau over time and with an eventual increase.

15 These are our reportable accident
16 history over the last five years. Finishing up
17 2024, we had four accidents that we considered to
18 be truly reportable accidents. So far this year,
19 for this fiscal year, we have two reportables.

20 And finally, on this last graph, the
21 two reportables that we have had this year, one
22 was a mountain coaster in -- over in
23 East Tennessee. A patron failed to brake on the
24 mountain coaster. If you're familiar with those,
25 you know that's not a good thing, when you fail to

1 brake.

2 And also, the car was coming into the
3 track -- coming into the station. So the
4 automatic distance control is disabled there to
5 allow the cars to stack up, to come into the
6 station. Had a back injury from that incident.
7 It was on the patron that failed to brake coming
8 into the station. And that occurred on July 31st.

9 Then on August 17th, on the right
10 side, that's the Inflatable category. We had two
11 children that were toddlers over in
12 East Tennessee, in the Knoxville area. They had a
13 bounce house that had an inflatable floor and they
14 filled that thing with foam. A couple of toddlers
15 got in the bounce house and stayed in there for a
16 little while, and they were determined to be lost
17 or missing, and then some adults got in there and
18 compounded the problem by making the floor, you
19 know, uneven in there.

20 But they were eventually found and
21 they experienced some respiratory issues. There
22 were two transported to the hospital. Could have
23 been a pretty serious thing over there, if you're
24 familiar with that incident. So that occurred on
25 August 17th.

1 Then on August 22nd, got together
2 with Tom and the remainder of the staff, and we
3 thought it was best that we issue an advisory
4 notice or a notice regarding the use of foam for
5 inflatable devices. And the notice reads, "bounce
6 houses," which bounce house would have an
7 inflatable floor as well as the walls. We're
8 taking this on a case-by-case basis.

9 If someone has a flat floor, you
10 know, which is traditionally what the foam is used
11 for, then we are going to still allow that. But
12 we are not allowing any foam usage on a bounce
13 house with inflatable floors and walls for this
14 reason, so -- and we really haven't had much
15 feedback from that. So I think we're in pretty
16 good shape. I think that was a good thing to do,
17 the right thing to do. Because, again, that
18 situation could have been a lot more than it was.

19 And, basically, that's my
20 presentation and I would be glad to entertain any
21 questions that you might have.

22 CHAIRMAN FOX: Just for the
23 record, we've had no fatalities across the state?

24 MR. HARDY: No, sir. No, sir.
25 The only fatality was the employee -- James Roy.

1 That was back in -- that was in '23.

2 MR. POPE: July '23.

3 MR. HARDY: Over in Carthage.

4 And that was an employee that was working on a
5 piece of equipment over there.

6 MR. POPE: That was just a
7 nonrunning, nonoperable. It wasn't even hooked up
8 to electricity at the time.

9 MR. HARDY: It wasn't
10 mechanized. It was being --

11 MR. POPE: More of a workplace
12 accident.

13 MR. HARDY: -- manually
14 indexed and someone had their upper body in an
15 area that was compromised. No fatalities.

16 Any questions?

17 MR. RADER: Mike, do you have
18 descriptions of the four accidents in '24,
19 briefly?

20 MR. HARDY: I happened to put
21 that together this morning in case somebody asked
22 that question.

23 But we had two that were of the, I
24 guess -- the fixed carnival. One was on the
25 Dollywood Lightning Rod coaster. The cars for the

1 Lightning Rod coaster had been renovated and they
2 had these ornaments on the side of the cars that
3 looked like rockets. Well, on the tip of the
4 rocket, you know, it is rather pointed. So one
5 patron was crawling out of his seat, getting in a
6 car, and he had a puncture wound in his thigh.

7 So we got with the Dollywood folks
8 there and they shut the ride down. They got with
9 maintenance. They put a beveled edge on the end
10 of that rocket and it smoothed that out so that we
11 won't have that situation anymore.

12 We had chemical burns on a dry slide
13 also in East Tennessee. Fast Tracks, if you're
14 familiar with it. It was a cleaning chemical that
15 was used on the slide and there were some chemical
16 burns associated with that. That was taken care
17 of relatively quickly.

18 We had a carnival that had a child
19 with a broken arm, got inside of a Tubs of Fun
20 where you spin the tub you're in, and the top of
21 the -- the spinning wheel was open. It wasn't
22 closed like, you know, they should be. Got his
23 arm in there. Sometimes, those things will whip
24 around, and had a broken arm there.

25 And then on the new Dig'n Zone over

1 in East Tennessee, where patrons actually operate
2 excavators and they drive rollers and a lot of
3 different kind of equipment, it was fairly new
4 into that operation, and there was a child in the
5 cockpit with a parent on one of the excavators and
6 the indexing allowed the child to have a minor
7 pinch.

8 So we went back with Dig'n Zone, and
9 they modified all of the travel for those arms
10 there and took care of that problem. There
11 haven't been any other issues with them.

12 Any questions regarding the --

13 MR. RADER: Thank you.

14 MR. HARDY: -- '24?

15 MR. POPE: Chairman --

16 CHAIRMAN FOX: Sure.

17 MR. POPE: -- if I can ask
18 one.

19 Out on the amusement ride accident,
20 we issued a fine. Did they ever --

21 MR. HARDY: We got most of it.
22 We're still working with them. The company's out
23 of Alabama and we're still working with them to
24 get the remainder of that fine.

25 MR. POPE: But we let them

1 work in the state this last year, didn't we?

2 MR. HARDY: No. No, we did
3 not.

4 MR. POPE: Did they not ever
5 come back in? Okay. That's all. Thank you.

6 MR. HARDY: I would like to
7 say something else, if I might.

8 CHAIRMAN FOX: Please.

9 MR. HARDY: One of the first
10 people that -- I guess he was the first and only
11 inspector when this problem was developed, Lee
12 Bentley from East Tennessee. Lee suddenly passed
13 away, 59 years old. He did work with the State,
14 worked for this unit. He was the first
15 inspector -- I think the only one we had at that
16 time. And he worked at The Island over there on
17 the strip there at Pigeon Forge. As a third-party
18 inspector for us, he still had a big impact on our
19 program, performing and submitting many inspection
20 reports for us, and we're going to miss Lee and
21 going to continue to pray for him and his family
22 during this time.

23 And lastly, on behalf of the Division
24 and Amusement Device Unit, I want to thank Deron
25 Vanover and Larry Nellist. Deron is with NAARSO,

1 certified. And Larry Nellist is ACCT, which is --
2 primarily issues inspection reports to us,
3 third-party, for canopy tours and aerial adventure
4 courses and lines, things of that nature. And
5 they're going to have a little bit of time later
6 on in the meeting, and I appreciate them taking
7 time out of their day to come and share with us
8 this morning.

9 Any questions?

10 CHAIRMAN FOX: Thank you, sir.

11 MR. RADER: Good report.

12 CHAIRMAN FOX: Good report,
13 very good.

14 Moving on to Old Business, there are
15 no items under that topic at this time. Then
16 moving on to -- we'll close that section of the
17 agenda.

18 Item Number 9, New Business, we have
19 no items under New Business at this time, so we'll
20 close that item.

21 But we do have two speakers and --
22 the gentleman who is coming in for -- Deron.

23 Deron, do you want to come forward
24 and speak?

25 MR. VANOVER: Good morning.

1 CHAIRMAN FOX: Give us your
2 name for the record, sir.

3 MR. VANOVER: My name is Deron
4 Vanover. I am a NAARSO Level II certified
5 inspector. I'm representing ADI of Tennessee,
6 Amusement Device Inspections, under the
7 understanding to give you a -- try to give you a
8 brief description on what we do out there, which
9 can sometimes be difficult because rides all have
10 their own personalities.

11 So when we go into an inspection,
12 you've really got to know what you're looking at.
13 Specifically, when I say -- if it's a Gravitron,
14 if it's a Ferris wheel, you can't really go into
15 it with a generic idea of how you're going to look
16 at a ride because, again, they're all different.
17 They all have their own idiosyncrasies. But
18 generally speaking, you know, it's walkways,
19 making sure they're safe, clear, structured good,
20 steps.

21 Corrosion is a big issue, I'm sure,
22 you know, from -- that came to the forefront a few
23 years ago after the accident in Ohio. So
24 corrosion is always a big deal.

25 Nondestructive testing requirements

1 on rides. So certain rides have certain elements
2 of the ride that require different types of
3 testing. So we're making sure those are getting
4 done.

5 We always try to -- for liability
6 purposes, we try to make sure that the ride is
7 maintained by manufacturer's specifications. We
8 don't tell them how to fix something. We just
9 tell them what needs to be fixed. We certainly
10 will work with the owners and operators, as a
11 go-between with the manufacturers, to try to get a
12 good repair procedure put together and make sure
13 that we can get a broken or impaired ride safely
14 back in operation. That's how we do it.

15 With the inflatables, we go into
16 inflatables, again, looking at the condition of
17 the blowers, looking at the overall condition of
18 the inflatable, holes, how repairs are being made
19 on inflatables, conditions of netting, tie-downs,
20 anchor points. Are the right number of anchors
21 being used? That can always be different,
22 depending on manufacturers.

23 So manuals are important with
24 inflatables so that you can -- because, again,
25 they're all different. Every manufacturer is

1 different. So, you know, we try to go into it and
2 keep it with the manufacturer's standard and
3 manufacturer's recommendations and specifications
4 on repairs or setup or operation or anything like
5 that.

6 If there's anything else that you
7 want to know, anything specific, or if I was not
8 specific enough, please let me know. Or please
9 ask anything you want to ask.

10 MR. HERROD: Mr. Chairman.

11 CHAIRMAN FOX: Sir.

12 MR. HERROD: Deron, could you
13 comment on carnivals? I'm not picking on James
14 Roy over there, but --

15 MR. POPE: We have big
16 shoulders. It's okay.

17 MR. HERROD: Can you just
18 comment on that, what you see typically in --

19 MR. VANOVER: Absolutely. Let
20 me, first of all, go ahead and tell you, I am also
21 a State inspector in Kentucky and I do third-party
22 work outside of Kentucky, too, so I know James Roy
23 very well. I've been inspecting him in Kentucky
24 for years and years.

25 But carnivals are unique. Traveling

1 carnivals, I've been pushing for years at NAARSO.
2 I teach at NAARSO. And when I first started going
3 to NAARSO, the mobile carnivals, I felt, were very
4 left out of the NAARSO thing. It was more about
5 parks and things like that. So we're just now
6 getting mobile carnivals -- you know, specific
7 classes taught at NAARSO and things like that.

8 So the mobile shows -- which, really,
9 is what I do mostly. I'm not in parks very often.
10 I call myself a carny as well because I'm always
11 with the traveling guys. So those are very
12 important. I mean, they're all very important.
13 But, you know, these are guys that set up, tear
14 down, set up, tear down, set up, tear down. So
15 there's a lot of wear-and-tear issues that goes
16 with that. I mean, no matter how good they do it,
17 you know, pulling a pin out, putting the pin in,
18 pulling the pin out, putting the pin in, you get
19 wear.

20 So as an inspector over years and as
21 an owner and operator over years, you learn each
22 ride's -- I hate to use the term -- weak point.
23 But we learn over time where we see that wear.
24 You know, so we'll go -- you know, I may go up on
25 a specific ride and go to a certain point because

1 I know that's an issue. There's an issue at that
2 point. You know, so we check those points. And
3 you learn that over years and years.

4 But I like to think that the mobile
5 carnivals, they know accidents are not only bad
6 for the public, but it's bad for business too. So
7 they work really hard. And it's just like your
8 car. You can look at your car 100 times, but you
9 don't know that alternator is going to go bad. So
10 you can always have failures that you just can't
11 see. You don't know it's going to fail.

12 But, yeah, the mobile shows are --
13 it's very important to get out and we look at
14 them. We impress upon them the importance of, you
15 know, every ride has a maintenance program
16 designed by the manufacturer with daily
17 inspections, weekly inspections, monthly
18 inspections, you know, whatever.

19 So as an inspector, me, when I go
20 onto a ride, I ask to see those inspections. I
21 want to make sure that the dailies are being done
22 in accordance with the manufacturer. The weeklies
23 are being done. Because, again, how often
24 they're -- you know, they come in. They set up
25 for four days. They tear down. They move. They

1 set up for four days.

2 So those daily checks, those weekly
3 checks, that's vital to the safe operation and
4 continued longevity of a ride. They're not meant
5 to operate forever, but you can certainly tell the
6 difference between a carnival that takes care of
7 their stuff and a carnival that doesn't do quite
8 as well. The rides just don't last as long.

9 So that's something I try to impress
10 upon the owners, that those inspections, those
11 daily checks, those preoperational checks, those
12 weekly checks, again, super important, not only to
13 protect your investment as an owner and operator,
14 but to ensure that the families coming to the show
15 are going to have a safe ride to get on.

16 And, again, as an inspector, I
17 consider myself part of that team because I'm
18 looking at a ride and -- with the operators. I
19 talk to the operators. I quiz the operators. I
20 put them in situations.

21 And, again, a lot of the carnivals,
22 you know, they have new people at every spot. So
23 we get a person to operate this ride that's brand
24 new. So I like to talk to those people and make
25 sure they understand emergency procedures,

1 evacuation procedures. You know, don't take your
2 eyes off the ride. So I'm always getting on them
3 about things like that as well.

4 I hope that was okay.

5 MR. HERROD: Since you
6 mentioned Kentucky, can you give us an idea, how
7 is Tennessee stacking up safety-wise on -- our
8 program versus Kentucky or maybe other states?

9 MR. VANOVER: We're going to
10 do this over Wildcats versus Volunteers?

11 I'm sure you guys are well aware --
12 and she might see my name a lot. You know,
13 there's a lot of companies that actually come from
14 Tennessee into Kentucky to get inspected, you
15 know, seeing as we're all -- with the exception of
16 one inspector in Kentucky, we're all NAARSO
17 certified.

18 So we have a lot of companies from
19 Tennessee that come into Kentucky to set up just
20 to get inspected so they can come back to
21 Tennessee. So I feel like I'm already part of
22 Tennessee anyways, because as a State inspector,
23 there's a lot of devices that operate in Tennessee
24 with my name on it or they've used my name to open
25 up.

1 I'm also working with Mr. Wayne now.
2 I'm a part of the Memphis Delta Fair and, you
3 know, I've done some stuff in Knoxville and
4 Gatlinburg.

5 But I think Tennessee is doing a
6 fantastic job, you know, as far as I've seen. No
7 big issues. You have that weight of importance on
8 the amusement devices. You're putting us out
9 there. We're inspecting and we have the backing
10 from the Department to help us get through
11 paperwork, get rides open and things like that.

12 I worked with Michael in Memphis this
13 year. We had some issue with some rides that
14 showed up that we didn't expect to be there and we
15 had to hustle to get things done. But yes, I
16 think Tennessee is doing a fantastic job and I
17 think Kentucky is doing a fantastic job.

18 CHAIRMAN FOX: Mr. Pope has a
19 question.

20 MR. POPE: If I could. And I
21 have worked with Deron in the past for years and
22 years, and very knowledgeable, very thorough, very
23 fair. The State of Kentucky operates in a
24 completely different way than the State of
25 Tennessee operates. And we, as owners and

1 operators, appreciate both. But it does help to
2 have -- we want that second set of eyes to come
3 in, and Deron, and then bring a lot of knowledge
4 to the table, and all the inspectors that we go
5 through in different states, whatever. To us,
6 it's just another inspection.

7 Plus, we do a third-party also, which
8 he is. There's a shortage of inspectors in the --
9 I won't say the world, but I'll say the country,
10 anyway, nowadays. And they use a lot of past
11 inspectors, retired inspectors, off-duty
12 inspectors, and things like that from different
13 states.

14 And if you would, tell everybody, for
15 the ones that don't know, what NAARSO is.

16 MR. VANOVER: Oh, yeah,
17 absolutely.

18 NAARSO is a nationally recognized
19 institution to train and certify people in the
20 inspection industry or just in the operation
21 industry. They do a wide variety of
22 certifications from, you know, water-type devices,
23 amusement devices, park devices. They not only go
24 over the inspection, but, you know, park
25 operation, carnival operation.

1 Aerial recreation is becoming a big
2 deal now. I mean, we just started doing that a
3 few years ago in Kentucky. We ignored it for
4 years and years. But it's gotten very big, you
5 know. So we had to make that a part of our
6 program. So that's become a part of NAARSO as
7 well.

8 So it's a yearly seminar, you know,
9 where they teach every year. They also do virtual
10 things, you know, where you can take courses,
11 continuing education. You can get certifications
12 in inspection and operation and aquatic. Got
13 aquatic certifications for water parks and all
14 kinds of things like that. So that's NAARSO.

15 MR. RADER: Mr. Chairman, I've
16 got a question.

17 Go ahead, Mike.

18 MR. HARDY: If I may for the
19 record, the State adopts three certifying agencies
20 for our third-party inspection system and those
21 are NAARSO, AIMS, and ACCT, in which Mr. Nellist
22 will speak about later. But those are the only
23 three that we will accept inspector certifications
24 on to approve our registered rides.

25 MR. RADER: My question was on

1 these mountain coasters, your main manufacturer is
2 WEIGAN. And in our area, we have several of them.
3 And the accidents that you typically see are on
4 the braking aspect of the coaster. When you
5 inspect one, what are you typically looking for in
6 terms of safety?

7 MR. VANOVER: Well, I have to
8 be honest, I've not really done too many of those.

9 MR. RADER: Got you.

10 MR. VANOVER: We don't have
11 any that I can think of in Kentucky.

12 MR. RADER: Yeah.

13 MR. VANOVER: I mean, I've
14 been around them. But anytime --

15 MR. RADER: So who is
16 inspecting them on a regular basis?

17 MR. VANOVER: Well, it would
18 obviously be a third-party inspector. I'm
19 speaking of me individually, me specifically. I
20 haven't. Wayne may have, may have done some. But
21 me, as Deron Vanover, I've not done them.

22 MR. RADER: I got you.

23 MR. VANOVER: So I don't feel
24 like I can properly answer that question.

25 MR. RADER: Fair enough.

1 MR. VANOVER: But as an
2 experienced inspector, I would tell you that
3 anytime you're relying upon the patron to do
4 things, you're always going to have issues. We a
5 lot of times in Kentucky, if there's too much
6 human involvement, we will -- we exempt that stuff
7 because I can't control -- I mean, you've got 150
8 people in line to get on this ride and they're all
9 going to operate it differently, every one of
10 them. They're all going to brake at different
11 times. They're all going to brake at different
12 levels.

13 So, you know, if it was me going into
14 that, that's a -- the big thing about that is
15 training operators, you know, speaking to the
16 people as they come to get up, you know, signage,
17 explaining what they need to do.

18 But, I mean, you know, a mountain
19 coaster, again, if I was to go look at one,
20 looking at the car, it's just the condition, the
21 overall condition of the ride, the brakes. But,
22 again, when you're relying on the patron to apply
23 the brakes themselves, the biggest and the best
24 thing you can do there is training, you know, your
25 operators and things and making sure that they can

1 pass that or get that information into the
2 patron's ear, which I know is very difficult.

3 CHAIRMAN FOX: Mr. Pope?

4 MR. POPE: In our industry as
5 a whole, a big percentage of accidents are rider
6 error or rider horseplay or not following the
7 directions, not following the rules. And Mike
8 will tell you the same thing. When we look at --
9 and just like he looks at a car, that car can be
10 perfect, but that doesn't mean the rider can sit
11 in it, that he's going to do what they're supposed
12 to do, he or she. And it's the same way, whether
13 it be kids, and kids don't understand for kiddie
14 rides. That's why we have restraints and we do
15 the best we can do and the operator is trained to
16 watch them.

17 As we say, as I tell all my
18 operators, a happy kid is going to ride that ride
19 all day long. A crying kid will jump. You just
20 don't know. A lot of accidents that happen are
21 caused by a rider, and it may not be an accident
22 to themselves; they can actually be horse playing
23 or something and cause injury to someone else on
24 the ride.

25 MS. MURPHY: Mr. Chairman?

1 CHAIRMAN FOX: Yes.

2 MS. MURPHY: I can answer
3 Mitch's question, as far as who does the
4 inspections. Lee Bentley did 90 percent of our
5 inspections. Adam Johnson, Ralph Potter have
6 taken up his slack. They worked with him. Wayne
7 White does a couple of them. But it's mainly our
8 East Tennessee Island workers that do the
9 inspections up there.

10 MR. HARDY: And if I can add
11 to that too, Mitch, there are WEIGAN
12 representatives. Some of the coaster companies
13 over in East Tennessee actually hire and have a
14 representative, WEIGAN, there on-site.

15 MS. MURPHY: He lives in
16 Sevier County. His name is Chris, but I don't
17 know what his last name is.

18 CHAIRMAN FOX: One other
19 thing, just for the audience. There's three
20 certifying agencies, certifying inspector
21 agencies. But they certify and inspect against
22 what set of standards?

23 MR. HARDY: I can answer that.

24 CHAIRMAN FOX: He'll know
25 that.

1 MR. HARDY: Okay.

2 MR. VANOVER: Well, I think
3 you're maybe leading towards ASTM?

4 CHAIRMAN FOX: Absolutely.
5 Yes, sir. I think that's important for us to talk
6 about for just a second.

7 MR. VANOVER: Absolutely. I
8 work in a lot of states. Some states don't --
9 they don't use ASTM as law or as a regulation.
10 Specifically Kentucky, we do not use ASTM unless
11 the manufacturer specifically calls out that the
12 ride was built to ASTM standards. I know here in
13 Tennessee, we use ASTM standards. I know a lot of
14 operators in Kentucky are pushing.

15 A lot of issues we have is old rides,
16 old rides that were built years and years ago,
17 obviously before ASTM existed. But ASTM is pretty
18 heavy. They have a lot of big heads, a lot of big
19 think tanks that put the ASTM together and it's
20 big. It can be hard to follow sometimes.

21 I don't know what you were wanting me
22 to speak on specifically about the ASTM, but --

23 CHAIRMAN FOX: You've answered
24 the question.

25 MR. VANOVER: The ASTM is

1 fantastic and there's not much you won't find in
2 it.

3 MR. HARDY: And along with
4 ASTM, ACCT has their own rules and specifications
5 for the aerial adventure courses, zip lines,
6 canopy tours, things of that nature. And those
7 two, ASTM and ACCT, are, again, the only two
8 standards that are adopted by state law.

9 CHAIRMAN FOX: Yes.

10 MR. DEASON: I don't want to
11 prolong this, but as an industry expert, do you
12 think the way that Tennessee utilizes ASTM and the
13 way it's enforced is -- is that beneficial? Is it
14 hurtful? Do you have recommendations? Is there
15 something we can do to do better?

16 MR. VANOVER: Absolutely.
17 ASTM is beneficial. Again, I'm going to step back
18 to in the mobile industry, specifically, a lot of
19 old rides. And, again, they were built way before
20 ASTM was ever a thing.

21 And if you ever get the
22 opportunity -- and I'm going to bring up Watkins
23 as an example. Watkins was a manufacturer out of
24 Paducah, Kentucky, built a lot of rides. And they
25 built their rides like tanks. They're simple,

1 easy. But their device manual was about three
2 pages long and it tells you how to sell your --
3 get people to ride the ride. There's no standard
4 on how to fix anything, how to make any kind of
5 repairs. And there's a lot of Watkins rides on
6 the road still. He's got some.

7 MR. POPE: I have two.

8 MR. VANOVER: So you'll see
9 them, just about any carnival you go to, a Watkins
10 ride. So when we come up -- when we have an issue
11 with that ride, Watkins doesn't exist anymore. So
12 you don't have a manufacturer you can call to get
13 help. The manual is absolutely useless. So what
14 do we have to fall back on? ASTM. So ASTM helps
15 us. If we have a structural crack that needs to
16 be repaired, we have ASTM there to put together a
17 repair procedure, how to follow it. Then we have
18 ASTM to tell us how to test that repair. You
19 know, is it satisfactory?

20 So, yeah, I mean, there's no way I
21 can say that ASTM is hurtful in any way, shape, or
22 form because there's -- you know, Watkins is just
23 one example of many ride manufacturers that don't
24 exist anymore, but those rides are still on the
25 road, still being used. And ASTM is there to help

1 me as an inspector, you know, properly look at
2 that ride, to help James Roy fix that ride, to
3 help him put a procedure together, then how to
4 test that procedure. So, yeah, I mean, ASTM is
5 great backup.

6 MR. POPE: If I could add just
7 one little thing to that. Like you said with the
8 old rides, the ASTM standard wasn't there when
9 they were built, but the track record alone on a
10 50- or 60-year-old ride, there's a history that
11 you go through. We know where the pinch points
12 are. We know where the failures are. We know
13 where -- things like that. And the inspectors
14 come with that knowledge because there's lots and
15 lots of information out there that these guys go
16 through on a -- basically on a daily basis when
17 they're inspecting these things.

18 So he comes to me if they ever hear
19 of something. There was a failure on a -- like he
20 said, a Watkins swing or whatever. We know where
21 to look ourselves, and a lot of times that helps as
22 much as anything, is the track record. The new
23 rides aren't built to last like the old rides are.

24 MR. VANOVER: No. They're
25 disposable.

1 And it's important, you know. The
2 relationship between inspector and owner is -- to
3 me is super important. I don't want -- when I
4 step out on the midway, I don't want to be ready
5 to fight as soon as I get out of the car. It's so
6 much easier to be able to get along and get -- you
7 know, I can joke with James Roy, and at the end of
8 the day, I know we did a good job.

9 MR. POPE: And a good operator
10 warrants that. They want that inspector to come
11 and look at them, a good operator. If he walks on
12 the midway and they're aggressive or not wanting
13 that, then there's something to hide, there's
14 something there.

15 And I can tell Deron -- Big D as we
16 call him. But I can tell him -- if he comes up, I
17 can tell you where I've had problems with my ride.
18 I can tell you where issues are. And a lot of
19 times, as operators and owners, we will tell the
20 inspectors, hey, we've had a little problem here.
21 You might want to look at the next one, too. And
22 that works as a great bouncing board -- I don't
23 know -- for lack of a better word.

24 MR. VANOVER: Communication is
25 vital in this industry. And, again, the

1 relationship the inspectors have with the
2 operators. I will not ever say I know more than a
3 carnival operator, but I look at things
4 differently than a carnival operator does. It's
5 important that we all get along and we make sure
6 that -- I like to tell people that if I won't let
7 my kid get on it, I ain't letting your kid get on
8 it. Simple as that.

9 CHAIRMAN FOX: Okay. Any
10 other questions?

11 MS. O'CONNOR: I have one.

12 CHAIRMAN FOX: Yes, ma'am.

13 MS. O'CONNOR: I'm not sure
14 if, Deron, you're the right person to ask or
15 whether it's Mr. Hardy. We talked a little bit
16 about how we stack up against Kentucky, but is
17 there a database or something nationally that we
18 can look at to see how Tennessee is doing, you
19 know, on safety?

20 MR. VANOVER: I can't imagine
21 that there is. I know in Kentucky our information
22 is not really public unless the media gets ahold
23 of it, you know. You can certainly request any
24 information that we have, and I'm sure Tennessee
25 is probably very similar. We don't offer it, but

1 if you want, we'll -- you know, you ask for it,
2 we'll get it to you. I'm not aware of anything.

3 MR. HARDY: Ms. O'Connor, I
4 think why we're here is safety. And I don't know
5 of any comparison as to reportable accidents
6 because one criteria for one state may be
7 different from another state. So I don't know how
8 we stack up. But with -- we call a reportable as
9 the fault of the device, you know.

10 MS. O'CONNOR: Right.

11 MR. HARDY: You know, it was
12 the fault -- like the example, the Dollywood --
13 the puncture, that kind of thing. But where our
14 numbers are, I think we would be very compatible
15 with the surrounding and other states as far as
16 injuries, and that's why we're here.

17 MS. O'CONNOR: Well, as far as
18 I'm concerned, our numbers look fantastic. But
19 you never know. I mean, oftentimes you have a
20 standard and it might be across the board that
21 accidents are rare. It was just a curiosity sake
22 and I'm a little surprised that the states aren't
23 talking. I do realize differing standards, but it
24 just seems --

25 MR. VANOVER: I think you

1 would be absolutely amazed at how different
2 everybody is. Again, I've had the opportunity to
3 go to a lot of states, you know, and get to see
4 how different states operate, and it's pretty
5 amazing how different every state is.

6 And just like he said, it's hard to
7 compare data. Just from the little statement he
8 gave right there, it's pretty similar to how we do
9 it in Kentucky, you know. In Kentucky, we do have
10 patron responsibility laws. And then our
11 reportable accidents, it has to be -- it pretty
12 much has to be a failure of the device and not a
13 failure of normal wear and tear.

14 So it's hard to compare data, just
15 like he said, because every state is so different.
16 It's really surprised me. I've been in Virginia,
17 North Carolina, South Carolina, Florida,
18 Louisiana, Texas. Everybody is different. So
19 that does make it really, really hard to compare.

20 MS. O'CONNOR: Thank you.

21 CHAIRMAN FOX: Any other
22 questions?

23 MR. SCOTT: One.

24 CHAIRMAN FOX: Yes, sir.

25 MR. SCOTT: Well, just this

1 one, just from a knowledge standpoint.

2 So with the mobile carnivals, is
3 there -- when there's an inspection or fix, does
4 the owner own all of the rides or are there
5 separate subs up under you and the buck stops --
6 how does that work there?

7 MR. POPE: If I could answer
8 that. In our industry, the way things work is
9 generally, if a fair -- a county fair or something
10 contracts with a carnival, there is an owner of
11 that carnival that comes in.

12 Me, I'm a subcontractor a lot of
13 times. So say he brings in his carnival that he
14 wants to be a little bit bigger for this fair. He
15 calls me: James Roy, can you bring three or four
16 rides?

17 So I may have those subcontracted
18 underneath a carnival, underneath an umbrella.
19 So, therefore, when we do that, then that carnival
20 has insurance, and then I have insurance also
21 that's listed with the State.

22 I follow the same rules as any
23 carnival. I do some -- like I'm smaller. I like
24 to think I'm smaller. I've got 17 rides, which
25 is, in some places, is more than carnivals have,

1 but I -- Deron will tell you. I've got more of
2 the set because I just like them, you know, more
3 than they work.

4 But it's -- you're actually better
5 off when you have subcontractors, because you have
6 that big contractor that's taking care of his
7 rides over here and a subcontractor is over here.
8 I may only have three or four or ten, but I'm in
9 charge of those ten and keeping the maintenance
10 and things like that.

11 MR. RADER: More efficient.

12 MR. POPE: More efficient. It
13 just gives you another set of eyes, another set of
14 hands on it, another crew. If anything happens,
15 it still falls underneath the -- you know, it
16 still travels up the ladder somehow.

17 It should stop, basically, with me,
18 but -- for Ms. Kelly, a lot of the reason a lot of
19 that stuff is not broadcast in that way is not
20 because of safety, which is what Mr. Mike said.
21 That's what we're here for, safety.

22 But when you do things like that --
23 and it's a sad situation. When the public or
24 someone gets hold of some of that information, it
25 can be misconstrued or that information can be

1 taken -- you know, how many people do you know --
2 every day I walk out my door, I'm subject to a
3 lawsuit, every day. I'm subject to my family
4 losing everything they've got by somebody or some
5 lawyer coming in and doing something that may not
6 even be -- and Deron will tell you. Don't even
7 have to be significant.

8 I mean, there's little things that we
9 get written up for a lot of times, and they are
10 what they are, little things. I'd say probably
11 95 percent of them, Deron will tell you before he
12 leaves the area, has been repaired, fixed, or
13 looked at to where it -- or the ride is shut down
14 to where it can be fixed till -- and it's not open
15 till it is.

16 So the safety aspect is there. And
17 that's what -- when we developed this -- I don't
18 know what you want to call it -- this area of the
19 government here in Tennessee, that was the whole
20 thing. When they set it up and did it -- and I
21 wasn't here for all of that, but we looked at it
22 for the ride responsibility, the rider, the owner.
23 It was very fair.

24 And as far as I go -- and I don't go
25 to as many states now as I did when I was younger,

1 but it just -- because I think I got smarter. I
2 like to stay in Tennessee now. But it is
3 different. Always there's things that can be
4 looked at differently. It can be improved upon.
5 But it was looked at very wide and far. There
6 were different states that they started to pattern
7 it after, and they took a little bit here and a
8 little bit there.

9 There are some states out there,
10 Deron will tell you, that are almost impossible
11 for a ride owner to do everything they want
12 because some have 100 percent rules. And if
13 you've got one tub or one car still blocking that
14 one car off and not using it, say you've got a
15 latch that's faulty and you're waiting for it to
16 come in --

17 MR. VANOVER: Or just a seat
18 belt.

19 MR. POPE: -- there's some
20 states that won't let you operate the whole ride.

21 MR. VANOVER: They'll shut the
22 whole ride down.

23 MR. POPE: And then, of
24 course, in Tennessee and Kentucky and places like
25 that, you can shut the one car off until -- and

1 right now in our industry -- and it's very hard to
2 understand that there's only a certain amount of
3 manufacturers. Every one of those manufacturers,
4 I heard -- I was just at IAAPA in Orlando, which
5 is a big trade show and they sell rides. Rides
6 are seven years out. You order one today, you pay
7 for it today, you get it seven years from now.

8 MR. VANOVER: Maybe.

9 MR. POPE: In '32.

10 MR. VANOVER: Maybe, yes.

11 MR. POPE: '32 is what they
12 were telling down there, some of them.

13 Parts, I know a gentleman that he can
14 tell you a good friend of ours bought a Zipper
15 ride and wasn't able to get parts for it and never
16 got it to even working, I don't think.

17 Did he get it open last year?

18 MR. VANOVER: Are you talking
19 about Casey --

20 MR. POPE: Yes.

21 MR. VANOVER: Not in Kentucky
22 it didn't open.

23 MR. POPE: Didn't get it open.
24 He couldn't get the parts. And you know, that
25 happens. So there's a -- you know, it's a

1 situation out there. And the bad part is, is if
2 the press or the public gets ahold of that, well,
3 that ride is not operable.

4 Well, it may be something very
5 simple. It's us, you know, taking 30 minutes to
6 put on seat belts or whatever, but it can be
7 misconstrued. And that's the part -- that's what
8 I -- that's what I'm up here for, is because I
9 don't want my part of the industry to be penalized
10 because we --

11 MR. RADER: From the
12 perception --

13 MR. POPE: From the perception
14 of the public --

15 MR. RADER: Yeah.

16 MR. POPE: -- which is --
17 basically, for a better word, is ignorant to some
18 of the ways of it. I mean, I'm not -- you know,
19 they misconstrue it, not because they want to, but
20 maybe just because that's just the way social
21 media is and things like that. It gets blown out
22 of proportion a lot of times.

23 The Commissioner can tell you, I was
24 there the day that they had the accident on the
25 ride. It wasn't running. Every report in the

1 world went out; it was running and this and that.
2 It was a very misfortunate thing. A gentleman
3 died. But it was his lack of doing what he should
4 do. He didn't follow the protocol that put him in
5 that situation. But yet everything was
6 scrutinized, you know.

7 And like I said, the ride wasn't even
8 running. And by the time it got out, it was
9 during the fair. You know, it's just unreal. I
10 was there. I actually talked to the media myself
11 and straightened out a lot of what was being
12 reported.

13 And so that's a big part. Safety is
14 us. We can't worry about the other. But just so
15 you know, I and he -- you know, because like I
16 said, if something happens in Kentucky, they come
17 down on the Kentucky Department of Inspectors as
18 much as they come down on us on why didn't you do
19 your job.

20 Well, every inspector, when he looks
21 at a ride, should -- and most do -- it's listed on
22 that report at the time of inspection, everything
23 was okay. You know, and that's all you can do.

24 Like you said, you know, it's like an
25 alternator on your car or a tire. You blow a

1 tire; you don't know it's going to blow. We have
2 no idea. There's tires on our rides. Some of the
3 rides roll with a tire on. You don't know.

4 So that's kind of a lot of it. That
5 kind of puts it in perspective for the general
6 public.

7 MR. VANOVER: It's an evolving
8 industry. I hate to say it, but to the public,
9 it's -- you know, if it looks like a duck and
10 walks like a duck, it's a duck. And so they don't
11 always get to see what's going on behind the
12 scenes. When I show up on the midway, it's not
13 open, you know. So the public is not there. So
14 they don't see the work that we put into it, you
15 know, to try and put a safe ride out there.

16 I want to be able to sleep when I go
17 home at night. I work pretty hard and I try -- I
18 spent 20 years in the Navy on fast attack
19 submarines. And, you know, our goal was always
20 have one more surface than we had submerges, and I
21 got that. That's kind of the philosophy I take
22 into the ride. I want everybody to go home and I
23 want to be able to sleep at night.

24 So, again, it's that relationship
25 with the owner, relationship with the

1 manufacturer.

2 I feel like, you know, I'm
3 responsible to your question. He's responsible.
4 But inevitably, the buck stops with the owner, but
5 we try to keep that buck heading back to the
6 manufacturer.

7 MR. POPE: I would say Deron
8 has done a lot of interviews. I've done
9 interviews. There's incidents and accidents, and
10 then there's neglect.

11 MR. VANOVER: Oh, sure.

12 MR. POPE: That's the
13 difference.

14 MR. VANOVER: But that's why
15 we're here.

16 MR. POPE: I would just almost
17 swear to you, there's very little neglect in our
18 state with the operators coming in. We've got
19 very good operators that come through. A lot of
20 them pass through, coming from Florida, which is a
21 general place a lot of them live, going north to
22 Michigan or Wisconsin or Minnesota, and then they
23 work their way back through Tennessee. So we
24 catch them going and coming a lot, carnivals
25 that's played in other states.

1 And for me, I always liked going to
2 Kentucky because they did have an inspection
3 program. I just own the ride. I don't claim to
4 know everything. It's just like the car. I don't
5 claim to know about my car. But I've got that
6 gentleman there and his team and his crew, them to
7 tell me stuff to help me along. When I come into
8 Tennessee before there was an inspection program,
9 I was happy to have the inspection from Kentucky.
10 And I'm even as happy now to have it as an add-on
11 along with my third party.

12 And then like I said, when Mike and
13 Jennifer and some of them come out, and like I
14 said, if they hear of something or know of
15 something we need to look at, they send out
16 bulletins or they'll let us know in person, and we
17 appreciate it. Like I said, I think as an -- I
18 speak as a -- for the whole industry, we
19 appreciate it.

20 There's tons of NAARSO meetings and
21 seminars. There's all kinds of ride safety
22 meetings in other states. Like I said, whether it
23 pertains to Tennessee or not, it helps Tennessee.

24 CHAIRMAN FOX: Mr. Vanover.

25 MR. VANOVER: You've been

1 trying to get rid of me for 15 minutes.

2 CHAIRMAN FOX: This has been
3 good information.

4 MR. RADER: Good job. It was
5 very informative.

6 MR. VANOVER: Thank you.
7 Thank you all so much for the invite. It was
8 really nice coming down, meeting everybody. And
9 know that it is important to us.

10 CHAIRMAN FOX: Thank you, sir.

11 MR. VANOVER: Thank you.

12 CHAIRMAN FOX: Next item on
13 the agenda is --

14 MR. RADER: I feel like we
15 should applaud, don't you?

16 CHAIRMAN FOX: Ms. O'Connor,
17 just for the record, I would hope that for no
18 other reason, that Tennessee is safer than
19 Kentucky. I'm just saying. I'm just saying.

20 Mr. Nellist, would you like to come
21 and talk to us, sir?

22 MR. NELLIST: My name is Larry
23 Nellist. I live over in Dowelltown. I'm with
24 EDGIE Designs. I'm also a NAARSO Level I
25 inspector. Also, I'm a Level II inspector through

1 ACCT. Mostly, what we inspect is challenge
2 courses, mobile zip lines, mobile climbing walls,
3 mechanical inflatables. Things of that nature is
4 typically what we're going to be inspecting.
5 We'll do some indoor stuff. That's primarily it.

6 On the agenda, it looked like it said
7 inspection tools. So I'm just going to kind of
8 run through some of the stuff that we might use on
9 an inspection and then just give you some -- maybe
10 some insight into maybe what would go on during
11 that.

12 Typically, what we would use would
13 be -- for cables, would be any kind of go/no-go
14 gauge, just for measuring thickness. Calipers,
15 torque wrenches. Tension meters to make sure that
16 if a person is -- they're just not exceeding the
17 work limit of the cable. Load cells, especially
18 for checking anchors or things of that nature.
19 Radar guns. There are definitely speeds you want
20 to be coming into stuff. We want to make sure
21 we're in the speed that's required by the --
22 either the manufacturer or complying with the
23 standard.

24 For inspecting poles and trees, poles
25 are pretty easy. Hammers are good things, believe

1 it or not. It's not a new tool, but it will allow
2 you to -- if the pole -- if it's solid, it will
3 make a ping sound. If it's not, you'll hear a
4 thud. Shovels to check for decay at ground level.

5 Products. I usually like to tell
6 people, hey, there are products out there --
7 especially if we're seeing a product -- if we're
8 seeing an issue with a pole, hey, there are
9 products out there that you can use to fill your
10 void, and the manufacturer of the product will
11 tell you that it will be good up to 120 percent of
12 the pole, strength of the pole. So Polywater
13 makes a good product. Osmose makes a good product
14 called AquaWrap for the base of the pole.

15 Inspecting trees. I'm not a
16 ISA-certified arborist, but we do use them. So if
17 I'm looking at a tree and I'm going, there's a
18 problem with the tree, I would say, call this or
19 call a ISA-certified arborist. And I may specify
20 a tool. I may say, make sure they use a
21 resistograph or make sure they use tomography on
22 the tree.

23 Both of those devices will tell you
24 resistance, as far as like if it is having decay,
25 if it will go through quickly. Tomography is not

1 as invasive. It basically raps the tree. They
2 ping it and it will -- basically, it's like an
3 MRI, and it will show a void.

4 We also want to be checking what the
5 manufacturer wants. So if you're looking at like
6 Spectrum, they may say, hey, we want you to do
7 nondestructive testing on the trailer at this
8 particular point, or we want to make sure that,
9 hey, have they done that, are they aware of that,
10 and then make sure that whatever kind of NDT is
11 required by the manufacturer, they're doing the
12 same type of nondestructive testing.

13 Some of our manufacturers require
14 maintenance on a schedule, and some of it is to be
15 performed by the manufacturer. So zipSTOP is a
16 Head Rush product, and they want the manufacturer
17 to do the required maintenance on that. So
18 annually, you send that product in and that
19 manufacturer does the actual maintenance on it.

20 There are certain things the
21 manufacturer will allow the client to do,
22 especially if they've gone through their training
23 program. There are certain things that the
24 manufacturer says, you can do this on your own.
25 But two of those companies, Perfect Descent and

1 Head Rush, either annually or every two years,
2 they want the product to be serviced by the
3 manufacturer.

4 The other thing is making sure the
5 item -- as an inspector, you want to be making
6 sure that the item is being used the way the
7 manufacturer is intending it to be used. So if
8 they are coming into a place on a -- like, say, a
9 zip line and you're coming in above 30 miles an
10 hour, you want to make sure that they use the
11 right Head Rush product, if they're using that
12 product, because there are different -- what do
13 you call it? Speeds that are acceptable for types
14 of products.

15 I'll show you a couple things. I
16 just brought in a couple. You can see how people
17 are being kept on the course. So there are a
18 couple of different ways you can be kept on a
19 course, smart belay transfers and then continuous
20 belay transfers.

21 So a smart belay transfer, one
22 sidewall is open. The other side is always
23 locked. So if you want to change it where you're
24 going to transfer, there would be some kind of a
25 pushpin that might be on the cable or a cable key

1 ring lanyard. You would push that. Now this side
2 is locked and the other side is open. And that
3 would be the way it's -- as safe as possible,
4 transfer around the course.

5 The other one might be a continuous
6 belay transfer. And this is a four-way, and the
7 person would come up. This would be attached to a
8 lanyard similar to this. They get onto the
9 course, and once they're on the course, they're on
10 the course. They would come up, they would get to
11 this spot right here, and then they would put the
12 gap through and then go to another cable. So
13 those are typical.

14 You can always come off in a course,
15 and that's called taking your harness off. We can
16 be as safe as we can, but if they want to take
17 their harness off...

18 Some of these people will have
19 specific gauges that you want to use like gap
20 checkers and they'll, like, have wear indicators
21 on them.

22 I'm probably not going to go into
23 like what it would be for textiles because it's
24 all across the board with textiles, what harness
25 manufacturers and things like that want you to do.

1 One of the other things that's really
2 big with -- whenever I go do an inspection, we
3 always want to see how they're doing their
4 maintenance and are they actually, like,
5 documenting their maintenance, because those are
6 huge, especially for the textiles.

7 So to answer some of your questions,
8 I can tell you permit-wise, pre-permit -- as
9 inspecting in the state of Tennessee, pre-permit
10 to post-permit. What the end user is playing on
11 now is way better. The level of what has -- the
12 people who are out there doing the stuff now, that
13 level has increased, much better.

14 Here is the thing. In states where
15 we go and inspect and there is no permit system,
16 it's up to them, whether or not they fix it. So
17 we may say, hey, this is all the stuff that needs
18 to be addressed. And you'll come back next year
19 and none of it has been addressed. And that
20 doesn't happen in Tennessee. So the permit system
21 has really worked out really well here.

22 That was all. Questions?

23 CHAIRMAN FOX: Any questions
24 from the group?

25 MR. MOORE: I have one.

1 MR. NELLIST: Sure.

2 CHAIRMAN FOX: Yeah.

3 MR. MOORE: What type of wire
4 rope terminations are allowed for a canopy park?

5 MR. NELLIST: So the most
6 common are going to be ferrules and wire rope
7 clips and/or fist grips. And usually, the
8 standard wants you to have no spec, but if -- you
9 may get people that will have an import wire rope
10 clip or fist grip. As long as they've got
11 documentation that says, hey, it meets the FF-250
12 or whatever it is, then I typically say I'm okay
13 with that. If they don't have that documentation,
14 then I say it's not acceptable.

15 MR. MOORE: Is there a certain
16 number of strands that are allowed to be broken?

17 MR. NELLIST: Yeah, and that's
18 one of the best things I like about that
19 particular standard. It's six in a lay. So if
20 you look at a cable, the cable is going to spiral.
21 So if you take the cable on the top and go one
22 complete turn around, that would be a lay. And in
23 that lay, you're allowed -- six will fill it in
24 any one lay or three in one bundle.

25 So, theoretically, you can have a

1 bunch. You could have five in one lay. Let's say
2 a lay is 4 inches. So if you had five and it was
3 4 inches, 4, 8, 12, that means you can have 15
4 broken wires. And, theoretically, you're going to
5 be good.

6 Now, there's going to be some
7 reduction in strength if you have a bunch of them.
8 But I've seen people who, in the canopy tour, you
9 know, you look down the cable and -- you've got to
10 be out there on the cable and you're sitting there
11 counting, and you're looking at the lay and you're
12 counting it out. And they may have like 50 or 60
13 breaks in the cable, and then they're like, does
14 it fail? And I'm like, it doesn't fail, but it's
15 not a good look.

16 And you are reducing the strength.
17 So at that point, you are having to go back and
18 get out the tension meter and put the tension
19 meter on and seeing if -- okay, with the amount of
20 breaks, what's really going on here?

21 But I love that standard because it's
22 very objective, whereas a -- in that same
23 standard, it talks about kinks. And a kink is
24 very subjective. This is where you may have
25 discrepancy between a couple of inspectors,

1 because one inspector will say, hey, that thing is
2 a kink, and the other person may go, it's a wave
3 and it really doesn't interfere with the operation
4 of the ride. And then at that point, that would
5 be the, kind of, fly on the ointment.

6 So in Tennessee, that would be the --
7 I don't want to say arguing point, but that may be
8 the point of contention between a couple of
9 inspectors. But they just may interpret something
10 subjective a little bit differently.

11 MR. HERROD: I think on more
12 than one occasion, we've had riders collide or a
13 rider and an employee collide. Is it more than
14 just a walkie-talkie communication situation? Is
15 there anything that can be done to keep that from
16 happening?

17 MR. NELLIST: No. Pretty much
18 with all of our industry, it is -- what do you
19 want to call it? Operator dependent. You've got
20 to have some common sense when you're out there
21 operating. It -- yeah. It's -- I don't know what
22 you want to say.

23 MR. HERROD: How fast is a
24 rider, the maximum speed?

25 MR. NELLIST: I've got rides

1 on -- so I also have a canopy tour, and we get
2 like 35 miles an hour. I know of zip lines where
3 you go over 100 miles an hour.

4 So the issue is making sure you get
5 to the place. So like if you're going from
6 point A to point B, you want to make sure you
7 actually get there. So you're going to have --

8 CHAIRMAN FOX: It's important.

9 MR. NELLIST: So the light
10 person actually gets there, but the heavy person
11 doesn't come flying in. That's why you have
12 braking systems. And if it's so far out of sight,
13 then that's what makes it an issue. And I know
14 one of the instances, they didn't have clear line
15 of sight. And if they get their communication
16 mixed up with the walkie-talkie, then, yeah, you
17 can have problems, for sure.

18 CHAIRMAN FOX: Any other
19 questions?

20 (No verbal response.)

21 CHAIRMAN FOX: Sir, thank you.

22 MR. NELLIST: Appreciate it.

23 CHAIRMAN FOX: Thank you very
24 much.

25 Okay. Moving into Open Discussion.

1 Is there anyone here who has an issue they need to
2 discuss?

3 (No verbal response.)

4 CHAIRMAN FOX: Hearing none,
5 we'll move into the calendar. And the scheduled
6 meetings are scheduled for March 4th, 2025, if
7 needed; and June 3rd, 2025 at 9:00 a.m. September
8 the 3rd, 2025, if needed, 9:00 a.m. December the
9 2nd, 2025 at 9:00 a.m. Central Time.

10 Any comments on that? Are there any
11 issues with that?

12 MS. O'CONNOR: I can say right
13 now I'm going to be out of the country on
14 June 3rd.

15 CHAIRMAN FOX: Okay.

16 MS. MURPHY: And all of those
17 are Tuesday except for the September meeting, and
18 that one is a Wednesday.

19 CHAIRMAN FOX: All right. Do
20 I have a motion and a second for adjournment?

21 MR. RADER: So moved.

22 MR. POPE: Second.

23 CHAIRMAN FOX: Motion and a
24 second. And all in favor of the motion, let it be
25 known by saying, "aye."

1 (Affirmative response.)

2 CHAIRMAN FOX: All opposed,
3 like sign.

4 (No verbal response.)

5 CHAIRMAN FOX: Ladies and
6 gentlemen, this was a good meeting. The
7 information that you-all gathered is invaluable
8 and thank you very, very much.

9 END OF PROCEEDINGS.

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C E R T I F I C A T E

STATE OF TENNESSEE)

COUNTY OF WILLIAMSON)

I, Cassandra M. Beiling, a Notary Public
in the State of Tennessee, do hereby certify:

That the within is a true and accurate
transcript of the proceedings taken before the
Elevator and Amusement Device Safety Board and the
Chief Inspector or the Chief Inspector's Designee,
Tennessee Department of Labor and Workforce
Development, Division of Workplace Regulations and
Compliance, Elevator and Amusement Device Unit, on
the 4th day of December, 2025.

I further certify that I am not related to
any of the parties to this action, by blood or
marriage, and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 13th day of January, 2025.



Cassandra M. Beiling, LCR# 371
Notary Public State at Large
My commission expires: 3/4/2028