



Technical Standards and Safety Authority

Minutes of the Amusement Devices Advisory Council

Meeting on April 8, 2019

Present: Cindy Sypher (Chair), Sypher & Associates Field Engineering Ltd.; Vince Brennan, Ontario Association of Agricultural Societies (on Skype); Keith Brown, Best in Ops; Bill Carter, Jim Kong Amusements Inc.; Mike Cruz, Canadian National Exhibition; Andrew Gidaro, A to Z Fun Rentals; Derek Kelly on behalf Peter Gismondi, Superior Events; Darryl Hore, Caliber Engineering Corporation (on Skype); Janice Jeffreys, A.E. Jeffreys Insurance Brokerage House Inc.; Rick McCullen, 401 Mini-Indy Limited; Michelle Playfair, Bingeman's Inc.; Peter Switzer, Canada's Wonderland; Andreas Tanzer, Proslide Technology Inc. (on Skype); Kathryn Woodcock, Consumers Advisory Council.

Bonnie Rose, President and CEO (items 6 & 14); Roger Neate, Director, Elevating Devices and Amusement Devices; Dan Brazier, Interim Chief Financial Officer (item 11); Joelle Javier, Engineer; Sonny Silva, Supervisor (Region 5); Dean McLellan, Incident Management Specialist (on Skype); Robert Wiersma, Manager, Public Safety Risk Management (item 8); Nameer Rahman, Policy Advisor, Stakeholder Relations; Kristian Kennedy Manager, Government Relations, Stakeholder Relations; Ian Shaw, Stakeholder Relations Advisor, Stakeholder Relations; Danielle Fernandes, EA Communication and Stakeholder Relations and Interim Council Coordinator.

Guest: Richard Hustwick, Senior Policy Advisor, Ministry of Government and Consumer Services; Nathan Fahey, Manager, Ministry of Government and Consumer Services; Chris Clarke, North American Midway Entertainment.

Regrets: Brendan Turner, Camp Quality Canada

1. Constitution of Meeting

The Chair called the meeting to order at 10:07 a.m.

For the Safety Moment, Council was shown a short video from the U.S. Department of Transportation on the dangers of refilling non-refillable DOT39 propane cylinders, such as the 1lb cylinders used for camping.

2. Approval of the April 8, 2019 Agenda

Council approved the meeting agenda for April 8, 2019 as presented.

3. Approval of November 5, 2018 minutes

Council approved the minutes of November 5th, 2018 as presented.

4. Review of Action Items from last meeting

R. Neate spoke to pending action items. At today's meeting updates would be provided as they relate to the Code Adoption Document (CAD) and ASTM code development. R. Neate confirmed that there are no recent developments in relation to legislative changes concerning the use of helmets on go karts. While there may have been changes to the Highway Traffic Act in relation to helmet requirements, there have been no changes to amusement device regulations and requirements.

5. Chair's Report

The Chair discussed issues raised at the last ASTM meeting surrounding fabrics that are to be flame retardant but are failing flammability tests. She further discussed the Coroners inquest into the Radiohead stage collapse and specifically the work being done by Professional Engineers Ontario (PEO) to create guidelines for event structures.

6. TSSA President and CEO's Report

B. Rose treated the President and CEO's Report to Advisory Councils, distributed prior to the meeting, as read. She provided a brief update on the Auditor General (AG) and advised that as soon as the AG action plan is finalized, it will be shared with the Advisory Councils.



Technical Standards and Safety Authority
Minutes of the Amusement Devices Advisory Council
Meeting on April 8, 2019

7. TSSA's Transformation to an Outcome-Based Regulator

S. Cooke spoke to this item, referring to the power point presentation shared with council prior to the meeting. She elaborated on TSSA's move towards becoming a collaborative, outcomes-oriented regulator. Specifically, it was noted that this change represents a cultural shift that looks to work with regulated communities to increase compliance through education and compliance support. As it relates to the AD program, this transformation represents the use and importance of analytics to drive decisions, to build methodology, and to move toward a risk-based inspection model. She advised that an external advisory group has been created to review this initiative and provide feedback.

8. Safety and Compliance Report

R. Wiersma provided an update on the ASPR from November 2018 and reported that there has been little change in the results. He advised that the DALI weight values have been updated and certain incidents have been weighted differently due to more information regarding severity (i.e. concussions). Although noting that compliance is decreasing, the trend of reporting incidents is increasing specifically in the AD sector.

In response to a question raised about whether these statistics are consistent with other data findings such as the case of inflatables, Dean McLellan noted that reporting (or lack thereof) poses challenges for obtaining accurate data on incidents. It was noted that one of the challenges faced by patrons and operators is in the determination of what incident would be classified as a 'reportable incident'.

9. Emerging Trends – Incidents from Last ADAC meeting

D. McLellan spoke to this item and provided an overview of emerging trends. He noted that 693 incidents were classified as 'user behaviour and external factors' and advocated for closer analysis into the incidents classified as 'user behaviour' to identify root cause.

K. Woodcock noted that currently when incidents are reported the context is missing in reporting narratives and as such tend to reflect negatively on the user. She advocated for better data collection at the time of the incident to better reflect the complex nature of user behaviour. D. McLellan and R. Neate concurred and will be reviewing the incident reporting form to find efficiencies that lend toward more accurate data collection.

10. Council issues

A) CAD – Environmental Content

R. Kremer spoke to this item and provided an update and further clarification on the environmental content in the CAD stemming from the Fireball incident in Ohio. R. Kremer noted that CAD 2.16 is an extension of the current analysis requirements with the additional requirement to review and assess environmental impacts on Amusement Devices. R. Kremer distributed a summary document at the meeting which is attached to these minutes.

B) Overview of variance process

J. Javier provided an overview of the variance process and confirmed the process is similar to that of Elevating Devices and Ski Lifts. She confirmed that the application can be obtained from the website, can be completed by anyone, and is applicable for new and existing devices. Variance are to be requested when devices are unable to meet current regulatory requirements or standards.



Technical Standards and Safety Authority

Minutes of the Amusement Devices Advisory Council
Meeting on April 8, 2019

C) Non-regulated devices

C. Sypher spoke to this issue and noted the non-regulation of Trampoline Parks and Escape Rooms. R. Neate confirmed that TSSA is looking into the issue of trampoline parks and met with regulators from BC to use their experience to help inform TSSA's approach going forward.

11. Fee Review

D. Brazier spoke to this item he advised the proposed fee increase, scheduled for July 1, 2019, for AD program would include a 3% increase in the first year and then 2% in the following years. He noted that TSSA is working on revising the fee structure more generally as part of our journey to becoming an outcomes-based regulator. There would be consultation with stakeholders with timeframes and options for implementation being shared accordingly.

12. Ministry of Government and Consumer Services (MGCS) Update

R. Hustwick spoke to elevator availability, and specifically elevator device mechanics. He advised that Ministry of Training, Colleges and Universities announced that they were phasing out the Ontario College of Trades (OCOT), and currently not aware of what regulatory framework will be replacing OCOT. It was noted that this may impact AD mechanics, ED mechanics, and Fuels technicians. Ski Lift mechanics are being delisted as part of this review process.

13. ASTM International Standards

S. Silva provided an update from the ASTM harmonization meeting. He spoke to the change in using hyphenated dates (years) for code references. TSSA has advocated to ASTM executives for yearly version (i.e. volumes) and a centralized housing system for safety bulletins. He noted that several regulatory organizations will have challenges with auto-adoption. TSSA pushed for an adoption year and a lot of US regulators tried to do the same thing. He anticipates that by the next council meeting there will be a game plan for adoption/hyphenating. S. Silva further updated Council on the waterslide standard and the new language related to wave pools; the new standards being developed for both Bungee jumping and go-karts; and the International Association of Amusement Parks and Attractions (IAAPA) work on developing new auditing standards. He briefed council on the discussions within the new Regulatory meeting at the ASTM as well as the Regulator meeting with industry. He encouraged Council Members to become members of ASTM and share their experience and operators within the industry.

14. Advisories

A) Advisory on retroactive items

S. Silva spoke to the advisory on retroactive items, issued in January of 2019. He advised that AD CAD Amendment 535-18 would apply any new submission, installations, major and minor alternations and revisions filed after January 15, 2019. Moreover, these CAD amendments would retroactively apply to the existing devices mentioned in the advisory.

B) Pre-inspection Checklists

S. Silva thanked council for their input. He confirmed the checklists would be in effect for the 2019 season and would apply to both new and existing devices. He affirmed that these checklists should facilitate greater consistency and represent a first step toward self declaration. As next steps, checklists are to be developed for inflatables and ziplines.



Technical Standards and Safety Authority

Minutes of the Amusement Devices Advisory Council
Meeting on April 8, 2019

C) Zipline Renewal dates

S. Silva confirmed that the renewal date for ziplines and has been moved to June 30 to facilitate requests by council and inspector availability. This has been well received by the industry. As a next step TSSA would be reviewing and analyzing data related to indoor devices that operate year round to determine renewal dates.

In response to a question about TSSA's slowest processing time, S. Silva noted that there is no real slow time, but the key is to spread out inspections to facilitate both inspector availability and what works best for the site.

Responding to another query related to varying renewal dates for other rides S. Silva noted that the intention of the current renewal dates is to ensure inspection prior to operation. It was noted that a future objective is to have data and a risk-based approach driving the cycles.

15. Council Administration

C. Sypher confirmed Membership Renewal for Vince Brennan, Bill Carter, Mike Cruz, and Darryl Hore.

Action Item: C. Sypher to confirm B. Turner's interest in membership renewal

Action Item: D. Fernandes to update the Membership Matrix to reflect the new terms.

Under "Other Business" Roger Neate informed the council that the Ministry of Health is recognizing Lifeguard certificates from Red Cross as well as the Lifesaving Society. Going forward, both will be acceptable to TSSA.

16. Adjournment

The meeting adjourned at approximately 1:00 p.m. Council held an in-camera session with Bonnie Rose, followed by an in-camera session without TSSA staff or guests.