

DISTRICT OFFICE 02
 Industry Inspection Bureau
 120 Bloomingdale Road, Room 250
 White Plains, New York 10605
 (914) 997-9509 voice



PROGRAM MANAGER
 Industry Inspection Bureau
 State Office Building Campus, Room 157
 Albany, New York 12240-0100
 (518) 457-1327 voice

Company Name & Address: S & L AMUSEMENT CORPORATION 27 Willets Rd, Harrison, Ny 10528		dba: FEIN: Site Location: Playland Park, Rye New York	Contact Name: William Lukaswitz Title: President	
Select: (914) 921-9157	Select: ()	e-mail:	www:	
Jurisdiction: Amusement Devices	Municipality: City of Rye	County: Westchester	Type of Visit: Accident	Page: 1 of 6

Select REPORT			
Select #			
NAME: ADDRESS: TELEPHONE ()	GENDER FEMALE	AGE 21	OCCUPATION Ride Manager
		PHYSICAL CONDITION BEFORE THE Select Not Known	

Select INFORMATION			
DATE OF ACCIDENT Friday, June 29, 2007	TIME OF ACCIDENT 9:30 PM	ACCIDENT TYPE FATALITY	
BODY PARTS INVOLVED HEAD,BODY,EXTREMITIES	NATURE OF INJURIES MULTIPLE CONTUSIONS,LACERATIONS ,FR	MEDICAL TREATMENT NONE	
SOURCE OF INFORMATION THIRD PARTY		DATE RECEIVED June 29, 2007	

MECHANISM OF INJURIES		
EQUIPMENT INVOLVED (GENERAL) ELI BRIDGE "MIND" SCRAMBLER #352-70	EQUIPMENT INVOLVED (SPECIFIC) MIND SCRAMBLER #352-70	PERSON IN CHARGE JONATHAN HERNANDEZ
LOCATION OF EQUIPMENT RYE PLAYLAND PARK (NE CORNER)	POTENTIAL CODE RULE VIOLATIONS R45-2.8	TITLE RIDE OPERATOR
POTENTIAL ACCIDENT CAUSE RIDE ATTENDENT EJECTED		

HISTORICAL INFORMATION		
NUMBER OF SIMILAR Select Select = 1	NUMBER OF Select INJURIES Select =	ORDERS PENDING? NO
PREVIOUS CORRECTIVE ACTIONS TAKEN RIDE SLOWED TO 10 RPM, SEAT BELTS ADDED, SECOND OPERATOR ADDED	CORRECTIVE ACTIONS CURRENTLY REQUIRED RIDE OPERATION SHUT DOWN	LAST INSPECTION May 2, 2007

LIST OF WITNESSES		
NAME: STATEMENT S ATTACHED CONTACT ()	NAME: CONTACT ()	NAME: CONTACT ()
NAME: Alfred Creadore	ORDERS ISSUED <input checked="" type="checkbox"/>	DATE: August 15, 2007

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Jurisdiction: Amusement Devices	Municipality: City of Rye	County: Westchester	Type of Visit: Accident
			Page: 2 of 6

ADDENDUM

NOTES:

On Friday June 29, 2007 at 9:50PM I received a phone call at my residence from park manager Pat Vinci at Playland Park informing me that a ride accident had occurred resulting in the death of an amusement ride attendant/operator. The accident had occurred at approximately 9:30PM on that day on the Eli Bridge "Mind Scrambler" identification number 352-70 which is owned and operated by S and L Amusements Corporation, 27 Willets Road, Harrison, New York and located at Playland Park at Rye New York.

I arrived at the park at 10:30PM of the same day and found that the ride was roped off by the Westchester County Police and was under their investigation. I met with Park Director Daniel McBride, Park Manager Pat Vinci and S and L Amusements President William Lukaswitz in one of the offices located in the Playland Park Administration building. I was informed at this time that the person killed was a twenty one year old female named [REDACTED] who was employed by S and L Amusements. I was informed that at the time of the accident she was working as a ride attendant on the mind scrambler. I was also informed that the ride was being operated by an eighteen year old male, Jonathan David Hernandez who also is employed by S and L Amusements.

At 11:30PM this evening I was a witness to a statement provided by ride owner William Lukaswitz to Westchester County Police Detective Tabacchi. Mr. Lukaswitz stated at the time of the accident he was walking around the park observing the other rides he owns and operates to ensure their proper operation. He was in the vicinity of Go Karts, a ride he owns when he received a radio call from Johnathan Hernandez. Mr. Lukaswitz stated he then ran to the mind scrambler and found emergency personnel already on scene. In his statement he explained that [REDACTED] had been at the mind scrambler for approximately two and a half years and this was the first year she had been acting in a managerial capacity. He described M [REDACTED] as a mature and accountable person. To his knowledge he stated he had never seen M [REDACTED] act in an irresponsible manner. When asked by the Detective to describe training of personnel, Mr. Lukaswitz stated, "Though I had no formal training for the ride. When I say formal I mean there is nothing in writing. But [REDACTED] was very aware on how the ride operates, its safety features and on how to operate the ride safely. Along with being a manager she often operated the ride and I never had a problem with the way she operated the ride." He also stated that when he had monitored the ride operation earlier in the evening, "Everything appeared fine, Jonathan and [REDACTED] were doing their jobs as they should. I saw nothing out of the ordinary."

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ADDENDUM

NOTES:

Accident witness statements, taken by the Westchester County Police Department (copies attached) and my investigation indicate that prior to the accident [REDACTED] was outside the ride entrance doors and functioning as the ride ticket taker. Earlier this evening she had been the ride operator, but was relieved as ride operator by Jonathan Hernandez at approximately 9:10PM. [REDACTED] acting as the ticket taker let an unspecified number of ride patrons through the entrance door and onto the ride. These riders were seated and secured by ride operator Jonathan Hernandez. Prior to the ride starting other patrons were escorted onto the ride by [REDACTED], who seated these passengers. After they were seated and secured [REDACTED] entered an empty passenger carrier and closed and locked the door to her passenger carrier. Based on statements by patrons Krystal Ruiz, Leo and Jesse Velleu, and S and L employee Ashley McRae, who were on the ride at this time, [REDACTED] did not sit in the ride seat and fasten her seat belt as required for safe operation of the ride. All seats are clearly marked "remain seated at all times"(see picture #9 & #10) Instead it has been reported that she knelt on her seat facing backwards and remained improperly seated as the ride was started and run. Patrons Christopher Morla and Michelle Cruz said in their statements that [REDACTED] got up to dance just prior to the accident. During the ride cycle [REDACTED] was thrown from the ride and received numerous head and body injuries as a result of being hit and battered by the spinning ride. After [REDACTED] fell from the ride the ride operator realizing what had happened stopped the ride.

In reviewing statements taken by the Westchester County Police it appears that the ride operator Jonathan Hernandez was aware that [REDACTED] was on the ride and not properly seated when he started the ride. It should be noted that [REDACTED] would be considered Mr. Hernandez's immediate superior at the time of the accident.

[REDACTED] was employed by S and L Amusements as a ride manager/operator. Mr. Hernandez was employed by S and L Amusements as a ride operator. [REDACTED] had been employed by S and L Amusements for six years. The last two and one half years as a ride operator of the mind scrambler and starting in 2007 as a ride manager. Mr. Hernandez has been employed by S and L Amusements starting the summer of 2006.

Based upon employee statements< including Mr Hernandez's, it is apparent that the second operator station installed after the first fatality was not being used at the time of the accident and in fact not used most of the time.

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Company Name & Address: S AND L AMUSEMENTS 27 Willets Road Harrison, N.Y. 10528		dba: FEIN: 13-276911 Site Location: Playland Park, Rye N.Y.	Contact Name: William Lukaswitz Title: Company Owner
Business: (914) 575-9322	Select: ()	e-mail:	www:
Jurisdiction: Amusement Devices	Municipality: Town of Harrison	County: Westchester	Type of Visit: Accident
			Page: 1 of 1

NOT COMPLIED	DATE	INSPECTOR	OUT OF SERVICE TAG <input type="checkbox"/>
ALL COMPLIED <input type="checkbox"/>	DATE	INSPECTOR	ORDERS VOIDED

NOTICE OF VIOLATION AND ORDER TO COMPLY

You are hereby ordered to comply with the following requirements of Labor Law and Industrial Code Rules at the above premises.

REQUIREMENTS EXPLAINED TO: Owner	NOTICE Select TO: Owner	ALL VIOLATIONS SHALL BE COMPLIED WITHIN IMMEDIATELY
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Eli Bridge Mind Scrambler #352-70 (1)ICR45-2.8 Control of Operation: Amusement devices shall be operated only by competent operators. Every operator shall have knowledge of the use and function of all normal and emergency operating controls and of proper use of the device. Enforce rules prohibiting on duty ride operators/attendants from riding as passengers on amusement devices. Provide training and operating procedures to ride operators and ride attendants detailing their duties during all phases of ride operation. IE. Designate proper work locations for ride operators and ride attendants to assume during all phases of ride operation. Utilize all ride operator control stations as provided on the Mind Scrambler. (secondary ride operator control booth shall be staffed by a competent operator at all times of ride operation.) Instruct ride operators not to start ride operation until it is determined by the operator that all ride passengers are properly positioned on the ride.

NAME: Alfred Creadore

DATE: August 15, 2007