

The Testimony Of:

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Presented To:

Ohio House Transportation & Public Safety Committee
Chairman Doug Green

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Regarding:

Ohio House Bill 189, Tyler's Law

Chairman Green, Vice-Chair McClain, Ranking Member Sheehy, and distinguished members of the House Transportation & Public Safety Committee, thank you for allowing me this opportunity to provide experienced-based thoughts on House Bill 189. This legislation is intended to continue the improvement of amusement ride operation and safety begun years ago by relating those laws to current standards and inspector qualifications.

My name is Henry J. Dammeyer. I am an Ohio licensed professional engineer (PE), and retired as Technical Director of Utilities for The Ohio State University, which included McCracken Power Plant, two large chiller plants for air conditioning, and three electrical substations. As such, I was directly involved in and responsible for evaluation of fitness for service and life expectancy of operating equipment including piping and boilers.

While the Ohio Society of Professional Engineers (OSPE) remains an interested party on House Bill 189, the Society supports the amendment placing a professional engineer on the Ohio Advisory Council on Amusement Ride Safety, at the very least in an advisory role.

In House Bill 189, portable rides are a chief concern. These rides are designed to put to the test for the amusement of the public all the facets of classic physics – energy, mass, acceleration, velocity, momentum, centripetal force, gravitational force, pendulum motion, friction, etc. These rides experience repetitive operation, hour after hour, day after day, town after town, year after year. These rides also experience additional stresses: disassembly, transportation, storage, weather exposure in both the operating and stored positions, and reassembly. This type of cyclical activity plus exposure to varying weather conditions causes stress and corrosion on the ride components.

Damage to rides is not always readily apparent with a visual inspection. Locating the damage, determining the cause and extent of the damage, and determining proper repair techniques are all *critical* to maintaining the integrity of the ride and, thusly, passenger safety. To accomplish that most effectively requires the support of skilled PEs dedicated to the safety of the public above all other considerations.

The amendment supported by OSPE would place a PE on the Advisory Council, which provides recommendations to the Director of Agriculture about safety matters, including monitoring and inspecting these pieces of equipment on a regular and frequent basis utilizing appropriate current inspection techniques.

The present consensus process of the Advisory Council is a good format that could only be strengthened by the presence of a licensed professional engineer providing additional support.

In performing their work, the Ohio-registered professional engineer is restricted to practicing only in areas of demonstrated technical competence.

Ohio PEs must hold the safety of the public first and foremost per Ohio Administrative Code section 4733-35-03. That includes legal requirements for actions that the PE must take should the safety, health, and welfare of the public *not* be protected. In the event that should occur, the professional engineer is required to sever the relationship with the employer and notify the proper authority if the situation is sufficiently important. I emphasize again: The professional engineer has sworn to terminate their source of income if employment is in conflict with the welfare of the public. In such circumstances, the PE is also required to present all relevant and pertinent information to avoid the possibility of leading to a fallacious conclusion.

OAC 4733-20 delineates the actions the State Board of Registration for Professional Engineers & Surveyors can take against a licensed professional engineer for violations of the registration act. PEs may be subpoenaed for information and their presence at a Board hearing concerning the PE's actions may be required. Failure to comply is contempt. Penalties range from reprimand to fines to suspension or revocation of license. Please note that revocation of license jeopardizes one's ability to earn a living in *any state* as a PE because all states require that disciplinary action in another jurisdiction be immediately reported.

The Ohio Society of Professional Engineers supports the subject amendment. Our interest is in applying the PE's technical expertise to the aid of the public. This is something that PEs are qualified to undertake and it is important that we do so.

Thank you for letting me address the Transportation & Public Safety Committee. I'm happy to answer any questions you may have, and technical questions are also welcome.