

[SPECIAL REPORT]





Roller Coaster ROULETTE

Who makes sure those theme park rides are safe? Sometimes the answer is: No one.

By Virginia Sole-Smith

The first time 13-year-old Kaitlyn Lasitter and two friends rode the Superman Tower of Power on a June day last year, everything went just fine. The three girls sat strapped into a car similar to one on a ski lift, their legs dangling. Steel cables slowly pulled the car skyward, straight up 176 feet toward the giant Superman sign that towered above Six Flags Kentucky Kingdom. The car paused for a few seconds at the top, then plunged back down at an adrenaline-pumping 50 miles per hour.

“The Tower was our favorite ride, so when we saw nobody was waiting in line, we decided to go again,” remembers Kaitlyn, now 14. “Our car started back up, and we were maybe 20 feet off the ground when we felt a jolt. I looked up and saw all these pieces of cable falling toward us—but our car kept climbing.”

Witnesses at the park, including one of the ride’s two operators, a 16-year-old girl, reported hearing a loud snap as the car was pulled up, then the girls’ screams as it paused for a few seconds at the top before beginning its stomach-wrenching plunge. “At that point, Kaitlyn already had lacerations on her neck, face, and arms from the broken cable lashing at her,” says her mom, Monique Lasitter, 37, a catering manager in Louisville, KY. Although she wasn’t at the park that day, she and Kaitlyn’s dad, Randy Lasitter, 39, have since painstakingly pieced together what happened from witness statements taken at the scene. They want to understand exactly how Kaitlyn’s feet came to be ripped off.

One of the ride operators later testified in a deposition that she and the other operator had been so confused about what was happening after they heard the cable snap that by the time they pressed one of the Tower’s emergency stop buttons, it was already too late. As the car plummeted, the broken cable wrapped around both

5 Rules for Safe Riding

1 DRESS YOUR FAMILY FOR SAFETY Make sure everyone wears sturdy, closed-toe shoes; ties back long hair; and avoids dangling drawstrings and jewelry that might get caught in machinery.

2 OBSERVE THE RIDE'S OPERATORS before you buy a ticket. How many are there? Are they paying close attention when they check safety restraints? Do they watch the ride while it's in motion? If the answers leave you ill at ease, choose another ride.

3 STAY AGE APPROPRIATE Check that your child meets height, weight, and age requirements, and make sure any restraints fit snugly. Also, consider her general behavior: If she often has trouble staying seated or following directions, or if she's easily frightened, an adult should ride with her.

4 WATCH THE RIDE with your child first, so he understands what will happen after he boards. Instruct him to keep arms, legs, and feet inside the ride at all times; hold tight to any handholds or bars; and follow directions from the ride operator.

5 FINALLY, TAKE CARE OF YOURSELF Consult your doctor and double-check warning signs before riding if you're pregnant, recovering from surgery, or have any condition that makes you more susceptible to injuries from many rides' high speeds and g-forces. For more tips from Saferparks and CARES, see goodhousekeeping.com/saferides. —V.S.-S.

of Kaitlyn's legs, tightened, and tore through her shins, above the ankles. "I felt like I was on fire and smelled burned flesh," Kaitlyn remembers. "Then we hit the bottom and I knew my feet were gone."

Every year, more than 300 million guests at America's permanent amusement parks safely experience thrills and chills as they take approximately 1.8 billion rides. But the fun is not risk-free: From 1997 through 2004, an average of 7,175 people a year ended up in accidents serious enough to send them to the emergency room, reports the U.S. Consumer Product Safety Commission (CPSC). From 1987 through 2002, an estimated 4.4 of these each year have been fatal, according to the CPSC. What that means, statistically, is that you or your children are more likely to be injured in your car on the way to the park than on a ride once you get there. But there's another way to look at the numbers: The death rate per mile on roller coasters is reportedly higher than that on planes, buses, or trains. And half of all accidents involve children Kaitlyn's age or younger.

Given these facts, you might expect that the parks would be scrutinized regularly by whatever federal agency has jurisdiction. Just the opposite is true: In many states, amusement park rides are virtually unregulated.

The Lasitters heard about the accident when one of Kaitlyn's friends, who wasn't as seriously hurt, got a bystander to call Randy on a cell phone. He and Monique raced to the local emergency room where Kaitlyn had been taken, then arranged for her to be rushed to Nashville for emergency surgery.

Patrick Hoffman, Six Flags' corporate vice president of safety, described Kaitlyn's accident to *Good Housekeeping* as "a very unfortunate situation," but would not comment on the specifics of what happened. "We're still testing the cable and other components to understand what went wrong, so it would be premature to comment," he said in February, seven months after the accident.

The Lasitters are still grappling with how their lives have changed. Kaitlyn is struggling to learn to walk with one reattached foot and one prosthetic. "She needs help with everything now," says her mom. "There's not a minute that I'm not by her side." Kaitlyn spends 18 hours a day in bed, often suffering

High fliers: Rides at fairs, like this one, may be safer than those at permanent parks



shooting pain as the nerves and tendons in her legs work to heal, and it could be several years before the doctors are sure whether the reattachment was fully successful. “I know I shouldn’t have to go through this,” she acknowledges. “But I’m not a woe-is-me kind of person.”

Instead, Kaitlyn and her family are taking action, suing Six Flags in the hope of winning safety concessions from the company that will benefit other families, and seeking compensation for Kaitlyn. All three Lasitters told GH that they would refuse to sign any confidentiality agreement forbidding them to discuss the incident, even if it were part of a proposed settlement. “Twenty years down the road, my daughter will still be experiencing complications from this, and Six Flags won’t be worrying about it,” says Randy, a construction manager. “Parks need to be accountable.”



Speaking out about park safety: Monique, Kaitlyn, and Randy Lasitter

HOW RISKY ARE RIDES?

The Lasitters are determined, but there are some 400 amusement parks (and about 500 traveling carnivals) scattered across the United States, regulated by a patchwork of wildly varying local statutes—or none at all. Making those parks accountable for maintaining safe rides is a surprisingly difficult mission. Kathy Fackler, 49, of La Jolla, CA, has been trying to do just that since 1998, when her younger son, then 5 years old, was injured on Disneyland’s Big Thunder Mountain Railroad roller coaster. David Fackler’s foot was crushed when it was caught between the ride’s loading platform and the car he sat in

“If things were properly maintained and people were trained, Kaitlyn would still have her feet”

with his mother and older brother. Afterward, he was in the hospital for four weeks, undergoing multiple reconstructive surgeries, and though he now functions normally and is an avid baseball player, he will probably require more surgery once he reaches full growth. Kathy Fackler decided not to sue Disney, largely because she knew that a lawsuit would be a difficult, negative experience. But what happened in the aftermath of the accident turned her into a crusader. “In the beginning, nobody at Disney could answer our questions or tell us what changes they were making to the coaster,” she recalls. Frustrated, Fackler founded a nonprofit advocacy group called Saferparks that works for better amusement park and

carnival ride regulation and accident reporting. (When GH asked about the Fackler case, Disney officials initially did not comment, but later sent a statement. Without specifically addressing the Fackler case, Greg Hale, chief safety officer and vice president of worldwide safety and accessibility, explained that after an accident, Disney always complies with state requirements and conducts its own investigation to prevent future problems.)

So how do you know whether the park where your kids are headed is really doing all it can to keep them safe? How do you know if the rides are being maintained and the operators are trained and competent? The answer is you don’t—because no single national regulatory agency

is responsible for checking. And without such oversight, it’s very difficult for parents to know what measures parks are

taking, which rides have poor track records, or whether a particular company is shirking on maintenance.

Most industry executives believe that even without outside oversight, the safety system is working fine. Every park will tell you that, regulations or no regulations, safety is its primary concern and that protecting its customers from harm is paramount. And the evidence shows that many parks do a significant amount of self-policing: A good chunk of the industry’s reported \$12 billion annual revenue goes toward keeping riders safe. Disneyland, Six Flags, and many other parks have impressive internal programs, including teams of inspectors (sometimes certified according to state-

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defined criteria, then employed by the park) who spend hours “walking the tracks,” examining the nuts and bolts of each ride before the park opens to the public each day. Many also hire outside firms to perform safety audits and, during downtime or the off-season, examine rides for hidden flaws with black lights, X-rays, and other cutting-edge technology. If accidents happen, these parks investigate and make repairs. After Kaitlyn’s accident, for example, the Superman Tower of Power was permanently dismantled at Six Flags Kentucky Kingdom, and similar rides at other Six Flags parks were closed and inspected before they reopened. (Officials at Six Flags would not, however, comment to *Good Housekeeping* on any new safety fea-

tures or other modifications made to prevent future accidents.)

“High-end parks like Disney, Universal Studios, Busch Gardens, and Six Flags do have excellent in-house inspection and quality-assurance programs,” Fackler acknowledges, “but state inspectors serve as auditors. A regular ride inspection from a state official isn’t sufficient to ensure patron safety, but if done well, it’s an effective double check on the ride owner’s internal procedures.” She and other advocates don’t claim that parks are breaking the law; for the most part, they are not—and often there are no laws to break.

“But not all parks are equally diligent about safety, and even in the best companies, in-house folks can miss what’s right under their noses,” Fackler points out. After all, the regular inspections at Six Flags Kentucky Kingdom apparently had

not revealed that the Superman cable was ready to snap. And although Disney employs hundreds of mechanics, electricians, engineers, and other specialists and support staff, these experts evidently failed to realize that the gaps between the open-sided Big Thunder Mountain cars and the platform were large enough to allow a child’s foot to be trapped.

Nor were they able to prevent 4-year-old Brandon Zucker from falling out of the open side of a smiling taxicab on the Roger Rabbit’s Car Toon Spin ride he was sharing with his mom and brother at Disneyland in 2000. “It was just this little kiddie ride,” remembers Victoria Zucker, of the Tea Cups-style attraction (on which kids can use steering wheels to twirl their taxis as they move on a track). “But he slid right out onto the track, and the car behind us, hold- →

Deadly Track Record: The Sizzler

“The Sizzler has the largest number of child ejections of any ride in my database,” says Kathy Fackler, president of Saferparks. The multiarmed machine, popular at traveling carnivals and fairs, rotates carousel style—but faster—as its arms lift and spin riders in individual cars in the opposite direction.

In September 2004, Drew Fohlin, 38, was killed when his seat broke and he was thrown from a Sizzler at a church fair in Shrewsbury, MA. The CPSC investigated and asked the ride’s manufacturer, Wisdom Industries, Ltd., to issue a bulletin requesting that ride owners inspect the bolts and weld joints holding together each car’s seat, which the company did.

But that wasn’t the Sizzler’s only design flaw: The metal lap bar—the ride’s only restraint system—has a wide U-shaped bend that prevents it from fitting closely against most riders. “That U looks like an ejection chute, and that’s what it has turned out to be,” Fackler says: In 2005, a 9-year-old died after slipping under the bar at a carnival in Austin. The manufacturer insists that the accidents were due to “improper maintenance and operation,” but Fackler points out that the U makes it easy for a kid to turn around or stand.

After an earlier bulletin advising owners to patch the U, last August Wisdom finally issued a new recommendation that ride owners install seat belts. “But we have no way to know how many Sizzler owners actually did,” Fackler notes. —V.S.-S.



Above: A 6-year-old child rides the Sizzler. Note the open design of the lap bar that is meant to hold riders in the car. *Left:* Kathy Fackler posts any state inspection information she can obtain on her Web site, saferparks.org

HOW SAFE IS YOUR STATE?

Each state writes its own rules on rides. Although programs vary dramatically, 42 states do have some kind of government system for inspecting parks or at least requiring them to hire private inspectors and/or carry insurance, and 45 do the same for traveling carnivals, says the CPSC. Here, the five best and worst states, according to a 2007 Saferparks evaluation. Find more at goodhousekeeping.com/saferides. —V.S.-S.

BEST

These states regulate permanent, mobile, and inflatable rides. Owners are required to have insurance and perform regular safety inspections. They must also report severe injuries to the state, which has the authority to shut down rides and conduct surprise inspections.

- 1 MASSACHUSETTS
- 1 NEW JERSEY (tie)
- 3 PENNSYLVANIA
- 4 NORTH CAROLINA
- 5 IOWA

WORST

These states have no programs to regulate the safety of permanent, mobile, or inflatable rides. They don't have the power to investigate accidents or shut down rides, and they don't require owners to perform their own inspections, share information, or carry insurance. Tied for worst:

- ALABAMA
- MISSISSIPPI
- MONTANA
- UTAH
- WYOMING

ing Brandon's dad and grandma, rolled over him." Brandon was trapped for more than 10 minutes before firemen and paramedics were able to extract him. He sustained permanent brain damage, and ever since has required 24-hour nursing care. Now 12, he's confined to a wheelchair, and cannot speak, eat, or dress himself.

The federal government regulates the safety of strollers—but not of rides going 100 mph

The Zuckers sued Disney, whose lawyers argued that the accident was caused by what the industry terms "patron error." Victoria Zucker should have known to sit by the open side of the car herself, they claimed, even though an investigation by California's Division of Occupational Safety and Health (OSHA) found that it was a Disney employee who loaded them improperly and that the lap bar was probably not fully lowered. While not acknowledging any fault, Disney did make safety improvements, including installing automatic latching doors on the cars and sensor-equipped bumper guards so riders couldn't accidentally slip underneath, in compliance with OSHA's orders. After the judge ruled to allow the case to go to trial, Disney decided to settle; the family was awarded \$43 million in the settlement. (Asked for comment, Disney issued the same nonspecific response as it did regarding the Fackler case.)

Although Disney's "patron error" defense didn't wash in this case, it is a good illustration of a general industry stance: that irresponsible or inappropriate rider behavior is the cause of many accidents—fully 80 percent of them, claims the International Association of Amusement Parks and Attractions (IAAPA), a trade group based in Alexandria, VA. While it is essential for kids and par-

ents to take safety seriously (see "5 Rules for Safe Riding," page 148), even those in the industry sometimes have reservations about the figure. "At what point do you consider the customer responsible?" asks Jimmy Strates, co-owner and president of Strates Shows, a carnival based in Orlando, FL, that travels the Eastern seaboard. "It's one thing to say an

18-year-old should know to stay seated, but if a toddler gets scared and tries to jump out of the ride, you need a better restraint system."

All parties agree that making sure a ride is well designed, responsibly maintained, and capably operated is also key in preventing accidents. But Fackler points out that while state-of-the-art rides can be safe, bigger, taller, faster rides may be conceived under intense pressure to get to market quickly so owners can reap the revenue. And while manufacturers and parks are strongly encouraged to follow the guidelines for design safety written by a committee of some 500 industry members and other experts, there is no federal law that makes them do it. Another safety concern is that some parks and many carnivals employ very young and inexperienced workers as a way of keeping costs down. "It's also not uncommon to read an accident report stating that the ride operator had to be interviewed with a translator," Fackler says. "English as a second language is a problem when you're dealing with high-speed equipment and you need to communicate quickly."

And whatever the age or background of an operator, he or she needs adequate training. The Lasiters wonder why the park would put a ride as fast-moving as the Super-

man Tower of Power in the hands of a 16-year-old making \$5.85 per hour, who testified in her deposition that she'd had only two days of training (which does meet recommended industry standards, according to Six Flags) and only three weeks' experience running the machine. They were also perturbed by the testimony of John Schmidt, ride maintenance manager for the park, that although the ride's cables were inspected visually twice a week, parts of the cables were "almost impossible to check." "If things were properly maintained and people were trained, my daughter would still have her feet," Monique Lasitter states firmly. "This was preventable."

WHO'S IN CHARGE?

The CPSC, the federal agency created to protect Americans against unreasonably risky products and machinery, would seem the logical choice to regulate amusement park safety. However, the organization has almost no power in this area, and whether rides are subject to any federal scrutiny at all depends on whether they're located at amusement parks like Six Flags (also called fixed-site or permanent parks) or are part of traveling carnivals (known as mobile rides) that come to town for events like state fairs and church bazaars. "The CPSC can investigate accidents on traveling carnival rides, but that's only after something goes wrong," explains Mark Mooney, chief of inspections for the Massachusetts Department of Public Safety and president of the Council for Amusement and Recreational Equipment Safety (CARES), a national organization composed of state ride inspectors as well as advisory members from the park industry. The group is trying to assemble a national database that would allow state inspectors to track accidents and share

information about rides.

At permanent parks, the CPSC's role is all but nonexistent. It can only attempt to keep a count of accidents—it has no authority to investigate what caused the problem or even to require that the parks report whatever incidents occur. And it has no power to perform inspections that would prevent injuries in the first place or to require that such inspections be made by others.

Such matters are left to state governments. Some have rigorous rules in place and send inspectors out on scheduled and surprise visits to ensure that they're being obeyed. But other states do far less, and at least eight—Montana, North Dakota, South Dakota, Utah, Arizona, Kansas, Mississippi, and Alabama—have no inspection programs at all, according to the CPSC, leaving park safety to the honor system. (See "How Safe Is Your State?" on page 198.) Since no other entity regulates the rides—or makes theme parks reveal their accident rates—you can only judge the safety of a park by how rigorously the state regulates and inspects the rides.

What Fackler learned about park regulations in the aftermath of her son's injury shocked her. "I had just assumed that things would work like we all assume things work in America," she says. "That wasn't the case at all. Nobody outside the company was told about the accident, and Disney reopened the roller coaster without installing guards on the open sides of the ride's cars. And

Disney was fully within its legal rights to do so." (For a related article in July 2000, Disney told *Good Housekeeping* that the park had made some modifications to the ride following the incident but did not specify further.)

Determined to bring more transparency to the theme park industry, Fackler used her expertise as a software programmer to design the Web site saferparks.org, the first non-industry site to track accidents at parks and carnivals and publish government reports of local regulations. In addition, she joined forces with then California State Assemblyman Tom Torlakson to lobby for a bill that requires annual inspections by state inspectors at all of California's permanent amusement parks. "The bill was passed in 1999, and everything but the penalties is in place," Fackler explains. "I believe parks are safer for those changes," says Torlakson, (D-Antioch), who is now a state senator. Adds Fackler: "The bill's passage is a real victory for consumers, because this marks the first time that a Disney or Universal Studios theme park has ever been regulated in the United States." However, while such local reforms are valuable and groundbreaking, they are also time-consuming to achieve and tend to be piecemeal. "It would be better if the system were standardized," says carnival co-owner Jimmy Strates. "But the states think it's their right to legislate, and the federal government doesn't seem to have any overwhelming desire to do it." →

HELP MAKE PARKS SAFER

To restore CPSC oversight of amusement parks, ask your state representative to cosponsor Congressman Markey's National Amusement Park Ride Safety Act (H.R. 2320), which is expected to come up for its first hearing soon. (The more cosponsors it has, the sooner it will come to a vote.) For a form letter you can send and contact information for your member of Congress, log on to goodhousekeeping.com/saferides. —Kate Schmier

REGULATING RIDES

For the most part, Strates' statement about federal lack of interest seems to be correct. But one member of Congress is trying to change things. In August 1999, there were four deaths in just one week at parks across the country; appalled, Representative Edward J. Markey (D-MA) introduced the National Amusement Park Ride Safety Act that year, hoping to give greater power over theme parks to the CPSC. "If a child is injured while being pushed in a stroller, the federal government has already regulated the safety of that product and has the ability to follow up after it proves unsafe," Markey says. "But if that same child is on a permanent amusement park ride traveling at 100 miles per hour, there is no federal oversight. That needs to change."

After nearly a decade, the bill is expected to receive a hearing this spring or early summer before the House Energy and Commerce Subcommittee on Commerce, Trade, and Consumer Protection. If passed, the bill will give the CPSC the same authority over permanent parks that it has over traveling carnivals—the right to investigate accidents, the power to require manufacturers to make safety improvements, and the authority to order parks to report accidents so that the CPSC can track them more closely. (To support the bill, see "Help Make Parks Safer" on page 199.)

The CPSC once did have these powers, but in 1981, its investigation of accidents at Marriott-owned theme parks prompted the industry to successfully lobby Congress for what Markey wryly terms the roller-coaster loophole: a couple of sentences in an omnibus agriculture bill that exempt all permanent parks from future CPSC investigation.

Kaitlyn Lasitter's horrific accident has forced at least one upper-echelon industry leader to reconsider his past

support for the loophole. "I now believe I was wrong 25 years ago and that the industry should be regulated," wrote Jim Prager, a former executive at Six Flags and ex-board member of the IAAPA, in a December 2007 letter to Congressman Markey. In the same missive, he also said, "In my opinion, the industry does not adequately protect children—its principal customers—against the risks of its ride attractions."

Not all industry leaders agree. "Certainly Mr. Prager is entitled to his opinion," says David Mandt, vice president of communications for the IAAPA. "But the industry is very safe and regulated. If anything occurs, we take it very seriously, because if customers don't think our attractions are safe, they won't visit. But accidents are extremely rare." The IAAPA, which represents the interests of 4,300 companies, has spent \$5.4 million on lobbying overall since 2001, the first full year after the initial hearing on Markey's bill, according to the *Washington Post*.

While debate on the Markey bill continues, advocates like CARES' Mooney support its intent but worry that it doesn't give the CPSC broad enough authority or (at \$500,000 yearly) sufficient funding to make real changes. Mooney is also concerned that federal legislation not hinder states with strict regulations from keeping their rigorous stance.

THE ARGUMENT FOR REGULATION

No one claims that increased federal oversight will prevent all accidents. But it's worth noting that although there's dispute among industry insiders and advocates, statistics from the CPSC suggest that mobile rides (those at carnivals and fairs), which are subject to federal investigation, do have a better safety record than those at the big permanent

parks, despite the giants' financial and technological advantages. There were only 13 fatalities connected with mobile rides between 1987 and 2004, compared to 46 on fixed-site rides (and eight from unidentified ride sites). And mobile rides averaged 3,125 injuries per year, compared to 4,075 at permanent parks from 1997 to 2004, according to a 2005 report by the CPSC (inasmuch as can be

was shut down by the state, and no Flitzers were allowed to reopen in Pennsylvania until the installation of more padding and additional brakes to control deceleration.

Even some members of the amusement park industry are willing to consider the possible benefits of federal oversight. Take Hersheypark: The nearly 50 state-certified inspectors employed by the theme park in

The death rate per mile on roller coasters is reportedly higher than that on planes

gauged, the number of riders at both types seems comparable). While it's true that the comparisons aren't perfect and the CPSC is limited in its ability to track fixed-park incidents, the fact remains that, according to the only national government data available, the industry sector overseen by the CPSC seems to be safer.

And while increased regulation can't prevent all accidents, tighter rules, even on the state level, mean that tragedies are dealt with responsibly and can result in lifesaving reforms. "We were at the county fair in 2001 and spotted a little roller coaster with a NASCAR theme," recalls a mother from York, PA, who asked that her family not be named. "My kids were avid race-car fans, so they begged to go on." But the ride stopped abruptly, causing the children to fly forward, then ricochet back. "My 7-year-old son collapsed back onto the seat and just stared straight ahead," the mother says. "He became very sweaty, pale, and blue around his lips." The boy was rushed to the hospital but died in the operating room of internal injuries.

The state of Pennsylvania tightly regulates its parks, and the CPSC also had jurisdiction (because it was a mobile-park ride), so a thorough investigation and follow-up ensued. The roller coaster, called a Flitzer,

Hershey, PA, walk the tracks every morning before the park opens, submit inspection affidavits to state officials every 30 days per state law, and receive unannounced visits from state inspectors and a third-party audit firm hired by the park. And although the park is home to 61 rides, some of which travel 45 to 72 miles per hour and drop their passengers over 100 feet, there has not been a single fatality in its 101-year history. Despite its stellar record, the park is not opposed to federal regulation. "We've gotten very good at maintaining our park, but we're never too jaded to think that our way is the only way," says Garrett Gallia, director of corporate relations. "As long as it didn't inhibit our ability to protect our guests, we'd take a look at [a proposal for federal inspections]."

The acceptance of industry officials is important in creating and implementing reforms, as is the advocacy of politicians like Representative Markey. But just as crucial in the fight for increased regulation has been the active support of parents and citizens like Kathy Fackler, Victoria Zucker, and the Lasitters. "We are thankful every day that Kaitlyn's still alive," says Monique Lasitter. "She's here with us to lead this movement, so we can make a real change once and for all." ■