

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### **Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

---

TRISTATE AMUSEMENTS

: NOTICE OF FORFEITURE  
: AND NOTICE OF RIGHT  
: TO REQUEST REVIEW

---

TO: Kerry S Schneider  
dba Tri State Amusements  
905 Alder Dr Hurley, WI 54534

**ORDER 0007450**

You are hereby notified that you are subject to a forfeiture of **\$400.00** in accordance with Wis. Stat. §§ 101.02(12) & (13) for violating Wis. Admin. Code §§ SPS 334.15(2) & (3) and 334.18(1)(b), (2)(a), and (2)(b). This forfeiture must be paid within 30 days of the date of mailing of this Notice. If not paid the Department shall suspend or revoke your registration of the ride (AR-021903673-PTOAR) until paid.

The forfeiture of **\$400.00** shall be made out to "Wisconsin State Treasury." Include in the memo line "Spider-Tristate Amusement" and send to the following address:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
4822 Madison Yards Way  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

You have the right to request a review of the assessment of forfeiture by sending a request addressed to Division Administrator, Division of Industry Services, P.O. Box 7302, Madison, WI 53707-7302. Any review of the assessment of forfeiture will be held in accordance with the requirements set forth in Wis. Stat. § 101.02(6). Such request for review shall set out specifically and in full detail every reason why this order is unreasonable, and every issue to be considered by the Department in the review.

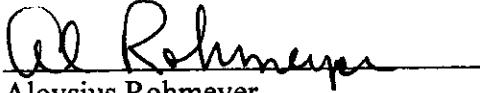
An investigation by the Department on June 6, 2021, found that a tub/arm came off the sweep of the Spider Amusement Ride and caused an injury to a patron. Upon visual inspection of the spider, it was found that the bolts connecting the arm to the tub had not been tightened and the R-key was missing from the pin. The motion of the ride caused the loose arm/tub assembly to come loose from the sweep. Wis. Admin. Code §§ 334.15(2) & (3) require an inspection of all fastening devices to assure that fasteners recommended by the manufacturer have been properly installed at assembly AND inspected each day before use by frequenters. It is noted that the Department found other arms also improperly assembled.

Next, the investigation found that you failed to keep the proper records as required by Wis. Admin. Code § SPS 334.18. Specifically, the ride did not have a fact sheet (violation of § 334.18(1)(b)), the ride did not have an inspection record for when the ride was assembled (violation of § 334.18(2)(a)), and the ride did not have an inspection record for daily inspections and operational tests (violation of § 334.18(2)(b)).

According to Wis. Admin. Code § SPS 334.12 the penalties for violating any provision in Chapter 334 relating to amusement rides shall be assessed in accordance with Wis. Stat. § 101.02 (12) and (13). A forfeiture of no less than \$10 nor more than \$100 is to be assessed for each violation.

For these reasons a forfeiture of \$400.00 is assessed in accordance with Wis. Stat. § 101.02(13).

Dated at Madison, Wisconsin on 22 June, 2021.

A handwritten signature in black ink, appearing to read "A. Rohmeyer", is written over a horizontal line.

Aloysius Rohmeyer  
Chief Legal Counsel  
Department of Safety and Professional Services  
P.O. Box 8368  
Madison, WI 53708-8368