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Offered: 4/12/78  
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 778

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to skiing and the regulation of skiing  
7 facilities; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 05 is amended by adding a new chapter to read:

10 CHAPTER 22. SKIING AND SKIING FACILITIES.

11 Sec. 05.22.010. INFORMATION FOR SKIERS. Every operator of a ski  
12 area shall maintain a sign system as required by this section or by the  
13 regulations of the department. All signs for the instruction of the  
14 public shall be bold in design and shall contain non-verbal international  
15 symbols or wording that is short, simple, and to the point. All signs  
16 shall be prominently placed.

17 (1) Entrances to all machinery, operators', and attendants',  
18 rooms shall be posted to the effect that unauthorized persons are not  
19 permitted.

20 (2) The sign "Persons Working on Lift" or a similar warning  
21 sign shall be posted on the main disconnect switch, engine starting  
22 switch, and at control points for starting the main or auxiliary power  
23 when repairs are in progress to the passenger tramway, lift, or tow  
24 operation.

25 (3) The interior of each aerial tramway and gondola lift  
26 shall be prominently posted to show:

27 (A) the maximum capacity of each aerial tramway and  
28 gondola lift in pounds and the number of passengers permitted;

29 (B) instruction procedures for emergencies.

1 (4) The following signs shall be posted at all aerial lifts  
2 except gondola lifts:

3 (A) "Prepare to Unload", not less than 50 feet ahead of  
4 the unloading area;

5 (B) "Keep Ski Tips Up", ahead of any point where skis  
6 may come in contact with a platform, the snow, or another surface;

7 (C) "Unload Here";

8 (D) "Safety Gate"; and

9 (E) "Remove Pole Straps from Wrists", at loading areas.

10 (5) The following signs shall be posted at all surface lifts:

11 (A) "Prepare to Unload", not less than 50 feet ahead of  
12 unloading area;

13 (B) "Stay in Track";

14 (C) "Unload Here";

15 (D) "Safety Gate"; and

16 (E) "Remove Pole Straps from Wrists", at loading areas.

17 (6) The following signs shall be placed at all tows:

18 (A) "No Loose Scarves", "No Loose Clothing", "No Long  
19 Hair Exposed", at loading areas;

20 (B) "Stay in Track";

21 (C) "Unload Here"; and

22 (D) "Safety Gate."

23 (7) If the ski area is used for night skiing, all signs re-  
24 quired for tramway, lift, or tow operations shall be adequately lighted.

25 (8) The operator of any ski area shall maintain a readily  
26 visible sign on each rope tow, wire rope tow, j-bar, t-bar, ski lift, or  
27 other similar device, advising the users of the device that

28 (A) any person not familiar with the operation of the  
29 lift shall ask the operator for assistance or instruction; and

1 (B) the skiing-ability level recommended for users of  
2 the lift and the slopes served by the device which shall be classi-  
3 fied "easiest", "more difficult", and "most difficult".

4 Sec. 05.22.020. CONDUCT OF SKIERS. (a) In addition to the speci-  
5 fic requirements of this section, a skier shall conduct himself within  
6 the limits of his individual abilities and shall not act in a manner  
7 that may contribute to his injuries or the injuries of other skiers.

8 (b) No person may

9 (1) embark or disembark upon a ski lift except at a desig-  
10 nated area;

11 (2) throw or hurl an object from a tramway, ski lift, com-  
12 mercial skimobile, or other commercial device while riding on the de-  
13 vice;

14 (3) act in a manner while riding on a rope tow, wire rope  
15 tow, j-bar, t-bar, ski lift, or similar device that may interfere with  
16 the proper or safe operation of the lift or tow;

17 (4) engage in a type of conduct which may cause injury or,  
18 while traveling uphill on a ski lift, place an object in the uphill ski  
19 track which may cause another to fall; or

20 (5) cross the uphill track of a j-bar, t-bar, rope tow, wire  
21 rope tow, or other similar device except at designated locations.

22 (c) An operator shall place a notice in a prominent position  
23 within the ski area advising the public of the substance of (b) of this  
24 section and of secs. 30 and 50 of this chapter.

25 (d) Every person shall maintain control of his speed and course at  
26 all times, and shall stay clear of snowgrooming equipment, vehicles,  
27 lift towers, and other equipment on the ski area. Snowgrooming equip-  
28 ment and other vehicles used in a ski area shall be equipped with a  
29 flashing yellow light at any time the vehicle is moving in the vicinity

1 of a ski run.

2 (e) Each person is the sole judge of his own ability to negotiate  
3 a trail, slope or uphill track. No action may be maintained against an  
4 operator by reason of the condition of the track, trail, or slope unless  
5 the condition results from the negligence of the operator.

6 (f) A person who boards a rope tow, wire rope tow, j-bar, t-bar,  
7 ski lift, or other similar device is presumed to have sufficient abili-  
8 ties to use the lift. No liability attaches to any operator or atten-  
9 dant for failure to instruct a person on the use of the device, and a  
10 person shall follow any written or verbal instructions that are provided  
11 for use.

12 (g) Because of the inherent risk in the sport of skiing, all per-  
13 sons using a ski area shall exercise reasonable care for their own  
14 safety. The primary duty rests on the person skiing downhill to avoid  
15 collisions with any person or object below him.

16 (h) Notwithstanding (g) of this section, a person skiing on other  
17 than improved trails or slopes within the area is responsible for any  
18 injuries or losses resulting from his action.

19 (i) Notwithstanding (g) and (h) of this section, a person on foot  
20 or on any type of sliding device is responsible for any collision re-  
21 sulting from his action, whether the collision is with another person or  
22 with an object.

23 Sec. 05.22.030. LEAVING THE SCENE OF A SKIING ACCIDENT. A person  
24 who is involved in a skiing accident and who leaves the scene of the  
25 accident without leaving personal identification or otherwise identify-  
26 ing himself before notifying proper authorities or obtaining assistance,  
27 knowing that a person involved in the accident is in need of medical or  
28 other assistance, is guilty of a misdemeanor.

29 Sec. 05.22.040. REQUIRED LIABILITY INSURANCE. (a) Each tramway,

1 ski lift, or commercial skimobile operator shall maintain liability  
2 insurance of not less than \$100,000 per person per accident and of not  
3 less than \$200,000 per accident.

4 (b) Each operator of a rope tow, wire rope tow, j-bar, t-bar, or  
5 similar device shall maintain liability insurance of not less than  
6 \$25,000 per person per accident and not less than \$50,000 per accident.

7 (c) This section does not apply to operators of tramways that are  
8 not open to the general public and that are operated without charge.  
9 This section does apply to operators of tramways that are operated by  
10 schools, ski clubs, and similar organizations.

11 Sec. 05.22.050. PROHIBITED ACTIONS. (a) No person may

12 (1) enter for skiing or other purposes an area which is under  
13 the administrative control of the operator and has been closed by the  
14 operator by the placing of a notice at the top of the trail or slope  
15 involved or at another point adequately advising the person of the fact  
16 of the closure;

17 (2) disembark from a lift or tow for skiing or other purposes  
18 at a disembarking terminal of a lift or tow which has been closed by the  
19 operator and a notice of the closure placed at the closed terminal.

20 (b) A person who violates the provisions of (a) of this section is  
21 guilty of a violation and upon conviction is punishable by a fine of  
22 not more than \$1,000.

23 Sec. 05.22.060. RECOVERY OF EXPENSES. An operator or other public  
24 authority which undertakes a rescue action to assist a person endangered  
25 by his failure to remain out of an area closed under sec. 50 of this  
26 chapter may recover from the person all direct and indirect expenses  
27 arising out of the rescue.

28 Sec. 05.22.070. ENFORCEMENT. The Department of Labor is respon-  
29 sible for the enforcement of this chapter and may adopt any regulations

1 required to enforce the provisions of this chapter.

2 Sec. 05.22.080. DEFINITIONS. In this chapter,

3 (1) "commercial skimobile" means a ski lift in which the  
4 passengers are transported in open or closed cars that ride on a rigid  
5 structural system and is propelled by a wire rope or chain;

6 (2) "improved trails or slopes" means those trails or slopes  
7 that have been cleared of vegetation or other obstacles or whose snow  
8 surface is groomed or otherwise treated by the area operator for the  
9 purpose of enhancing skiing.

10 \* Sec. 2. This Act takes effect October 1, 1978.