

Original Sponsors: Rudd, Lethin
and Hayes

Offered: 4/12/78
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 778 am

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.

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

8 * Section 1. AS 09.55 is amended by adding a new section to read:

9 ARTICLE 8. ACTION AGAINST SKI AREAS.

10 Sec. 09.55.595(a) Each person is the sole judge of his own ability
11 to negotiate a trail, slope or uphill track. No action may be main-
12 tained against an operator or owner of a ski area by reason of the
13 condition of the track, trail or slope unless the condition results
14 from the negligence of the operator.

15 (b) A person who boards a rope tow, wire rope tow, j-bar, t-bar,
16 ski lift, or other similar device is presumed to have sufficient
17 abilities to use the lift. No liability attaches to any operator or
18 attendant for failure to instruct a person on the use of the device,
19 and a person shall follow any written or verbal instructions that are
20 provided for use.

21 (c) Because of the inherent risk in the sport of skiing, all
22 persons using a ski area shall exercise reasonable care for their own
23 safety. The primary duty rests on the person skiing downhill to avoid
24 collisions with any person or object below him. A person skiing in a
25 closed area is responsible for any injuries or losses resulting from
26 his action.