

**PASSENGER ROPEWAY SYSTEMS ACT**

**AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Allen M. Christensen**

House Sponsor: Melvin R. Brown

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**LONG TITLE**

**General Description:**

This bill modifies the Passenger Ropeway Systems Act by amending provisions relating to the registration and inspection of private residence passenger ropeways.

**Highlighted Provisions:**

This bill:

- ▶ defines private residence passenger ropeways;
- ▶ provides that private residence passenger ropeways are exempt from the registration and inspection requirements; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**72-11-102**, as last amended by Laws of Utah 1999, Chapter 195

**72-11-201**, as renumbered and amended by Laws of Utah 1999, Chapter 195

**72-11-205**, as renumbered and amended by Laws of Utah 1999, Chapter 195

**72-11-211**, as renumbered and amended by Laws of Utah 1999, Chapter 195

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*Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **72-11-102** is amended to read:

31 **72-11-102. Definitions.**

32 As used in this chapter:

33 (1) "Aerial lift" means a ropeway on which passengers are transported in cabins or on  
34 chairs.

35 (2) "Aerial tramway" means a ropeway on which passengers are transported in cable  
36 supported carriers and are not in contact with the ground or snow surface and that reciprocates  
37 between terminals.

38 (3) "Area" means the geographic area, terrain, and ski slopes served by a passenger  
39 ropeway.

40 (4) "Committee" means the Passenger Ropeway Safety Committee created by Section  
41 72-11-202.

42 (5) "Conveyor" means a device used to transport skiers and snowboarders standing on  
43 a flexible moving element or belt.

44 (6) "Detachable grip lift" means a monocable or bicable ropeway system on which  
45 carriers circulate around the system alternately attaching to and detaching from a moving haul  
46 rope.

47 (7) "Funicular" means a ropeway on which carriers are supported and guided by a  
48 guideway and that is propelled by means of a haul rope system and that is operated as a single  
49 or double reversible system.

50 (8) "Industry" means the passenger ropeway business activities of any person in the  
51 state who owns, manages, or directs the operation of a passenger ropeway.

52 (9) "Operator" means a person, including any political subdivision or instrumentality  
53 of the political subdivision, who owns, manages, or directs the operation of a passenger  
54 ropeway.

55 (10) (a) "Passenger ropeway" means a device, excluding an elevator, used to transport  
56 passengers along a level, inclined or declined path by means of a haul rope or other flexible  
57 elements that is driven by a power unit that remains essentially at a single location.

58 (b) Passenger ropeways include the following:

59 [~~(a)~~] (i) an aerial tramway;

60 [~~(b)~~] (ii) an aerial lift, including a detachable grip lift and chair lift;

61 [~~(c)~~] (iii) a conveyor;

62 [~~(d)~~] (iv) a funicular;

63 [~~(e)~~] (v) a surface lift, including a J-bar, T-bar, or platter pull; and

64 [~~(f)~~] (vi) a rope tow, including a wire rope and fiber rope tow.

65 (11) "Private residence passenger ropeway" means a passenger ropeway that:

66 (a) is installed at a private residence;

67 (b) is not accessible to the general public;

68 (c) is not used for commercial purposes; and

69 (d) (i) is owned by one single owner; and

70 (ii) the owner described in Subsection (11)(d)(i) is not:

71 (A) a unit or homeowner's association; or

72 (B) a planned unit development or a planned residential unit development organization

73 or entity.

74 [~~(H)~~] (12) "Rope tow" means a ropeway on which passengers remain in contact with  
75 the ground or snow surface and are pulled in one direction only by a towing device attached to  
76 a circulating wire rope.

77 [~~(I)~~] (13) "Surface lift" means a ropeway on which passengers remain in contact with  
78 the ground or snow surface and are pulled by a towing device attached to a circulating  
79 overhead wire rope, and includes a J-bar, T-bar, or platter pull.

80 Section 2. Section 72-11-201 is amended to read:

81 **72-11-201. Passenger ropeways -- Purpose and scope.**

82 (1) In order to safeguard the life, health, property, and welfare of citizens while using  
83 passenger ropeways, it is the policy of the state to:

84 (a) protect citizens and visitors from unnecessary mechanical hazards in the design,  
85 construction, and operation of passenger ropeways, but not from the hazards inherent in the

86 sports of mountaineering, skiing, snowboarding, mountain biking, and hiking, or from the  
87 hazards of the area served by passenger ropeways, all of which hazards are assumed by the  
88 sportsman; and

89 (b) require periodic inspections of passenger ropeways to ensure that each passenger  
90 ropeway meets "The United States of America Standard Institute Safety Code for Aerial  
91 Passenger Tramways," or an equivalent standard established by rule under Section 72-11-210.

92 (2) ~~[The]~~ (a) Except as provided in Subsection (2)(b), the committee, through the  
93 Department of Transportation, shall:

94 ~~[(a)]~~ (i) register all passenger ropeways in the state;

95 ~~[(b)]~~ (ii) establish reasonable standards of design, construction, and operational  
96 practices; and

97 ~~[(c)]~~ (iii) make inspections as necessary to implement this section.

98 (b) The committee has no jurisdiction over the construction, modification, registration,  
99 or inspection of a private residence passenger ropeway.

100 Section 3. Section **72-11-205** is amended to read:

101 **72-11-205. Passenger ropeways -- Registration of ropeways.**

102 (1) ~~[A]~~ Except as provided in Subsections (2) through (4), a passenger ropeway may  
103 not be operated in this state unless it is registered with the committee~~[, except as provided in~~  
104 ~~Subsections (2) and (3)].~~

105 (2) The initial application for registration of a passenger ropeway permits the operator  
106 to operate the passenger ropeway until final action on the application is taken by the  
107 committee.

108 (3) If an operator files an application to renew registration of a passenger ropeway,  
109 then the operator may continue the operation of the passenger ropeway under the existing  
110 registration until the committee takes final action on the pending application and has:

111 (a) issued a certificate to the operator; or

112 (b) given written notice to the operator that the passenger ropeway has not qualified  
113 for certification.

114           (4) A private residence passenger ropeway may be operated in this state without  
115 fulfilling the registration requirements of this section.

116           Section 4. Section **72-11-211** is amended to read:

117           **72-11-211. Passenger ropeways -- Inspection.**

118           (1) The committee may order inspections of the design, construction, operation, and  
119 maintenance of passenger ropeways as the committee may reasonably require.

120           (2) If, as the result of an inspection, it is found that a violation of the committee's rules  
121 exists, or a condition in passenger ropeway construction, operation, or maintenance exists that  
122 endangers the safety of the public, an immediate report shall be made to the operator whose  
123 passenger ropeway has received the inspection and to the committee for appropriate  
124 investigation and order.

125           (3) A private residence passenger ropeway is not subject to the inspection  
126 requirements under this section.