

PASSENGER ROPEWAY SYSTEMS ACT

AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Allen M. Christensen

House Sponsor: Melvin R. Brown

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:

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

72-11-102. Definitions.

As used in this chapter:

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

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

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

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

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

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

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

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

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

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

(b) Passenger ropeways include the following:

~~(a)~~ (i) an aerial tramway;

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

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

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

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

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

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

65 (a) is installed at a private residence;

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

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

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

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

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

71 (B) a planned unit development or a planned residential unit development organization
72 or entity.

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

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

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

80 **72-11-201. Passenger ropeways -- Purpose and scope.**

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

83 (a) protect citizens and visitors from unnecessary mechanical hazards in the design,
84 construction, and operation of passenger ropeways, but not from the hazards inherent in the
85 sports of mountaineering, skiing, snowboarding, mountain biking, and hiking, or from the
86 hazards of the area served by passenger ropeways, all of which hazards are assumed by the
87 sportsman; and

88 (b) require periodic inspections of passenger ropeways to ensure that each passenger
89 ropeway meets "The United States of America Standard Institute Safety Code for Aerial

90 Passenger Tramways," or an equivalent standard established by rule under Section 72-11-210.

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

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

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

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

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

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

100 **72-11-205. Passenger ropeways -- Registration of ropeways.**

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

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

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

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

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

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

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

116 **72-11-211. Passenger ropeways -- Inspection.**

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

119 (2) If, as the result of an inspection, it is found that a violation of the committee's rules
120 exists, or a condition in passenger ropeway construction, operation, or maintenance exists that

121 endangers the safety of the public, an immediate report shall be made to the operator whose
122 passenger ropeway has received the inspection and to the committee for appropriate
123 investigation and order.

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

Legislative Review Note
as of 1-4-10 3:17 PM

Office of Legislative Research and General Counsel

S.B. 82 - Passenger Ropeway Systems Act Amendments

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for businesses or local governments. Individuals will likely save the cost of inspection fees charged to commercial passenger ropeway systems.
