

1 **INHERENT RISK OF SKIING AMENDMENTS**

2 2006 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Lyle W. Hillyard**

5 House Sponsor: David Ure

7 **LONG TITLE**

8 **General Description:**

9 This bill expands the definition of the inherent risk of skiing to include competitive and
10 professional skiing and more fully describes the hazards associated with changing
11 weather and snow conditions, surface and subsurface conditions, variations in different
12 terrain, and the potential impact with towers and other structures.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ defines skier as a person who, within a ski area, uses skis, sled, tube, snowboard, or
16 any other device to engage in the sport of skiing;
- 17 ▶ defines the sport of skiing to include participation in, or practicing or training for,
18 competitions or special events;
- 19 ▶ more fully describes the inherent hazards of changing weather and snow conditions
20 by identifying different types of snow conditions such as hard pack, powder, packed
21 powder, wind pack, corn, crust, slush, cut-up snow, and machine-made snow;
- 22 ▶ more fully describes the inherent hazards of surface and subsurface conditions by
23 referencing cliffs, trees, streambeds, and other natural objects; and
- 24 ▶ more fully describes variations and steepness in terrain to include snowmaking and
25 grooming operations and terrain parks and features, such as jumps, rails, fun boxes,
26 and other constructed and natural features, such as half pipes, quarter pipes, and
27 freestyle-bump terrain.



28 **Monies Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **78-27-52**, as last amended by Chapter 86, Laws of Utah 1993



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

37 Section 1. Section **78-27-52** is amended to read:

38 **78-27-52. Inherent risks of skiing -- Definitions.**

39 As used in this act:

40 (1) "Inherent risks of skiing" means those dangers or conditions which are an integral
41 part of the ~~[sports of]~~ sport of recreational, competitive, or professional skiing, [snowboarding,
42 and ski jumping,] including, but not limited to:

43 (a) changing weather conditions[; variations or steepness in terrain];

44 (b) snow or ice conditions[;] as they exist or may change, such as hard pack, powder,
45 packed powder, wind pack, corn, crust, slush, cut-up snow, or machine-made snow;

46 (c) surface or subsurface conditions such as bare spots, forest growth, rocks, stumps,
47 streambeds, cliffs, trees, and other natural objects;

48 (d) variations or steepness in terrain, whether natural or as a result of slope design,
49 snowmaking or grooming operations, and other terrain modifications such as terrain parks, and
50 terrain features such as jumps, rails, fun boxes, and all other constructed and natural features
51 such as half pipes, quarter pipes, or freestyle-bump terrain;

52 (e) impact with lift towers and other structures and their components[;] such as signs,
53 posts, fences or enclosures, hydrants, or water pipes;

54 (f) collisions with other skiers; [and a skier's failure to ski or jump]

55 (g) participation in, or practicing or training for, competitions or special events; and

56 (h) the failure of a skier to ski within the skier's own ability.

57 (2) "Injury" means any personal injury or property damage or loss.

58 (3) "Skier" means any person present in a ski area for the purpose of engaging in the

59 sport of skiing, nordic, freestyle, or other types of ski jumping, [~~and snowboarding~~] using skis,
60 sled, tube, snowboard, or any other device.

61 (4) "Ski area" means any area designated by a ski area operator to be used for skiing,
62 nordic, freestyle, or other type of ski jumping, and snowboarding.

63 (5) "Ski area operator" means those persons, and their agents, officers, employees or
64 representatives, who operate a ski area.

Legislative Review Note
as of 1-9-06 10:23 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel