

Senate Bill No. 179—Senator McGinness

Joint Sponsor: Assemblyman de Braga

CHAPTER.....

AN ACT relating to aeronautics; establishing certain minimum standards for the operation of a skydiving business; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Title 44 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Association” means the United States Parachute Association or its successor organization.*

Sec. 4. *“Skydiving business” means a business that receives compensation for providing a person with:*

- 1. The opportunity to jump with a parachute from an airplane, a balloon or any other vehicle used for navigation through the air; or*
- 2. Training on how to jump safely from an airplane, a balloon or any other vehicle used for navigation through the air and how to land safely using a parachute.*

Sec. 5. *“Student skydiver” means a person who receives training to skydive and has not been cleared to self-jumpmaster in accordance with standards established by the association.*

Sec. 6. *The legislature hereby finds and declares that the operation of a skydiving business affects the health, safety and welfare of members of the general public and that minimum standards for the operation of such a business must, therefore, be established.*

Sec. 7. *For the purposes of sections 1 to 12, inclusive, of this act, a person who has not previously jumped with a skydiving business shall be deemed to be a student skydiver unless that person produces documented proof to the operator of the skydiving business that he has previously skydived.*

Sec. 8. 1. *The operator of a skydiving business shall:*

- (a) Comply with the regulations of the Federal Aviation Administration governing skydiving;*
- (b) Comply with safety requirements that are at least as stringent as the basic safety requirements of the association set forth in the “Skydiver’s Information Manual” in the form most recently published by the association, unless the director of the department of transportation*

posts a notice of disapproval of any amendment to those requirements pursuant to subsection 2; and

(c) Provide training to a student skydiver using one of the training options adopted by the association in the "Skydiver's Information Manual" in the form most recently published by the association, unless the director of the department of transportation posts a notice of disapproval of any amendment to those training options pursuant to subsection 2.

2. The director of the department of transportation or a person designated by the director shall review each amendment to the basic safety requirements and training options set forth in the "Skydiver's Information Manual" and approve or disapprove of the amendment for use in this state. If the director does not post a notice of disapproval within 30 days after such an amendment is published, the amendment shall be deemed approved for this state.

Sec. 9. 1. The operator of a skydiving business shall maintain on the premises of the business a safety handbook which contains the safety requirements that the operator will comply with in conducting the operations of the business.

2. Upon request, the operator shall provide a customer with a copy of the basic safety requirements of the association and the regulations of the Federal Aviation Administration governing skydiving. The operator shall be deemed to have complied with the provisions of this subsection if he makes available to the customer for review on the premises the safety handbook required to be maintained pursuant to subsection 1, or a copy of the handbook, which contains the basic safety requirements of the association and the regulations of the Federal Aviation Administration governing skydiving.

Sec. 10. The operator of a skydiving business shall post in a conspicuous location at his place of business a poster that includes the following information in a font that is easy to read:

1. A statement that skydiving businesses operating in this state must comply with the regulations of the Federal Aviation Administration governing skydiving and safety requirements that are at least as stringent as the basic safety requirements of the association;

2. A list of the equipment required to be provided to a student skydiver; and

3. A statement that a customer may report any alleged violation of the provisions of sections 1 to 12, inclusive, of this act to the district attorney of the county in which the alleged violation occurred or to the attorney general.

Sec. 11. 1. The operator of a skydiving business shall report in writing to the association an accident that results in serious injury to or the death of one of its customers.

2. The report must

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(a) Be submitted to the association not later than the next business day following the date of the accident; and

(b) Include the time and place of the accident and the circumstances relating thereto.

Sec. 12. *1. The operator of a skydiving business who willfully violates any of the provisions of sections 1 to 11, inclusive, of this act is guilty of a misdemeanor.*

2. Any governmental entity that has issued a license to engage in business as an operator of a skydiving business to a person who is convicted of violating any of the provisions of sections 1 to 11, inclusive, of this act shall revoke that license and send notice of the revocation to the licensee by certified mail. Such a licensee may not apply to any governmental entity for a license to engage in business as an operator of a skydiving business in this state for 5 years after the revocation of his previous license.

Sec. 13. The amendatory provisions of this act do not apply to offenses that were committed before October 1, 1999.

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