

SENATE BILL NO. 179—SENATOR MCGINNESS

FEBRUARY 12, 1999

JOINT SPONSOR: ASSEMBLYMAN DE BRAGA

Referred to Committee on Transportation

SUMMARY—Establishes minimum standards for operation of skydiving business. (BDR 44-727)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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:

- 1 **Section 1.** Title 44 of NRS is hereby amended by adding thereto a
- 2 new chapter to consist of the provisions set forth as sections 2 to 12,
- 3 inclusive, of this act.
- 4 **Sec. 2.** *As used in this chapter, unless the context otherwise requires,*
- 5 *the words and terms defined in sections 3, 4 and 5 of this act have the*
- 6 *meanings ascribed to them in those sections.*
- 7 **Sec. 3.** *“Association” means the United States Parachute*
- 8 *Association or its successor organization.*
- 9 **Sec. 4.** *“Skydiving business” means a business that receives*
- 10 *compensation for providing a person with:*
- 11 *1. The opportunity to jump with a parachute from an airplane, a*
- 12 *balloon or any other vehicle used for navigation through the air; or*
- 13 *2. Training on how to jump safely from an airplane, a balloon or*
- 14 *any other vehicle used for navigation through the air and how to land*
- 15 *safely using a parachute.*

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

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

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

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

14 (i) *Comply with the regulations of the Federal Aviation*
15 *Administration governing skydiving;*

16 (ii) *Comply with safety requirements that are at least as stringent as*
17 *the basic safety requirements of the association set forth in the*
18 *“Skydiver’s Information Manual” in the form most recently published by*
19 *the association, unless the director of the department of transportation*
20 *posts a notice of disapproval of any amendment to those requirements*
21 *pursuant to subsection 2; and*

22 (iii) *Provide training to a student skydiver using one of the training*
23 *options adopted by the association in the “Skydiver’s Information*
24 *Manual” in the form most recently published by the association, unless*
25 *the director of the department of transportation posts a notice of*
26 *disapproval of any amendment to those training options pursuant to*
27 *subsection 2.*

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

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

39 2. *Upon request, the operator shall provide a customer with a copy of*
40 *the basic safety requirements of the association and the regulations of*
41 *the Federal Aviation Administration governing skydiving. The operator*
42 *shall be deemed to have complied with the provisions of this subsection if*
43 *he makes available to the customer for review on the premises the safety*

1 *handbook required to be maintained pursuant to subsection 1, or a copy*
2 *of the handbook, which contains the basic safety requirements of the*
3 *association and the regulations of the Federal Aviation Administration*
4 *governing skydiving.*

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

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

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

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

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

21 *2. The report must:*

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

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

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

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

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