

CHAPTER.....

AN ACT relating to public safety; revising the provisions governing skier safety to include snowboarding; 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. Chapter 455A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 4, inclusive, of this act.

Sec. 2. *“Skiing” means the act of using skis to move across snow-covered ground.*

Sec. 3. *“Snowboarder” means a person who engages in snowboarding in a snow recreation area.*

Sec. 4. *“Snowboarding” means the act of using a snowboard to move across snow-covered ground.*

Sec. 5. NRS 455A.010 is hereby amended to read as follows:
455A.010 This chapter may be cited as the Skier *and Snowboarder* Safety Act.

Sec. 6. NRS 455A.020 is hereby amended to read as follows:
455A.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 455A.030 to 455A.090, inclusive, *and sections 2, 3 and 4 of this act* have the meanings ascribed to them in those sections.

Sec. 7. NRS 455A.030 is hereby amended to read as follows:
455A.030 “Passenger” means a person who utilizes a ~~{ski}~~ *chair* lift for transportation.

Sec. 8. NRS 455A.040 is hereby amended to read as follows:
455A.040 ~~“Ski area”~~ *“Snow recreation area”* means the slopes, trails, runs and other areas under the control of ~~{a skiing}~~ *an* operator that are intended to be used for skiing , *snowboarding* or for the observation of the ~~{sport}~~ *sports*.

Sec. 9. NRS 455A.050 is hereby amended to read as follows:
455A.050 ~~“Ski lift”~~ *“Chair lift”* means a device, except for an elevator, that carries, pulls or pushes a person along a level or inclined path to, from or within a ~~{ski}~~ *snow recreation* area by means of a rope, cable or other flexible element that is driven by an essentially stationary source of power.

Sec. 10. NRS 455A.060 is hereby amended to read as follows:
455A.060 ~~“Ski patrol”~~ *“Patrol”* means agents or employees of ~~{a skiing}~~ *an* operator who patrol the ~~{ski}~~ *snow recreation* area.

Sec. 11. NRS 455A.070 is hereby amended to read as follows:
455A.070 “Skier” means a person who ~~{skis}~~ *engages in skiing* in a ~~{ski}~~ *snow recreation* area.

Sec. 12. NRS 455A.080 is hereby amended to read as follows:
455A.080 ~~“Skiing operator”~~ **“Operator”** means a person, or a governmental agency or political subdivision of this State, who controls or operates an area where persons ~~{ski,}~~ **engage in skiing or snowboarding.**

Sec. 13. NRS 455A.090 is hereby amended to read as follows:
455A.090 “Surface lift” means a ~~{ski}~~ **chair** lift designed for skiers **or snowboarders** to remain in contact with the ground or snowy surface during transportation.

Sec. 14. NRS 455A.100 is hereby amended to read as follows:
455A.100 A skier **or snowboarder** shall not:

1. Embark upon a ~~{ski}~~ **chair** lift:
 - (a) When he knows that he has insufficient knowledge or physical ability to use the ~~{ski}~~ **chair** lift safely; or
 - (b) That is posted as closed or not in operation;
2. Purposefully embark upon or disembark from a ~~{ski-lift,}~~ **chair lift** except at an area designated for such a purpose or at the direction and under the direct supervision of an authorized agent or employee of ~~{a-skiing}~~ **an** operator;
3. Toss, throw or cast or intentionally drop, expel or eject an object from a ~~{ski}~~ **chair** lift;
4. Toss, throw or cast an object in the direction of a ~~{ski}~~ **chair** lift;
5. Fail or refuse to comply with:
 - (a) Reasonable instructions given to him by an authorized agent or employee of ~~{a-skiing}~~ **an** operator regarding the use of a ~~{ski}~~ **chair** lift; or
 - (b) A sign posted pursuant to NRS 455A.130 or 455A.140;
6. Place any object in the uphill path of a surface lift;
7. Conduct himself in a manner that interferes with the safe operation of a ~~{ski}~~ **chair** lift or with the safety of a passenger ~~{or skier,}~~ **, skier or snowboarder;** or
8. ~~{Ski}~~ **Engage in skiing or snowboarding** in an area within the ~~{ski}~~ **snow recreation** area which is posted, as provided in NRS 207.200, as closed.

Sec. 15. NRS 455A.110 is hereby amended to read as follows:
455A.110 A skier **or snowboarder** shall, to the extent that the matter is within his control:

1. Locate and ascertain the meaning of signs in his vicinity posted pursuant to NRS 455A.130 and 455A.140;
2. Heed warnings and other information posted by ~~{a-skiing}~~ **an** operator;
3. Remain a safe distance from vehicles, signs and equipment for grooming snow or for transportation;

4. Avoid skiers **or snowboarders** in motion when entering a ~~{ski}~~ slope, run or trail, and when commencing to ~~{ski}~~ **engage in skiing or snowboarding** from a stationary position;

5. Maintain a proper lookout and control of his speed to avoid downhill objects ~~{and}~~, skiers **and snowboarders** to the best of his ability; and

6. Conduct himself in such a manner as to avoid injury to persons and property in a ~~{ski}~~ **snow recreation** area.

Sec. 16. NRS 455A.120 is hereby amended to read as follows:

455A.120 A skier **or snowboarder** shall not:

1. Use a ski **or snowboard** unless it is attached to the skier **or snowboarder** by a strap or equipped with a device capable of stopping the movement of the ski **or snowboard** when not attached to the skier ~~{}~~ **or snowboarder**;

2. Cross the uphill path of a surface lift ~~{}~~ except at locations designated by ~~{a-skiing}~~ **an** operator; or

3. Willfully stop where he obstructs a ~~{ski}~~ slope, run or trail, or where he is not safely visible to uphill skiers ~~{}~~ **or snowboarders**.

Sec. 17. NRS 455A.130 is hereby amended to read as follows:

455A.130 1. ~~{A-skiing}~~ **An** operator shall prominently post and maintain signs in simple and concise language:

(a) By each ~~{ski}~~ **chair** lift, with information for the protection and instruction of passengers; and

(b) At or near the points where passengers are loaded on a ~~{ski}~~ **chair** lift, directing persons who are not familiar with the operation of the ~~{ski}~~ **chair** lift to ask an authorized agent or employee of the ~~{skiing}~~ operator for assistance and instruction.

2. ~~{A-skiing}~~ **An** operator shall prominently post and maintain signs with the following inscriptions at all ~~{ski}~~ **chair** lifts in the locations indicated:

(a) "Remove pole straps from wrists" at an area for loading skiers;

(b) "Safety gate" where applicable;

(c) "Stay on tracks" where applicable;

(d) "Keep ski tips **or snowboard** up" ahead of any point where ~~{skis}~~ **a ski or snowboard** can regain contact with the ground or snowy surface after a passenger departs from an area for loading skiers ~~{}~~ **or snowboarders**;

(e) "Prepare to unload" and "check for loose clothing and equipment" not less than 50 feet from an area for unloading skiers ~~{}~~ **or snowboarders**; and

(f) "Unload here" at an area for unloading skiers ~~{}~~ **or snowboarders**.

3. ~~{A-skiing}~~ **An** operator shall inspect a ~~{ski}~~ **snow recreation** area for the presence and visibility of the signs required to be posted

by this section each day before opening the ~~{ski}~~ *snow recreation* area for business.

Sec. 18. NRS 455A.140 is hereby amended to read as follows:

455A.140 1. ~~{A-skiing}~~ *An* operator shall post and maintain a system of signs:

(a) At the entrances to an established ~~{ski}~~ slope, run or trail to indicate:

(1) Whether any portion of the ~~{ski}~~ slope, run or trail is closed; and

(2) The relative degree of difficulty of the ~~{ski}~~ slope, run or trail;

(b) To indicate the boundary of the ~~{ski}~~ *snow recreation* area, except in heavily wooded areas or other terrain that cannot be skied *or snowboarded* readily; and

(c) To warn of each area within the boundary of the ~~{ski}~~ *snow recreation* area where there is a danger of avalanche by posting signs stating "Warning: Avalanche Danger Area."

2. ~~{A-skiing}~~ *An* operator shall equip vehicles it uses on or in the vicinity of a ~~{ski}~~ slope, run or trail with a light visible to skiers *or snowboarders* when the vehicle is in motion.

Sec. 19. NRS 455A.150 is hereby amended to read as follows:

455A.150 A sign required to be posted pursuant to NRS 455A.130 and 455A.140 must be adequately illuminated at night, if the ~~{ski}~~ *snow recreation* area is open to the public at night, and be readable and recognizable under ordinary conditions of visibility.

Sec. 20. NRS 455A.160 is hereby amended to read as follows:

455A.160 1. A skier *or snowboarder* who sustains a personal injury shall notify the ~~{skiing}~~ operator or a member of the ~~{ski}~~ patrol of the injury as soon as reasonably possible after discovery of the injury.

2. ~~{A-skiing}~~ *An* operator is not liable for the death or injury of a person or damages to property caused or sustained by a skier *or snowboarder* who knowingly enters an area which is not designated for skiing , *snowboarding* or which is outside the boundary of a ~~{ski}~~ *snow recreation* area.

3. ~~{A-skiing}~~ *An* operator shall take reasonable steps to minimize dangers and conditions within his control.

Sec. 21. NRS 455A.170 is hereby amended to read as follows:

455A.170 1. A skier *or snowboarder* shall not ~~{ski-}~~ *engage in skiing or snowboarding*, or embark on a ~~{ski}~~ *chair* lift that is proceeding predominantly uphill, while intoxicated or under the influence of a controlled substance as defined in chapter 453 of NRS ~~{-}~~ unless in accordance with a lawfully issued prescription.

2. A skier *or snowboarder* who is involved in a collision in which another person is injured shall provide his name and current

address to the injured person, the ~~{skiing}~~ operator or a member of the ~~{ski}~~ patrol:

- (a) Before he leaves the vicinity of the collision; or
- (b) As soon as reasonably possible after leaving the vicinity of the collision to secure aid for the injured person.

3. A person who violates a provision of this section is guilty of a misdemeanor.

Sec. 22. NRS 455A.180 is hereby amended to read as follows:

455A.180 ~~{A skiing}~~ **An** operator may revoke the license or privilege ~~{to ski}~~ of a person **to engage in skiing or snowboarding** in a ~~{ski}~~ **snow recreation** area ~~{who}~~ **if the person** violates any ~~{of the provisions}~~ **provision** of NRS 455A.100, 455A.110, 455A.120 ~~{and}~~ **or** 455A.170.

Sec. 23. NRS 455A.190 is hereby amended to read as follows:

455A.190 This chapter does not prohibit a county, city or unincorporated town from enacting an ordinance, not in conflict with the provisions of this chapter, regulating skiers , **snowboarders** or ~~{skiing}~~ operators.

