

AMENDED IN ASSEMBLY APRIL 27, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 990

Introduced by Assembly Member Jones

February 27, 2009

An act to add Part 8.2 (commencing with Section 7935) to Division 5 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 990, as amended, Jones. Safety in employment: ski resorts.

Existing law specifies the requirements for obtaining a license for, and operating a passenger aerial tramway. It also requires the Division of Occupational Safety and Health within the Department of Industrial Relations to conduct inspections of aerial tramways at specified intervals.

This bill would also require the division to utilize the most current safety standards when inspecting aerial passenger tramways operated at ski resorts.

This bill would also require ski resorts to file an annual safety report with the division, post the safety plan at the resort and on the resort's Internet Web site, report to the division on a quarterly basis any serious injuries or fatalities involving patrons at the resort, and standardize safety signage and safety equipment in use at the resort.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Part 8.2 (commencing with Section 7935) is
2 added to Division 5 of the Labor Code, to read:

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PART 8.2. SKI RESORT SAFETY

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6 7935. (a) A ski resort that operates in California shall do all
7 of the following:

8 (1) Prepare an annual safety plan that conforms with the
9 requirements of federal regulations applicable to ski resorts
10 operating on federal property.

11 (2) File a copy of the annual safety plan with the division, in
12 addition to any safety plan that is required to be filed with the
13 United States Forest Service.

14 ~~(3) Post the annual safety plan at the ski resort in a conspicuous
15 location.~~

16 *(3) Post the annual safety report at a location in the ski resort
17 where it can be viewed by the public.*

18 *(4) Make the annual safety report available to anyone who
19 requests it at the ski resort.*

20 ~~(4)~~

21 (5) Make the annual safety report available on the ski resort's
22 Internet Web site, if one is maintained.

23 ~~(5)~~

24 (6) Make the annual safety report available to a division
25 inspector, upon demand.

26 ~~(6)~~

27 (7) (A) Submit to the division a quarterly report containing the
28 following information, if known:

29 (i) ~~A description of each injury and fatality occurring on the ski
30 resort property that resulted from a recreational activity, such as
31 skiing, snowboarding, and sledding, that the resort is designed to
32 provide, and that required medical treatment other than ordinary
33 first aid.~~ *provide, and that occurred on the ski resort property. The
34 report need only include those injuries that the ski patrol or ski
35 resort operating personnel are aware of, and that required a
36 hospital visit, admission to a hospital, surgery, or a visit to a
37 medical doctor for further evaluation or care.*

1 (ii) The age of each person injured or killed in an incident
2 identified in subparagraph (A), the type of recreational activity
3 involved, the cause of the injury or fatality, the location at the
4 resort where the injury or fatality occurred, and the name of any
5 facility where medical treatment was provided. The report shall
6 not identify an injured or deceased person by name.

7 (B) The reporting requirements of this paragraph do not apply
8 to injuries to employees or contractors of the ski resort and are not
9 intended to modify or abridge any reporting requirement regarding
10 injury to an employee or contractor.

11 ~~(7)~~

12 (8) Establish standardized signage used to indicate a ski area
13 boundary, hazard, or other safety information. A sufficient number
14 of safety signs shall be posted to facilitate the safe flow of skiers
15 and to warn of hazardous terrain. *A sign and key to the marking*
16 *symbols shall be included in all trail maps and shall be posted in*
17 *conspicuous locations at the base and top of each run and at each*
18 *lift entrance and exit.* Signage shall be subject to inspection by the
19 division.

20 ~~(8) Utilize standardized safety padding or other barriers for all~~
21 ~~infrastructure located on or in close proximity to ski runs.~~

22 (9) *Establish a policy for standardized safety padding for use*
23 *at lift towers, snow making equipment, and similar structures or*
24 *equipment located on, or in close proximity to, ski runs and at*
25 *natural hazards known to the ski resort to be on, or in close*
26 *proximity to, the anticipated path of skiers.*

27 (b) When inspecting ski resort tramways, the division shall use
28 the most current aerial tramway safety standards.

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