

AMENDED IN SENATE APRIL 22, 2009

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 284

Introduced by Senator Cox

February 24, 2009

An act to add Part 8.2 (commencing with Section 7940) to Division 5 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 284, as amended, Cox. 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 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 plan with the division, make the safety plan available on demand, report to the division ~~on a quarterly basis~~ *within 24 hours* any fatalities involving patrons at the resort, and standardize safety signage and equipment padding 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:

SECTION 1. Part 8.2 (commencing with Section 7940) is added to Division 5 of the Labor Code, to read:

PART 8.2. SKI RESORT SAFETY

7940. (a) A ski resort that operates in California shall do all of the following:

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

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

(3) Make the annual safety plan available to the public at the ski resort, upon request.

(4) Make the annual safety plan available to a division inspector, upon request.

(5) (A) Submit to the division ~~a quarterly~~, *within 24 hours*, a report containing the following information, if known:

(i) A description of each incident resulting in a fatality which occurred on the ski resort property and resulted from a recreational activity, such as skiing, snowboarding, and sledding, that the resort is designed to provide.

(ii) The age of each person killed in an incident identified in clause (i), the type of recreational activity involved, the cause of the fatality, the location at the resort where the incident occurred, and the name of any facility where medical treatment was provided. The report shall not identify a deceased person by name or address.

(B) The reporting requirements of this paragraph do not apply to fatalities of employees or contractors of the ski resort and are not intended to modify or abridge any reporting requirement regarding a fatality to an employee or contractor.

(6) Establish a standardized signage policy used to indicate a ski area boundary, hazard, or other safety information. Signage shall be subject to inspection by the division.

(7) Establish a policy for standardized safety padding or other barriers for ~~all lift towers and~~ *lift towers and fixed* snowmaking equipment located on or in close proximity to groomed ski runs.

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

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