

# SENATE BILL REPORT

## SB 5186

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As of January 28, 2011

**Title:** An act relating to skiing in areas closed to skiing.

**Brief Description:** Prohibiting skiing in areas closed to skiing.

**Sponsors:** Senators Kastama, Delvin and Eide.

**Brief History:**

**Committee Activity:** Natural Resources & Marine Waters: 1/24/11.

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### SENATE COMMITTEE ON NATURAL RESOURCES & MARINE WATERS

**Staff:** Sherry McNamara (786-7402)

**Background:** Currently, a ski area operator must maintain a sign system based on international or national standards and the State Parks and Recreation Commission. The signs must advise of certain hazards. Signs must be posted on trails or runs that have been closed by an operator and a person cannot ski on a trail or run which has been designated as "Closed."

Skiers are required to conduct themselves within the limits of their individual ability and are not to act in a manner that will contribute to the injury of themselves or others.

**Summary of Bill:** A person is prohibited from skiing on a ski slope, trail, or area that is designated by a ski area operator as closed to the public and that has signs posted indicating the closure. Any person violating this provision commits a civil infraction and is subject to a monetary penalty of up to \$1,000.

A national ski patrol member who witnesses a violator present in a closed area may conduct an investigation that includes preparing an incident report form and witness statements. This information may be sent within seven days to the county sheriff where the violation occurred or to the Director of Fish and Wildlife. The county sheriff or a fish and wildlife officer may issue a citation to the person violating this provision.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill deals with the areas within the confines of a ski area and hopefully, will prevent someone skiing into an area where avalanche control activities are occurring. Currently, if a sign says an area of the ski area is closed, the person skiing in the closed area can have their pass pulled. Persons are not taking the signs seriously. This bill will let people know that we are serious. We want to avoid costly expenses on rescuing these individuals and paying for unnecessary lawsuits. The bill should be amended to remove "national" for the ski patrol. Ski areas have ski patrols that are not all national ski patrol members.

**Persons Testifying:** PRO: Senator Kastama, prime sponsor; John Kircher, Crystal Mountain; Paul Baugher, Northwest Avalanche Institute.