

February 26, 2009

H 334. REVISE NC SKI SAFETY STATUTES. Filed 2/26/09. *TO AMEND THE SKIER SAFETY STATUTES TO SPECIFY THAT SKIERS AND PASSENGERS ASSUME THE RISK OF KNOWN HAZARDS AND RISKS AND TO MAKE OTHER RELATED CHANGES.*

Amends the title of GS Chapter 99C to *Actions Relating to Winter Sports Safety and Accidents* (was, *Actions Relating to Skier Safety and Skiing Accidents*).

Adds definitions to GS 99C-1 for *winter sports* and *freestyle terrain*. Makes technical changes to the layout of the definitions in the Chapter and amends definitions to include references to winter sports. Amends the responsibilities of a skier or tram or lift passenger as laid out in GS 99C-2 to include wearing retention straps, ski brakes, or other devices to prevent runaway snowboards as well as skis. Adds to the duties of ski area operators the duty to inspect twice daily all winter sports slopes, alpine and Nordic trails, and freestyle terrains that are open to the public and to maintain a log recording information regarding the inspection. Additionally requires ski area operators to conspicuously post the general surface conditions for the entire ski area twice daily; however, asserts that the posting does not relieve skiers of the assumed risks as defined in proposed new GS 99C-6. Makes additional technical changes.

Enacts new GS 99C-6 to specify that skiers and passengers assume the inherent risks of skiing and winter sports insofar as those risks are obvious and necessary. Also provides that skiers who choose to use freestyle terrain assume the risk for all terrain conditions. Affirms an exception to the assumption of the risk if the risks are otherwise attributable to the ski operator's breach of the operator's duties as provided in GS 99C-2(a) and (c).

Effective October 1, 2009.

Intro. by Tarleton, Goforth, Frye, Rapp.

GS 99C

May 5, 2009

H 334. REVISE NC SKI SAFETY STATUTES. Filed 2/26/09. House committee substitute makes the following changes to 1st edition. To be digested in tomorrow's *Daily Bulletin*.

May 6, 2009

H 334. REVISE NC SKI SAFETY STATUTES. Filed 2/26/09. House committee substitute makes the following changes to 1st edition. Deletes new GS 99C-6 regarding assumption of risk.

Amends GS 99C-2(b) to provide that the responsibilities specified therein apply only to the skier and not to a passenger. Adds examples of obvious hazards and inherent risks that a skier is required to avoid. Further amends GS 99C-2(b) to make a skier responsible for staying clear of pole lines and snowmaking equipment and, if using freestyle terrain, to know the range of the skier's abilities to negotiate the terrain and to avoid conditions and obstacles beyond the limits of the skier's ability that a visible inspection should have revealed. Makes additional technical and clarifying amendments.

July 27, 2009

SL 2009-353 (H 334). REVISE NC SKI SAFETY STATUTES. AN ACT TO AMEND THE SKIER SAFETY STATUTES TO CLARIFY THE RESPECTIVE DUTIES OF SKI AREA OPERATORS AND SKIERS AND TO MAKE OTHER RELATED CHANGES. Summarized in *Daily Bulletin* 2/26/09 and 5/6/09. Enacted July 27, 2009. Effective October 1, 2009.