

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 516

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO SKI AREA OPERATORS; AMENDING SECTION 6-1103, IDAHO CODE, TO RE-  
VISE PROVISIONS REGARDING THE DUTIES OF SKI AREA OPERATORS; AND DECLAR-  
ING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 6-1103, Idaho Code, be, and the same is hereby  
amended to read as follows:

6-1103. DUTIES OF SKI AREA OPERATORS WITH RESPECT TO SKI AREAS. (1) The  
duties provided for in this section are intended to eliminate, alter, con-  
trol, and lessen the risks inherent in the sport of skiing, and therefore,  
there shall be no standard of care in accomplishing such duties. Every ski  
area operator shall have the following duties with respect to their opera-  
tion of a skiing area:

~~(1)~~ (a) To mark all trail maintenance vehicles and to furnish such ve-  
hicles with flashing or rotating lights that shall be in operation when-  
ever the vehicles are working or are in movement in the skiing area;

~~(2)~~ (b) To mark with a visible sign or other warning implement the loca-  
tion of any hydrant or similar equipment used in snowmaking operations  
and located on ski slopes and trails;

~~(3)~~ (c) To mark conspicuously the top or entrance to each slope or trail  
or area, with an appropriate symbol for its relative degree of diffi-  
culty; and those slopes, trails, or areas ~~which~~ that are closed, shall  
be so marked at the top or entrance;

~~(4)~~ (d) To maintain one (1) or more trail boards at prominent locations  
at each ski area displaying that area's network of ski trails and slopes  
with each trail and slope rated thereon as to its relative degree of dif-  
ficulty;

~~(5)~~ (e) To designate by trail board or otherwise which trails or slopes  
are open or closed;

~~(6)~~ (f) To place, or cause to be placed, whenever snowgrooming or snow-  
making operations are being undertaken upon any trail or slope while  
such trail or slope is open to the public, a conspicuous notice to that  
effect at or near the top of such trail or slope;

~~(7)~~ (g) To post notice of the requirements of this chapter concerning  
the use of ski retention devices. This obligation shall be the sole re-  
quirement imposed upon the ski area operator regarding the requirement  
for or use of ski retention devices;

~~(8)~~ (h) To provide a ski patrol with qualifications meeting the stan-  
dards of the national ski patrol system; and

~~(9)~~ (i) To post a sign at the bottom of all aerial passenger tramways  
~~which that~~ which that advises the passengers to seek advice if not familiar with  
riding the aerial passenger tramway; ~~and.~~

1       ~~(10) (2) Not to intentionally or negligently cause injury to any per-~~  
2 ~~son; provided, that except~~ Except for the duties of the ski area operator set  
3 forth in subsections (1) ~~through (9)~~ of this section and in section 6-1104,  
4 Idaho Code, the ski area operator shall have no duty to eliminate, alter,  
5 control, or lessen the risks inherent in the sport of skiing, which risks in-  
6 clude, but are not limited to, those described in section 6-1106, Idaho Code;  
7 ~~and, that no.~~ No activities undertaken by the ski area operator in an attempt  
8 to eliminate, alter, control, or lessen such risks shall be deemed to impose  
9 on the ski area operator any duty to accomplish such activities to any stan-  
10 dard of care.

11       SECTION 2. An emergency existing therefor, which emergency is hereby  
12 declared to exist, this act shall be in full force and effect on and after  
13 July 1, 2024.