

STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995

Introduced by Senators North, McManus, Koivisto, Dunaskiss, Hoffman, Rogers, Miller, Young, Emmons and Stille

ENROLLED SENATE BILL No. 471

AN ACT to amend the title and section 2 of Act No. 199 of the Public Acts of 1962, entitled as amended "An act to provide for the inspection, licensing, and regulation of ski areas and ski lifts; to provide for the safety of skiers, spectators, and the public using ski areas; to provide for certain presumptions relative to liability for an injury or damage sustained by skiers; to prescribe the duties of skiers and ski area operators; to create a ski area safety board in the office of the director of licensing and regulation; to provide for the disposition of revenues; to provide for liability for damages which result from a violation of this act; to provide civil fines for certain violations of this act; and to provide criminal penalties for certain violations of this act," as amended by Act No. 86 of the Public Acts of 1981, being section 408.322 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. The title and section 2 of Act No. 199 of the Public Acts of 1962, as amended by Act No. 86 of the Public Acts of 1981, being section 408.322 of the Michigan Compiled Laws, are amended to read as follows:

TITLE

An act to provide for the inspection, licensing, and regulation of ski areas and ski lifts; to provide for the safety of skiers, spectators, and the public using ski areas; to provide for certain presumptions relative to liability for an injury or damage sustained by skiers; to prescribe the duties of skiers and ski area operators; to create a ski area safety board; to provide for the disposition of revenues; to provide for liability for damages which result from a violation of this act; to provide civil fines for certain violations of this act; and to provide criminal penalties for certain violations of this act.

Sec. 2. As used in this act:

- (a) "Board" means the ski area safety board.
- (b) "Commissioner" means the director of commerce or an authorized representative of the director.
- (c) "Department" means the state department of commerce.
- (d) "Operator" means a person who owns or controls, or who has operational responsibility for, a ski area or ski lift. An operator includes this state or a political subdivision of this state.
- (e) "Passenger" means a person, skier or nonskier, who boards, disembarks from, or is transported by a ski lift, regardless of whether the ski lift is being used during the skiing season or nonskiing season, and includes a person waiting for or moving away from the loading or unloading point of a ski lift.
- (f) "Ski area" means an area used for skiing and served by 1 or more ski lifts.

(g) "Skier" means a person wearing skis or utilizing a device that attaches to at least 1 foot or the lower torso for the purpose of sliding on a slope. The device slides on the snow or other surface of a slope and is capable of being maneuvered and controlled by the person using the device. Skier includes a person not wearing skis or a skiing device while the person is in a ski area for the purpose of skiing.

(h) "Ski lift" means a device for transporting persons uphill on skis, or in cars on tracks, or suspended in the air by the use of cables, chains, belts, or ropes, and usually supported by trestles or towers with 1 or more spans. Ski lift includes a rope tow.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.

