



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1136

H.P. 825

House of Representatives, March 7, 2019

An Act To Provide Snow Sports Safety Information to Consumers

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MASTRACCIO of Sanford.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: COLLINGS of Portland, HANINGTON of Lincoln, MARTIN of Greene,
WARREN of Hallowell, Senators: POULIOT of Kennebec, WOODSOME of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §15217-A** is enacted to read:

3 **§15217-A. Ski area operator responsibilities**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Accident" means any incident resulting in one or more persons requiring direct
7 transport by an air ambulance, ground ambulance or other mode of transport from the
8 ski area to a medical facility.

9 B. "Anatomical locations of trauma" means the head, vertebrae, chest, abdomen,
10 upper extremities or lower extremities.

11 C. "Glasgow Coma Scale" means a scoring system used to describe the level of
12 consciousness of a person following a traumatic brain injury.

13 D. "Number of operational days" means the number of days a ski area is open for
14 skiing during a season or defined period.

15 E. "Number of skiing days" means an accounting of the number of times a person
16 purchases a tramway ticket or uses a season pass at a ski area over the course of a
17 season or a defined period.

18 F. "Safety plan" means a written document that details all the governance,
19 management and operational roles and responsibilities of a ski area, including
20 standard processes, policies, procedures, practices, methods and materials
21 consistently employed and subject to compliance monitoring by the ski area operator
22 to prevent accidents and reduce the severity of injuries.

23 G. "Skiing" has the same meaning as in section 15217, subsection 1, paragraph B.

24 H. "Terrain difficulty rating" means the designation, related symbols and criteria
25 used by a ski area to communicate the degree of difficulty of the terrain for skiing.

26 I. "Trauma score" means the trauma scoring system generally used by emergency
27 medical professionals prior to transport, including the Glasgow Coma Scale, blood
28 pressure, respiratory rate and evidence of external hemorrhage.

29 **2. Safety plan.** Beginning July 2020, and annually thereafter, a ski area operator
30 shall create and maintain a safety plan. The safety plan must be accessible on the ski area
31 operator's publicly accessible website, if it has a publicly accessible website, and must be
32 available to a skier upon request.

33 **3. Accident reporting.** Beginning July 2020, and annually thereafter, a ski area
34 operator shall produce a report that includes the number of operational days and the
35 statistics on all skiing accidents from the previous year. The report must be accessible on
36 the ski area operator's publicly accessible website, if it has a publicly accessible website,
37 and must be available to a skier upon request. The report must include the following:

38 A. The number of accidents that occurred at the ski area to persons snowboarding;

- 1 B. The number of accidents that occurred at the ski area to persons on skis;
- 2 C. The specific cause of each accident at the ski area, including, but not limited to, a
- 3 fall while on skis or a snowboard, a fall from a tramway, a collision with another
- 4 person or a collision with a fixed object;
- 5 D. The anatomical locations of trauma from each accident occurring at the ski area;
- 6 E. Trauma scores as a result of each accident at the ski area;
- 7 F. The age of each person involved in each accident at the ski area;
- 8 G. The sex of each person involved in each accident at the ski area;
- 9 H. The frequency and location of each accident at the ski area;
- 10 I. The number of skiing days of each person involved in each accident at the ski area
- 11 in the season in which the accident occurred; and
- 12 J. The varying terrain difficulty ratings.

13 **SUMMARY**

14 This bill requires a ski area operator to annually create a safety plan for the ski area
15 and make that plan accessible to the public. It also requires ski area operators to report on
16 skiing accidents from the previous year and make those reports accessible to the public.