

Parents for Safe Skiing and Riding

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About us

- We are a parent consumer group formed on February 26, 2019 in response to a child-chairlift accident at Eldora Mountain.
 - We have 1,300 members across the state of Colorado, mostly in the front range area.
 - Our mission is to empower skiing parent consumers with accurate safety data, consumer advocacy and credible safety information.
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SB 19-159

- We are requesting that all of the Sunset Review Recommendations be included in the current bill.
- The second recommendation of the Sunset Review was not included. The second recommendation reads:

Recommendation 2 - Revise the provision in statute that requires proof of “willful and wanton misconduct” before the Board can discipline a licensee.

Passenger tramways are substantial and intricate pieces of machinery that are utilized by the public for recreational purposes - many times in inclement weather conditions. As such, when negligence exists in the operation or maintenance of passenger tramways, it can have serious consequences to the public, including the loss of life. The current statute allows the Board to consider disciplinary action only when the high standard of “willful and wanton” conduct can be proven.

Although such incidents are not common, due to the potential seriousness of the effect to the public, the General Assembly should amend the statute to remove the

“willful and wanton” requirement in the statute. Doing so will enable the Board to take disciplinary action, when necessary, if a licensee is negligent in the operation or maintenance of a passenger tramway, regardless of whether the act was “willful or wanton,” which will serve to strengthen the statute and enhance consumer protection. -Passenger and Tramways Safety Board Sunset Review, 2018.

Rationale

- Currently, there is no operational oversight for chairlifts.
 - Chairlift safety is dependent upon operational competency.
 - Empowering the board to enforce 3 CCR 718-1 PASSENGER TRAMWAY BOARD REGULATIONS; 3.3.2.3.3 would greatly increase chairlift safety.
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Child Safety

- Children require assistance to reliably and consistently load a chairlift safely.
 - Without assistance children frequently do not load a chairlift successfully, which can result in devastating outcomes.
 - Children make-up 1/3 of the reported chairlift accidents in Colorado, which is significantly disproportional to the percent of overall skiers they represent (CPTSB, 2018 Data Report).
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Data Collection

- The removal of “willful and wanton” from the current statute will also positively impact chairlift accident reporting.
- Currently, there are three categories for chairlift accidents to be categorized: mechanical, operational, or skier error.
- To be categorized as operational, the act must have been willful and wanton on the part of the operator – thus, all operational errors are categorized as skier error by default.
- Categorizing operational errors as skier error greatly misleads the public on chairlift safety.