WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED

SENATE BILL NO. 165

(By Mr. HARMAN)

PASSED MARCH 11, 1972

In Effect 90 DAYS FROM Passage
AN ACT to amend article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirteen, relating to natural resources, parks and recreation and the duties of skier.

Be it enacted by the Legislature of West Virginia:

That article four, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirteen, to read as follows:

ARTICLE 4. PARKS AND RECREATION.


1 Unless the context in which used clearly requires a different meaning, as used in this section:
2 A “passenger tramway” is a device used to transport passengers uphill on skis, or in cars on tracks or suspended in the air, by the use of steel cables, chains, belts or ropes, and usually supported by trestles or towers with one or more spans.
3 The word “Operator” may mean the state or any political subdivision thereof.
4 It shall be the duty of each skier to use reasonable care to protect himself and others under all circumstances then and there present. No skier shall:
5 (a) Embark or disembark upon a passenger tramway except at a designated area;
6 (b) While riding in a two-car or multi-car passenger tramway, chairlift or skimobile or other similar device, throw or expel therefrom any object, nor while riding on said tramway shall the skier do any act or thing which shall interfere with the running of said tramway;
20 (c) While going uphill in a passenger tramway will-
21 fully engage in any type of conduct which will contribute
22 to cause injury to any other person nor shall he willfully
23 place any object in the uphill ski track which will cause
24 another to fall; or
25 (d) Except at locations designated by the operator,
26 cross the uphill track of a platter-pull, T-bar, rope tow
27 or other similar device.
28 The skier shall be the sole judge of his ability to ne-
29gotiate any uphill track. Any skier who boards a rope
30 tow, T-bar, platterpull, chairlift or other similar device
31 shall be presumed to have sufficient skiing ability to
32 negotiate such device and no liability shall attach to any
33 operator or attendant for failure to instruct the skier on
34 the use thereof.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within disappeared this the 21st day of March, 1972.

Governor
PRESENTED TO THE GOVERNOR

Date 3/17/72
Time 1:00 p.m.