Z-0539.1

HOUSE BILL 2272

State of Washington 69th Legislature 2026 Regular Session

By Representatives Hall, Parshley, Leavitt, Reed, Ramel, Zahn, Bronoske, Kloba, Doglio, and Berg; by request of Parks and Recreation Commission

Prefiled 01/06/26. Read first time 01/12/26. Referred to Committee on Environment & Energy.

AN ACT Relating to updating terminology related to ski areas and winter sports activities; and amending RCW 79A.40.010, 79A.45.030, and 79A.45.060.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 79A.40.010 and 2014 c 133 s 1 are each amended to read as follows:

Every owner or operator of any recreational device designed and operated for the conveyance of persons which aids in promoting entertainment, pleasure, play, relaxation, or instruction, specifically including devices generally associated with winter sports activities such as aerial tramways, aerial lifts, surface lifts, tows, and conveyors, and similar devices and equipment, shall construct, furnish, maintain, and provide safe and adequate facilities and equipment with which safely and properly to receive and transport all persons offered to and received by the owner or operator of such devices, and to promote the safety of such owner's or operator's patrons, employees and the public. The owner or operator of the devices and equipment covered by this section shall be deemed not to be a common carrier.

Sec. 2. RCW 79A.45.030 and 1989 c 81 s 3 are each amended to read as follows:

(1) In addition to the specific requirements of this section, all skiers shall conduct themselves within the limits of their individual ability and shall not act in a manner that may contribute to the injury of themselves or any other person.

(2) No person shall:

(a) Embark or disembark upon a ski lift except at a designated area;

(b) Throw or expel any object from any aerial tramway, ((~~ski~~)) aerial lift, ((~~commercial skimobile~~)) surface lift, tow, or conveyor, or other similar device while riding on the device;

(c) Act in any manner while riding on ((~~a rope tow, wire rope tow, j-bar, t-bar, ski lift~~)) an aerial tramway, aerial lift, surface lift, tow, or conveyor, or similar device that may interfere with the proper or safe operation of the lift or tow;

(d) Wilfully engage in any type of conduct which may injure any person, or place any object in the uphill ski track which may cause another to fall, while traveling uphill on a ski lift; or

(e) Cross the uphill track of ((~~a j-bar, t-bar, rope tow, wire rope tow~~)) an aerial tramway, aerial lift, surface lift, tow, or conveyor, or other similar device except at designated locations.

(3) Every person shall maintain control of his or her speed and course at all times, and shall stay clear of any snowgrooming equipment, any vehicle, any lift tower, and any other equipment on the mountain.

(4) A person shall be the sole judge of his or her ability to negotiate any trail, run, or uphill track and no action shall be maintained against any operator by reason of the condition of the track, trail, or run unless the condition results from the negligence of the operator.

(5) Any person who boards ((~~a rope tow, wire rope tow, j-bar, t-bar, ski lift~~)) an aerial tramway, aerial lift, surface lift, tow, or conveyor, or other similar device shall be presumed to have sufficient abilities to use the device. No liability shall attach to any operator or attendant for failure to instruct the person on the use of the device, but a person shall follow any written or verbal instructions that are given regarding the use.

(6) Because of the inherent risks in the sport of skiing all persons using the ski hill shall exercise reasonable care for their

own safety. However, the primary duty shall be on the person skiing downhill to avoid any collision with any person or object below him or her.

(7) Any person skiing outside the confines of trails open for skiing or runs open for skiing within the ski area boundary shall be responsible for any injuries or losses resulting from his or her action.

(8) Any person on foot or on any type of sliding device shall be responsible for any collision whether the collision is with another person or with an object.

(9) A person embarking on ((~~a~~)) any tramway, lift, or tow without authority shall be considered to be a trespasser.

Sec. 3. RCW 79A.45.060 and 2014 c 133 s 6 are each amended to read as follows:

(1) Every operator of an aerial tramway, aerial lift, surface lift, tow, or conveyor, or similar device shall maintain liability insurance of not less than one million dollars per occurrence.

(2) This section shall not apply to operators of tramways that are not open to the general public and that are operated without charge, except that this section shall apply to operators of tramways that are operated by schools, ski clubs, or similar organizations.

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