

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
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5 Legislative Document

No. 649

6
7 H.P. 524

House of Representatives, February 8, 1983

8 Received by the Clerk of the House on February 8, 1983. Referred to the
9 Committee on Legal Affairs, and ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Brown of Bethel.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Prohibit Skiing in Out-of-bounds
18 Areas.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 Sec. 1. 26 MRSA §472, sub-§13, as enacted by PL
23 1977, c. 543, §4, is amended to read:

24 13. Skier. "Skier" ~~shall mean~~ means any person
25 while wearing skies, and any person while actually on
26 a ski slope or trail located at a ski area for the
27 purpose of skiing, including those persons engaged in
28 cross-country, nordic or norpine skiing.

29 Sec. 2. 26 MRSA §489, sub-§6 is enacted to read:

30 6. Out of bounds. Ski or otherwise use any por-
31 tion of the ski area that is not a part of a regular

1 network of trails or areas open to the public. Use
2 of any portion of the ski area not open as a trail,
3 including wooded areas between trails and all
4 undeveloped areas.

5 Sec. 3. 26 MRSA §490, as enacted by PL 1977, c.
6 543, §4, is amended by adding at the end 2 new para-
7 graphs to read:

8 Any violation of section 489, subsection 6, shall
9 constitute a civil violation under Title 17-A,
10 section 17.

11 In the event that it is necessary to commence a
12 rescue operation as a result of a violation of
13 section 489, subsection 6, any person who has commit-
14 ted the violation will be liable for the cost of that
15 rescue operation.

16 STATEMENT OF FACT

17 More and more skiers are participating in the
18 sport of cross-country and norpine skiing, frequently
19 using the facilities of ski areas. The skiers often
20 leave the regular network of trails to ski in
21 undeveloped areas closed to the public. Their risk
22 of injury and the potential for a skier to become
23 lost creates the potential for high liability expo-
24 sure for Maine ski areas. This law would be a tool
25 to be used by ski areas to prevent a skier from
26 skiing in out-of-bound areas.

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