

APPENDIX II-G

COVER SHEET FOR FINAL PROPOSAL

| | | | | | |
|---|--|-------------------------------|-----------------------------|---|------------------------------|
| Notice Number <u>2021-110</u> | Rule Number <u>Pas 209 and Pas 300</u> | | | | |
| 1. Agency Name & Address: Passenger Tramway Safety Board c/o Department of Safety 33 Hazen Drive Concord, NH 03304 | 2. RSA Authority: <u>RSA 225-A:8</u> 3. Federal Authority: <u>N/A</u> 4. Type of Action: <input checked="" type="checkbox"/> Adopt <input type="checkbox"/> Amendment (only if Initial Proposal was filed before 9/27/20.) <input checked="" type="checkbox"/> Repeal <input checked="" type="checkbox"/> Readoption <input checked="" type="checkbox"/> Readoption w/amendment | | | | |
| 5. Short Title: Passenger Tramway Safety Board | | | | | |
| 6. Contact person for copies and questions: <table style="width: 100%;"> <tr> <td style="width: 50%;">Name: Marta Modigliani</td> <td style="width: 50%;">Title: Administrator</td> </tr> <tr> <td>Address: Department of Safety 33 Hazen Drive Concord, NH 03305</td> <td>Phone #: 603 227-0040</td> </tr> </table> | | Name: Marta Modigliani | Title: Administrator | Address: Department of Safety 33 Hazen Drive Concord, NH 03305 | Phone #: 603 227-0040 |
| Name: Marta Modigliani | Title: Administrator | | | | |
| Address: Department of Safety 33 Hazen Drive Concord, NH 03305 | Phone #: 603 227-0040 | | | | |
| 7. The rulemaking notice appeared in the <u>Rulemaking Register</u> on October 28, 2021 <p style="text-align: center;">SEE THE INSTRUCTIONS--PLEASE SUBMIT ONE COPY OF THIS COVER SHEET AND ONE COPY OF THE FOLLOWING: (optional to number correspondingly)</p> | | | | | |
| 8. The "Final Proposal-Fixed Text," including the cross-reference table required by RSA 541-A:3-a, II as an appendix. | | | | | |
| 9. Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> | Incorporation by Reference Statement(s) because this rule incorporates a document or Internet content by reference for which an Incorporation by Reference Statement is required pursuant to RSA 541-A:12, III. | | | | |
| 10. Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> | The "Final Proposal-Annotated Text," indicating how the proposed rule was changed because the text of the rule changed from the Initial Proposal pursuant to RSA 541-A:12, II(d). | | | | |
| 11. Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> | The amended fiscal impact statement because the change to the text of the Initial Proposal affects the original fiscal impact statement (FIS) pursuant to RSA 541-A:5, VI. | | | | |

Notice Number 2021-110Rule Number Pas 209 and Pas 300

1. Agency Name & Address:

**Passenger Tramway Safety Board
c/o NH Department of Safety
33 Hazen Drive
Concord, NH 03305**

2. RSA Authority:

RSA 225-A:8

3. Federal Authority:

N/A

4. Type of Action:

Adoption

X

Repeal

X

Readoption

X

Readoption w/amendment

X5. Short Title: **Passenger Tramway Safety Rules**

6. (a) Summary of what the rule says and of any proposed amendments:

The Passenger Tramway Safety Board is proposing to readopt with amendments Pas 209 on the request for explanation of an adopted rule and to effectively readopt with amendments Pas 300. Pas 300 sets forth detailed requirements as to the manner, format, and content of information and documentation submitted to the Board in order for the Board to perform its functions. The amendments proposed by the Board incorporate by reference the Board's forms into the rules; reorder the sections and subsections to flow in a more orderly manner; add and delete words and phrases to clarify the meaning of rule provisions; and make substantive changes.

The proposed substantive changes to Pas 300 in the proposal also include the following:

- a) **Pas 301.13, a new definition of "qualified personnel," is being adopted in order to use language consistent with ANSI B77.1-2017 which is incorporated by reference in the rules.**
- b) **Pas 302.03 on oral incident reports is being readopted with amendment to clarify that a NH Passenger Tramway inspector or Board member needs to be notified of any evacuation of an aerial lift by auxiliary power, with the exception of power failure. For any incident involving a death or loss of control of any lift, contact needs to be made with an inspector or Board member within 24 hours.**
- c) **Pas 303.03 (formerly Pas 303.04) on fees is being readopted with amendment to remove (d) to eliminate the minimum facility fee for any facility of \$325 for each season requiring registration.**
- d) **Pas 304.01 on the operator's general inspection is being readopted with amendment to substitute the phrase "area operator or his or her designee" with "qualified personnel" when referring to who needs to perform the annual inspection and sign the corresponding Ski Lift Annual Area Operators Inspection form. This change is made to be consistent with the language used in the 2017 edition of the American National Standard for Passenger Ropeways – Aerial Lift, Surface Lifts, Tows and Conveyors – Safety Requirements. (ANSI B77.1)**
- e) **Throughout the proposed rules a new exception for fiber rope tows is being added to allow a "designer" to submit engineering data required on the Board's applications for new, modified, or relocated fiber rope tows. Previously a "qualified engineer" was required to submit this information.**

6. (b) Brief description of the groups affected:

The groups affected include individuals and entities engaged in the design, construction, maintenance, and operation of mechanical ski lifts, tramways, and portable and fixed tows as well as citizens protected against unnecessary mechanical hazards of all passenger tramway devices.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

| Rule | Specific State Statute which the Rule Implements |
|----------------------------------|--|
| Pas 209 | RSA 541-A:11, VII |
| Pas 301 | RSA 541-A:8 |
| Pas 301.01 - Pas 301.03 | RSA 541-A:7 |
| Pas 301.04 | RSA 225-A:2, I |
| Pas 301.05 | RSA 541-A:7 |
| Pas 301.06 – Pas 301.08 | RSA 541-A:7 |
| Pas 301.09 | RSA 225-A:2, II |
| Pas 301.10 | RSA 225-A:2, III |
| Pas 301.11 | RSA 225-A:2, VI |
| Pas 301.12 - Pas 301.14 | RSA 541-A:7 |
| Pas 302.01 | RSA 225-A:1; RSA 225-A:3-a |
| Pas 302.02 | RSA 225-A:19 |
| Pas 302.03 | RSA 225-A:1; RSA 225-A:8 |
| Pas 302.04 | RSA 225-A:8 |
| Pas 303.01 | RSA 225-A:14 |
| Pas 303.02 (repealed) | RSA 225-A:10-a; RSA 225-A:15 |
| Pas 303.02 (formerly Pas 303.06) | RSA 225-A:17; RSA 541-A:8 |
| Pas 303.03 (repealed) | RSA 225-A:15; RSA 225-A:16 |
| Pas 303.03 (formerly Pas 303.04) | RSA 225-A:16 |
| Pas 303.04 (formerly Pas 303.05) | RSA 225-A:25 |
| Pas 303.05 (formerly Pas 303.07) | RSA 225-A:17; RSA 225-A:8 |
| Pas 304 | RSA 225-A:10 |
| Pas 305.01 | RSA 225-A:10-a; RSA 541-A:8 |
| Pas 305.02 - Pas 305.06 | RSA 225-A:10-a; RSA 225-A:14; RSA 225-A:15 |
| Pas 305.07 (formerly Pas 305.04) | RSA 225-A:10; RSA 225-A:10-a |
| Pas 305.08 (formerly Pas 305.05) | RSA 225-A:10; RSA 225-A:10-a |
| Pas 305.09 (formerly Pas 305.06) | RSA 225-A:10; RSA 225-A:10-a |
| Pas 305.10 (formerly Pas 305.07) | RSA 225-A:10; RSA 225-A:14 |
| Pas 306.01 | RSA 225-A:10-a; RSA 225-A:15 |
| Pas 306.02 - Pas 306.04 | RSA 225-A:8; RSA 225-A:15 |
| Pas 307 (formerly Pas 306) | RSA 225-A:8; RSA 541-A:16, I(b) |
| Pas 308 (formerly Pas 307) | RSA 541-A:8; RSA 225-A:8 |
| Pas 309 (repealed) | RSA 225-A:8; RSA 225-A:12; RSA 541-A:16, I(b)(1) |
| Pas 309 (formerly Pas 308) | RSA 225-A:18-a |

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Cara Meeker**

Title: **Rules Coordinator**

Address: **Legal Unit**

Phone #: **603-223-3852**

33 Hazen Drive

Fax#: **603- 271-1033**

Concord, NH 03305

E-mail: **Cara.B.Meeker@dos.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **December 1, 2021, at the end of the public hearing.**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **December 1, 2021**

10:00 am

Place:

**Stockade Lodge
Gunstock Ski Area
719 Cherry Valley Road
Gilford, NH 03249**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 21:117, dated October 19, 2021

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

When compared to the existing rules, the proposed rules would decrease costs to certain independently-owned businesses and state restricted revenue.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

This proposal makes various changes to passenger tramway safety rules, two of which may result in a fiscal impact: The minimum passenger tramway registration fee is deleted.

- Currently three small operations; Red Hill Outing Club in Moultonborough, Mt. Prospect Ski Tow in Lancaster, and a small tow operation in Lincoln will benefit. These three small operations, run by volunteers, will pay \$160 per season, instead of \$325. This would result in a \$495 annual decrease in state restricted revenue.

- An exception is created allowing for the “designer”, as opposed to a qualified engineer, to submit engineering data required on Passenger Tramway Safety Board applications for new, modified, or relocated fiber rope tows.
 - This may result in a decrease in costs to area ski operators due to any difference in hourly rates between designers qualified engineers.

A. To State general or State special funds:

See 3 above. No impact on state general funds.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

See 3 above.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

1. **The proposed rule does not create a new program or responsibility or expand or modify an existing program or responsibility to any political subdivision.**
2. **The proposed rule does not mandate or assign a program or responsibility to any political subdivision of the state in such a way as to increase the costs the political subdivision must pay.**
3. **No state funding is necessary because the proposed rule does not mandate or assign a program or responsibility to any political subdivision so as to increase the costs the political subdivision must pay.**

Readopt with amendment Pas 209, effective 1-11-12 (Document #10071), cited and to read as follows:

CHAPTER Pas 200 PASSENGER TRAMWAY SAFETY BOARD HEARING AND PROCEDURAL RULES

PART Pas 209 REQUEST FOR STATEMENT EXPLAINING RULE

Pas 209.01 Request for Rule Explanation.

(a) Within 30 days after the adoption of a rule, any interested person may request the board to issue a statement explaining the following:

- (1) The principal reason(s) for and against the adoption of a rule in its final form; or
- (2) Reasons why the board overruled arguments and considerations relative to the rule.

(b) Requests shall be sent to the board at:

Passenger Tramway Safety Board
c/o Department of Safety
Commissioner's Office
33 Hazen Drive
Concord, NH 03305

(c) Upon receipt of a request for rule explanation, the board shall issue a statement that provides the information set forth in (a) above.

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| <p>Note to Agency: In future rulemaking, remember to keep the Chapter 100 & 200 rules in a separate proposal from Chapter 300 et seq, as the Chapter 100 & 200 rules upon adoption and filing will be non-expiring.</p> |
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Readopt with amendment Pas 301.01 and Pas 301.02, effective 1-11-12 (Document #10072), cited and to read as follows:

PART Pas 301 DEFINITIONS

Pas 301.01 “American National Standards Institute” or “ANSI” means the American National Standards Institute, Inc., 25 West 43rd Street, 4th Floor, New York, New York, 10036.

Edit: Replace highlighted text with (ANSI)"

Pas 301.02 “Area operator” means the person who owns or is responsible for the operation of a facility using a passenger tramway.

Readopt Pas 301.03 through Pas 301.05, effective 7-23-13 (Document #10382), to read as follows:

Pas 301.03 “Authority having jurisdiction” means the New Hampshire passenger tramway safety board.

Pas 301.04 “Board” means “board” as defined in RSA 225-A:2, I.

Pas 301.05 “Bodily injury” means any injury where medical services are rendered beyond the first aid provided on-site.

Edit: Delete

Readopt with amendment Pas 301.06 through Pas 301.08, effective 1-11-12 (Document #10072), to read as follows:

Pas 301.06 “Cable attachment” means the method or gripping device for securing the car, gondola, chair, or bar hanger to the cable or wire rope.

Readopt Pas 301.07 and Pas 301.08, effective 1-11-12 (Document #10072), to read as follows:

Pas 301.07 “Carousel” means a class of outdoor transportation wherein skiers are transported in a circle. The skier is propelled in a circular pattern while holding on to a rotating tow bar.

Pas 301.08 “Construction” means the excavation for installation, or placement of any foundation, or placement of structural materials of a passenger tramway.

Readopt Pas 301.09 through Pas 301.12, effective 7-23-13 (Document #10382), to read as follows:

Pas 301.09 “Department” means the New Hampshire department of safety.

Pas 301.10 “Industry” means “industry” as defined in RSA 225-A:2, III.

Pas 301.11 “Passenger tramway” means “passenger tramway” as defined in RSA 225-A:2, VI.

Pas 301.12 “Qualified engineer” means a professional engineer registered in New Hampshire.

Adopt Pas 301.13 and Pas 301.14 to read as follows:

Pas 301.13 “Qualified personnel” means individuals, who, as a result of training and experience, understand and demonstrate competence with design, construction, operation, or maintenance of passenger tramways and associated hazards.

Pas 301.14. “Qualified wire rope inspector” means an individual who is acceptable to the board to inspect wire rope.

Leg. Intent: This allows for oral rulemaking as written. Consider placing "as specified in Pas 304.02." at the end of this sentence.

Readopt with amendment and renumber Pas 301.13, effective 7-23-13 (Document #10382), as Pas 301.15 to read as follows:

Pas 301.15 “Qualified wire rope splicer” means an individual who is acceptable to the board to splice wire rope as specified in Pas 304.03.

Readopt with amendment Pas 302.01 and Pas 302.02, effective 1-11-12 (Document #10072), cited and to read as follows:

PART Pas 302 POLICY, ORDERS AND INCIDENT REPORTING

Pas 302.01 Policy. The primary responsibility for design, construction, maintenance and inspection shall rest with the owners of passenger tramways. The safety of passengers and other users is of paramount importance, thus owners and operators shall conform to the orders of the board. If any operator fails to comply with the lawful orders of the board, within the time fixed thereby, the board shall suspend the registration of such operator. These orders shall apply only to the tramways and mechanisms necessary to propel passengers between loading and unloading stations, the stations or platforms themselves, and the areas immediately adjacent to the tramways. They shall not apply to conditions existing on trails, ski slopes or other facilities provided in this area.

Pas 302.02 Order. If, after investigation, the board finds that a violation of any of its rules exists, or that there is a condition in the tramway construction, operation or maintenance endangering the safety of the public, the board shall issue a written order setting forth its findings, the corrective action to be taken, and a date for compliance therewith. Such order shall be served upon the area operator by registered mail or in hand and shall become final, unless the area operator requests a hearing as provided by statute.

Readopt with amendment Pas 302.03, effective 2-5-20 (Document #12989), to read as follows:

Pas 302.03 Incident Reports: Oral. The owner or operator of any tramway, upon the occurrence of an incident involving death or loss of control of a lift, shall immediately make contact with the lift inspector or a member of the board. The owner or operator of any tramway, upon the occurrence of an incident requiring the evacuation of any aerial lift by any method other than auxiliary power, shall immediately notify the lift inspector or a member of the board. In the event of an evacuation of an aerial lift by auxiliary power, the owner or operator of the lift shall notify the lift inspector or member of the board immediately, but no later than 24 hours of the incident.

Readopt with amendment Pas 302.04, effective 1-11-12 (Document #10072), as amended effective 7-23-13 (Document #10382), to read as follows:

Pas 302.04 Incident Reports: Written.

(a) The owner or operator of any tramway shall submit a Pas 6 “Tramway Incident Report” form, revised 1/2022, to the board of all incidents, including all those requiring an oral report, involving any lift system failure affecting the safety or integrity of any tramway, or resulting in bodily injury on a tramway, including loading and off-loading areas.

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

(b) The report shall be signed by the area operator or owner and sent to the board within 5 days of the date of the incident.

Adopt Pas 302.05 to read as follows:

Pas 302.05. Passenger Tramway Safety Bureau Inspection.

(a) The passenger tramway safety bureau shall be authorized to perform an inspection of any tramway in order to determine compliance with the rules, regulations, and codes of the department or the board.

(b) The findings of inspections conducted by the passenger tramway safety bureau shall be recorded on form Pas 7 “Passenger Tramway Safety Bureau Inspection Report” , revised 01/2022.

(c) If an inspection results in any failure to comply with the rules, regulations, or codes of the department or the board, the inspector shall list the failures and the recommended corrective measures required for compliance on the Pas 7 form.

(d) The area operator of the tramway shall sign the completed Pas 7 form to certify receipt of a copy and shall reply in writing to the passenger tramway safety bureau within 10 days, unless specified otherwise, that the failures have been corrected as prescribed by the inspector.

(e) Pursuant to RSA 225-A:10-a, prior to the construction of a new, or the alteration of an existing, passenger tramway, the operator or prospective operator shall submit plans and specifications to the department so that the department may make recommendations relative to the safety of the layout and equipment.

Readopt Pas 303.01, effective 1-11-12 (Document #10072), cited and to read as follows:

PART Pas 303 REGISTRATION

Pas 303.01 Registration Required.

(a) No passenger tramway shall be operated unless a registration for such tramway has been issued by the board.

(b) The registration year shall extend from November 1 to October 31.

(c) The summer season shall extend from May 15 to October 31.

(d) The winter season shall extend from November 1 to May 14 of the following year.

Repeal Pas 303.02, effective 1-11-12 (Document #10072), as amended effective 2-5-20 (Document #12989), as follows:

Pas 303.02 Application for Construction and Registration.

(a) Before any passenger tramway construction, modification or relocation is started, the area operator shall apply to the board on the appropriate application as set forth in Pas 305 and Pas 309.02, for the type of lift to be constructed or modified.

Edit: There should be an opening bracket here to show that all of Pas 303.02 is being repealed.

- (b) The operator shall not proceed with construction unless:
- (1) He/she has received approval from the board; or
 - (2) The board has not responded within 30 days of receipt of the application.
- (c) Prior to initial registration of a new, modified or relocated passenger tramway, the following shall be completed and submitted to the board:
- (1) A stamped certificate from the designer with original signatures that the lift meets all requirements set forth by statute and these rules;
 - (2) The acceptance test and inspection;
 - (3) A certified copy of the results of a destruction test of the wire rope conducted by the manufacturer or a laboratory;
 - (4) The evacuation plans for an aerial lift; and
 - (5) Certification from a qualified engineer that the lift conforms to the designer's plans.
- (d) Within 60 calendar days after the acceptance test, certified as-built plans shall be completed and delivered to the owner and the tramway board.]

Readopt with amendment and renumber Pas 303.06, effective 1-11-12 (Document #10072), as Pas 303.02 to read as follows:

Pas 303.02 Requirements for Registration.

- (a) Except as otherwise provided in these rules, a registration shall only be issued to an area operator whose passenger tramway meets the minimum requirements set forth in Pas 300.
- (b) Prior to initial registration of a new, modified or relocated passenger tramway, a form Pas 5 "Tramway Application / Registration Certificate", revised 1/2022, and all submissions required in Pas 306 shall be submitted to the board with the appropriate fee pursuant to Pas 303.03.
- (c) To renew a passenger tramway registration, a form Pas 5 "Tramway Application / Registration Certificate", revised 1/2022, shall be submitted to the board with the appropriate fee pursuant to Pas 303.03.

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

Repeal Saf-C 303.03, effective 1-11-12 (Document #10072), as follows:

[Pas 303.03 Renewal of Registration. Every area operator requesting a renewal of a passenger tramway registration shall apply to the board on the "Passenger Tramway Safety Board Renewal Registration Certificate" as set forth in Pas 309.03, and submit the appropriate fee pursuant to Pas 303.04.]

Readopt with amendment and renumber Pas 303.04, effective 1-11-12 (Document #10072), as amended effective 7-23-13 (Document #10382), and as amended effective 2-5-20 (Document #12989), as Pas 303.03 to read as follows:

Pas 303.03 Fees.

(a) All applications for registration shall be accompanied by the appropriate fee, established by the board pursuant to the authority of RSA 225-A:16.

(b) Each lift shall have a fee equal to the larger amount of \$160 or the amount determined as follows:

(1) The lift slope length, as indicated in design drawings, shall be multiplied by the applicable lift-type factor from Table 3.1:

Table 3.1 Lift Type Factor

| | |
|---------------------------------|------|
| Aerial Tramway | 1.50 |
| Gondola or detachable chairlift | 1.25 |
| Fixed grip chairlift | 1.00 |
| Surface Lifts | 0.50 |
| Conveyors | 0.50 |

(2) The length, as modified above, shall be multiplied by \$0.54 per foot.

(c) When an operator operates a chairlift, gondola, aerial tramway, conveyor or other type of lift or conveyance during both the winter and summer seasons, the annual fee shall increase to one and one quarter the amount listed for the lift.

Readopt with amendment and renumber Pas 303.05, effective 1-11-12 (Document #10072), as Pas 303.04 to read as follows:

Pas 303.04 Insurance Required.

(a) Every applicant for an original or renewal registration shall include, with the application form, a copy of a certificate of insurance that has a minimum amount of coverage of \$300,000 per accident.

(b) The certificate of insurance set forth in (a) above shall not apply to organizations that are not required to maintain insurance pursuant to RSA 225-A:25, III.

(c) Any passenger tramway that is not insured, as set forth in RSA 225-A:25, shall not be allowed to be operated except for maintenance, and the registration shall be suspended until proof of insurance is provided to the board, the commissioner or his or her designee.

(d) An operator shall receive a written notice of suspension of operating privileges that includes the following:

- (1) Date;
- (2) Name of person to whom the order is directed;
- (3) An order not to operate the passenger tramway until proof of insurance is received and the operator's original or renewal registration has been restored in writing by the board, the commissioner or his or her designee;
- (4) Tramway plate number;
- (5) Signature of board member; and
- (6) Affidavit of service, including:
 - a. Name of person to whom the order is served;
 - b. Date and time of service; and
 - c. Signature of person making service.
- (e) The affidavit of service shall be completed by the person making service.

Readopt and renumber Pas 303.07, effective 1-11-12 (Document #10072), as Pas 303.05 to read as follows:

Pas 303.05 Posting Plate. Each operator shall be issued a registration plate that shall be posted in a conspicuous place near the base loading area of each tramway.

Readopt with amendment Pas 304.01, effective 1-11-12 (Document #10072), as amended effective 7-23-13 (Document # 10382), cited and to read as follows:

PART Pas 304 OPERATOR'S GENERAL INSPECTION

Pas 304.01 Area Operator's General Inspection.

(a) A general inspection of each passenger tramway, to include the entire installation, shall be conducted by qualified personnel at least once a year. For passenger tramways operating in more than one season, a minimum of 2 inspections a year shall be required. The general inspection shall be documented and submitted to the board on an Pas 4 "Area Operator's Inspection Report" form, revised 1/2022.

(b) The general inspection required by this section shall include an inspection performed by a qualified wire rope inspector of each wire rope used in the passenger tramway.

(c) The qualified wire rope inspector(s) shall submit a written report to the board indicating whether the wire rope(s) are ready for operation.

(d) The person performing the general inspection shall sign the Pas 4 form. By signing the form, the person shall certify that each lift complies with the rules, regulations, RSA 225-A.

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

Readopt Pas 304.02, effective 2-5-20 (Document #12989), to read as follows:

Pas 304.02 Wire Rope Inspectors.

(a) The board shall qualify a visual wire rope inspector as referred to in ANSI B77.1- 2017, section A.4.1.2., effective 2017 and available as noted in Appendix B, by demonstration of professional competence, education and experience as evidenced by, but not limited to, the following:

- (1) The applicant has attained a certification or diploma from a wire rope company stating that the applicant is competent to visually inspect wire rope; or
- (2) The applicant has performed a minimum of 20 visual wire rope inspections and has submitted 2 letters of recommendation that support the applicant's qualifications.

(b) The board shall qualify a magnetic rope testing (MRT) wire rope inspector as referred to in ANSI B77.1 -2017 section A.4.1., effective 2017 and available as noted in Appendix B, by demonstration of professional competence, education and experience as evidenced by, but not limited to, the following:

- (1) The applicant is a qualified visual wire rope inspector in the State of New Hampshire;
- (2) The applicant has submitted evidence of training and experience demonstrating that the applicant is competent to inspect wire rope using MRT equipment; and
- (3) The applicant has submitted 2 letters of recommendation that support the applicant's qualifications.

Readopt Pas 304.03, effective 1-11-12 (Document #10072), to read as follows:

Pas 304.03 Wire Rope Splicers.

(a) The board shall qualify a wire rope splicer by demonstration of professional competence, education and experience as evidenced by, but not limited to the applicant's:

- (1) Resume;
- (2) Experience with rope wire;
- (3) Education by a wire rope manufacturer;
- (4) Ability to splice and knowledge of wire rope; and
- (5) Certification or diploma from a wire rope company stating the applicant's level of training.

Readopt with amendments Pas 305.01, effective 2-5-20 (Document #12989), cited and to read as follows:

PART Pas 305 CONSTRUCTION, RELOCATION, ALTERATION IN LENGTH, AND MODIFICATION OF PASSENGER TRAMWAYS

Pas 305.01 Requirements for Manufacturers to Pre-Certify Tows, Carousels, and Conveyors.

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

Edit: "a completed form"

(a) The manufacturer shall submit the appropriate application form listed below. When completing the application form for pre-certification purposes, the manufacturer shall indicate "pre-certification" in lieu of site specific information.

(b) For a rope tow, a manufacturer shall request pre-certification by submitting a form Pas 1 "Application for New Construction, Relocation, Alteration in Length, or Modification and Registration of Fiber Rope Tow or Wire Rope Tow", as revised 1/2022.

(c) For a conveyor or carousel, a manufacturer shall request pre-certification by submitting a form Pas 2 "Application for New Construction, Relocation, Alteration in Length, or Modification and Registration of Conveyor or Carousel", as revised 1/2022.

(d) For pre-certification of tows, carousels, and conveyors, the design shall be suitable for installation at any location without modification of any structures, electrical system, mechanical system or hydraulic system.

(e) Installation procedures shall be the same for all sites except for the length or number of carriers that might vary at different locations.

Readopt with amendment Pas 305.02, effective 1-11-12 (Document #10072), as amended effective 7-23-13 (Document #10382), and as amended effective 2-5-20 (Document #12989), to read as follows:

Edit: Delete

Edit: Insert comma

Pas 305.02 Application for Construction, Relocation, or Alteration in Length of Passenger Tramways.

(a) Before the construction of any new passenger tramway, or relocation or alteration in length of a passenger tramway, the area operator shall submit to the board a profile of the lift line and a plan showing proximity of power lines, structures, woods, highways, and rivers. The plan and profile shall be submitted along with the appropriate application as specified in (c) below, for the type of lift to be constructed, relocated, or altered in length.

(b) The operator shall not proceed with construction, relocation, or alteration in length unless:

(1) He or she has received approval from the board; or

(2) The board has not responded within 30 days of receipt of the application.

(c) Before any passenger tramway construction, relocation, or alteration in length is started, owners or area operators shall apply for the board's approval using the application that correlates to the type of lift to be constructed, relocated, or altered in length, as described in Pas 305.03, Pas 305.04 and Pas 305.05.

Readopt with amendment Pas 305.03, effective 2-5-20 (Document #12989), to read as follows:

Pas 305.03 Modification of Passenger Tramway.

(a) Owners and operators shall submit an application that correlates to the type of lift to be modified, described in Pas 305.04, Pas 305.05, and Pas 305.06.

Edit: "may"

(b) For modifications defined in ANSI B77.1-2017, section 1.2.4., effective 2017, that do not involve relocating or altering the length of the passenger tramway, a qualified engineer shall prepare the engineering data, including testing requirements and design change data. Except, if the modification is to a fiber rope tow, then the designer can prepare the engineering data.

(c) Installations that have undergone modifications, shall be put into service for use by the general public only after the following has been completed:

- (1) Application has been made to the board for the modification and has been determined by the board to comply with these rules and all applicable standards;
- (2) Completion of any testing required by the board and the designer engineer;
- (3) Certified “as-built” plans have been submitted to the board;
- (4) Except for fiber rope tows, certification from a qualified engineer that the lift conforms to the “as-built” plans have been submitted to the board; and
- (5) Issuance of a registration.

(d) Upon request, the board shall issue an exception to the requirement that the operator provide certified as-built plans, provided that a qualified engineer conducts the tests required in (b) above and the engineer submits a certified copy of the results of the test with a statement certifying that the tramway meets all applicable code requirements.

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

Adopt Pas 305.04 through Pas 305.06, to read as follows:

Pas 305.04 Fiber Rope or Wire Rope Tow Application for Construction, Relocation, Alteration in Length, or Modification.

(a) For a rope tow, an owner or operator shall apply for the board’s approval by submitting a form Pas 1 “Application for New Construction, Relocation, Alteration in Length, or Modification and Registration of Fiber Rope Tow or Wire Rope Tow”, revised 1/2022. The board may request additional information for verification of compliance with its rules.

(b) In addition to the application required in (a) above, each owner or operator shall submit the following:

- (1) Design parameters showing relationships between vertical rise, length, handle spacing, speed and capacity prepared by the designer;
- (2) Proper load and unload designs prepared by the designer;
- (3) For pre-certified lifts, certification by the manufacturer that the lift conforms to the pre-certified submission, along with the equipment model number and date of certification approval; and
- (4) For lifts that are not pre-certified, the following shall be submitted:
 - a. A set of drawings that shall be in the English language, stamped by a design engineer showing the basic structure, electrical and mechanical systems;

Unclear/Leg. Intent:

Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

b. A design parameter specification with the engineer's stamp, showing the allowable operating and installation procedures, such as passenger spacing, type of passengers, use of recreational devices, location of safety devices, anchorages, etc.;

c. Operating and maintenance instructions for the lift system; and

d. A copy of the manufacturer's specifications for any new or replacement wire rope.

Edit: Do not use abbreviations. See Section 4.6 of Ch. 4 of the *Manual*.

(c) If any variances are requested, the applicant shall submit with the application a description of any variance to the rules, regulations, and code of the New Hampshire tramway with justification.

(d) The owner or operator and the designer of the rope tow shall sign the application form. By signing the form, the applicant shall certify that all information provided in the application is true and accurate.

Pas 305.05 Conveyor or Carousel Application for Construction, Relocation, Alteration in Length, or Modification.

(a) For a conveyor or carousel, an owner or operator shall apply for the board's approval by submitting a form Pas 2 "Application for New Construction, Relocation, Alteration in Length, or Modification and Registration of Conveyor or Carousel", revised 1/2022. The board may request additional information for verification of compliance with its rules.

(b) In addition to the application required in (a) above, each operator shall submit the following:

(1) For pre-certified lifts, certification by the manufacturer that the lift conforms to the pre-certified submission;

(2) For lifts that are not pre-certified, the following shall be submitted:

a. A set of drawings, stamped by a qualified engineer, showing the basic structure, electrical and mechanical systems; and

b. A design parameter specification, stamped by a qualified engineer, showing the allowable operating and installation procedures, such as:

1. Passenger spacing;
2. Type of passengers;
3. Use of recreational devices;
4. Location of safety devices; and
5. Anchorages; and

Unclear: Do not use "may" to reserve discretion to the agency. Instead, use language such as "The board shall request additional information when necessary to verify compliance with its rules."

Edit: Delete

6. Operating and maintenance instructions for the lift system.

(c) If any variances are requested, the applicant shall submit with the application a description of any variance to the rules, regulations, and code of the New Hampshire tramway with justification.

(d) The owner or operator and the designer of the rope tow shall sign the application form. By signing the form, the applicant shall certify that all information provided in the application is true and accurate.

Pas 305.06 T-Bar, J-Bar, Platter Pull, Chair Lift, Aerial Tramway or Gondola Application for Construction, Relocation, Alteration in Length, or Modification.

(a) For a T-bar, J-bar, platter pull, chair lift, aerial tramway or gondola, an owner or operator shall apply for the board's approval by submitting a form Pas 3 "Application for New Construction, Relocation, Alteration in Length, or Modification and Registration of T-bar, J-bar, Platter Pull, Chair Lift, Aerial Tramway or Gondola", revised 1/2022. The board may request additional information for verification of compliance with its rules.

(b) In addition to the application required in (a) above, each operator shall submit the following:

(1) A copy of the manufacturer's specifications for any new or replacement wire rope including:

- a. Size;
- b. Grade of steel;
- c. Construction;
- d. Core; and
- e. Minimum guaranteed breaking strength;

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

(2) A certified copy of the results of a destruction test of the wire rope conducted by the manufacturer or a laboratory;

(3) A complete set of specifications and plans that shall be in the English language, with all linear dimensions shown in feet and inches in a font type and size that is readily legible;

(4) A lift profile drawing showing the rope path, ground profile, maximum snow depths, tower locations, and trail crossing areas; and

(5) A plan view of the installation showing the location of the lift, any buildings, trail crossings, power lines, other lifts, or watercourses.

(c) If any variances are requested, the applicant shall submit with the application a description of any variance to the rules, regulations, and code of the New Hampshire tramway with justification.

(d) The owner or operator and the designer of the rope tow shall sign the application form. By signing the form, the applicant shall certify that all information provided in the application is true and accurate.

Readopt with amendment and renumber Pas 305.04, effective 1-11-12 (Document #10072), as Pas 305.07 to read as follows:

Pas 305.07 Notice and Sample Required for All Concrete Pours.

(a) Before any concrete is poured for either terminal or tower foundations, the tramway inspector shall be notified at least 48 hours prior to the expected date and time of pouring.

(b) If the required notice has been given pursuant to (a) above, the pouring may be carried out in the absence of a tramway inspector or another representative of the board.

(c) Two sample cylinders of concrete from each truckload, or from each batch if on site mixing is done, shall be tested to ascertain that the compression strength of the concrete meets the minimum requirements of the designer. The area operator shall be responsible for having the test done and shall submit a record of such test to the board.

Readopt with amendment and renumber Pas 305.05 and Pas 305.06, effective 2-5-20 (Document #12989), as Pas 305.08 and Pas 305.09 to read as follows:

Pas 305.08 General Acceptance Testing of New Passenger Tramways.

(a) All new passenger tramways shall be subject to an inspection and a running test in accordance with ANSI B77.1-2017 standards effective 2017 and available as noted in Appendix B. The test shall be witnessed by an authorized representative or designee of the board.

(b) An authorized representative of the board pursuant to (a) above shall include:

- (1) Engineers as designated by the board;
- (2) Members of the tramway board; and
- (3) The state of New Hampshire's chief of tramway safety or state tramway inspector.

(c) In the event of a modification to an existing passenger tramway, the testing requirements of the qualified engineer shall be completed. The board shall require testing of one or more components beyond that required by the qualified engineer if the board determines that the modification adversely affects the safety of the lift. For fiber rope tows, testing shall be completed by the designer.

(d) The board shall be given 10 days advance notice that the tramway shall be ready for testing.

Pas 305.09 Seven-Year Dynamic Testing of Passenger Tramways.

(a) All aerial tramways shall be dynamically tested at intervals of no greater than 7 years. A state inspector or designee of the board shall witness the test.

(b) A written procedure prepared by the manufacturer or a qualified engineer reflecting the latest modifications to each lift shall be used as part of the testing.

(c) The following materials shall be available for the inspection:

- (1) The as-built documentation for mechanical equipment, electrical system, tower loadings geometry, and tensioning system; and
- (2) A copy of the last load test or periodic dynamic test with recorded parameters for comparison.

(d) The written procedure for the dynamic test shall include, at a minimum:

(1) Testing for proper functioning of all electrical safety switches, including but not limited to:

- a. Line tower and lift terminal deropement switches;
- b. Manual stop, start and slow switches;
- c. Tension system limit switches for mechanical travel and for pressure limits;
- d. Collision control switches and systems;
- e. Brake monitoring switches;
- f. Overspeed devices;
- g. Field loss and phase loss detection, as appropriate;
- h. Brake trip switches; and
- i. Speed control circuit loss detectors;

(2) Verification of basic design parameters, including:

- a. Lift speed;
- b. Carrier spacing;
- c. Tensioning values;
- d. Line geometry, such as the general conformance to design drawings;
- e. Capacity and torque value of all brakes;
- f. Quantity and condition of line sheaves;
- g. Lift acceleration and deceleration rates; and
- h. Carrier weights, configurations, and condition; and

(3) A load test to verify that the following devices are functioning properly for all loading conditions, such as uphill, downhill and simultaneous uphill and downhill loading:

- a. Prime mover system;
- b. Auxiliary drive system;
- c. Evacuation drive system; and
- d. All braking systems in each mode of design operation.

(e) For the purposes of (d)(2)d. above, a survey shall not be required unless an apparent discrepancy exists between field observations and existing as-built drawings.

Readopt with amendment and renumber Pas 305.07, effective 1-11-12 (Document #10072), as amended effective 7-23-13 (Document # 10382), as Pas 305.10 to read as follows:

Pas 305.10 New Installation Operation Restrictions. New installations shall be put into service for use by the general public only after testing and issuance of a registration.

Adopt Pas 306 to read as follows:

PART Pas 306 PASSENGER TRAMWAY REGISTRATION REQUIREMENTS

Pas 306.01 Initial Registration of a New Construction, Relocated, Altered in Length, or Modified Passenger Tramway.

(a) Prior to initial registration of a new construction, relocated, altered in length, or modified passenger tramway, the following shall be completed and submitted to the board:

- (1) A stamped certificate from the designer with original signatures that the lift meets all requirements set forth by statute and these rules;
- (2) The acceptance test and inspection;
- (3) A certified copy of the results of a destruction test of the wire rope conducted by the manufacturer or a laboratory;
- (4) The evacuation plans for an aerial lift; and
- (5) Certification from a qualified engineer that the lift conforms to the designer's plans, except for fiber rope tows.

(b) Within 60 calendar days after the acceptance test, certified as-built plans shall be completed and delivered to the owner and the tramway board.

Pas 306.02 Initial Registration Requirements for Fiber Rope or Wire Rope Tows.

(a) To register the new construction, relocation, altered in length, or modification of fiber rope tows or wire rope tows, the following shall be submitted to the board along with the form Pas 5 "Tramway Application / Registration Certificate", revised 1/2022:

- (1) Certificate from designer with original signatures and drawings submitted to the board within 30 days of the acceptance test;
- (2) Completed acceptance test and inspection;
- (3) Wire rope test certificates submitted to the board for the following:
 - a. Haul rope;
 - b. Tensioning rope; and
 - c. Stay ropes;
- (4) On-site operations manual;

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

- (5) On-site maintenance manual; and
- (6) Documentation that any variances required have been granted.

(b) The operator shall sign the completed Pas 5 form under penalty of unsworn falsification pursuant to RSA 641:3.

Pas 306.03 Initial Registration Requirements for Conveyors or Carousels.

(a) To register the new construction, relocation, altered in length, or modification of conveyors or carousels”, the following shall be submitted to the board along with the form Pas 5 “Tramway Application / Registration Certificate”, revised 1/2022:

- (1) Certificate from designer with original signatures and drawing list submitted to the board within 30 days of the acceptance test;
- (2) Completed acceptance test and inspection;
- (3) Onsite operations manual;
- (4) On-site maintenance manual; and
- (5) Documentation that any variances required have been granted.

Unclear/Leg. Intent: Agency has not provided copies of the forms and thus Committee staff has not had a chance to review the form and ensure consistency with the rules and RSA 541-A.

(b) The operator shall sign the completed Pas 5 form under penalty of unsworn falsification pursuant to RSA 641:3.

Pas 306.04 Initial Registration Requirements for T-Bar, J-Bar, Platterpull, Chairlift, Aerial Tramway or Gondola.

(a) To register the new construction, relocation, altered in length, or modification and registration of T-bars, J-bars, platterpulls, chairlifts, aerial tramways or gondolas, the following shall be submitted to the board with the form Pas 5 “Tramway Application / Registration Certificate”, revised 1/2022:

- (1) Certificate from designer with original signatures and drawings list with revision dates and notes of changes made, not shown on the listed drawings submitted to the board;
- (2) Construction certificate with a drawing list as built and original signatures submitted to the board within 30 days of the acceptance test;
- (3) Completed acceptance test and inspection;
- (4) Completed written evacuation plan and documentation of training;
- (5) Rope inspection reports submitted to the board for the following:
 - a. Haul;
 - b. Counterweight; and
 - c. Other wire rope or strand;
- (6) On-site operations manual;
- (7) On-site maintenance manual, and documentation of all required maintenance; and

(8) Documentation that any variances required have been granted.

(b) The operator shall sign the completed Pas 5 form under penalty of unsworn falsification pursuant to RSA 641:3.

Readopt and renumber Pas 306.01, effective 1-11-12 (Document #10072), as amended effective 7-23-13 (Document # 10382), as Pas 307.01, cited and to read as follows:

PART Pas 307 OPERATING PERSONNEL

Pas 307.01 Lift Operator.

(a) No person less than 18 years of age shall work as a lift operator on any passenger tramway.

(b) A lift shall be started only at the direction of the operator.

Readopt and renumber Pas 306.02 through Pas 306.04, effective 1-11-12 (Document #10072), as Pas 307.02 through Pas 307.04 to read as follows:

Pas 307.02 Attendants. No person less than 16 years of age shall work as an attendant on any passenger tramway.

Pas 307.03 Training.

(a) All personnel employed in connection with lift operations at any passenger tramway shall be trained in their duties.

(b) The area operator shall be responsible for carrying out such training as is necessary to permit the safe performance of all duties assigned to passenger tramway personnel.

Pas 307.04 Sales. No lift operator or attendant shall act as a ticket seller or receive monies while the tramway is in motion.

Readopt with amendments and renumber Pas 307, effective 2-5-20 (Document #12989), as Pas 308 to read as follows:

PART Pas 308 REQUIREMENTS ADOPTED BY REFERENCE

Pas 308.01 ANSI Safety Requirements.

(a) Pursuant to the authority granted to the board by RSA 225-A:1 and RSA 225-A:8, all design, construction, operation, and maintenance of passenger tramways shall comply with the “American National Standard for Passenger Ropeways - Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements ANSI B77.1-2017”, available as noted in Appendix B.

(b) The following revisions and additions shall supersede or supplement the applicable provisions of said requirements:

(1) Amend ANSI 1.2.4.1 Existing Installations, by changing the first sentence of the second paragraph to read “Operation and maintenance shall be in compliance with those requirements

specifically listed (not included by reference) in the operation and maintenance subsection (2.3, 3.3, 4.3, 5.3, 6.3, 7.3) and normative Annexes A, C, D, E, F and G.”;

(2) Amend ANSI 1.2.4.2 Relocated Installations, to read “Existing ropeways, when removed or re-installed, or when not registered to operate for a period of 3 or more consecutive years, shall be classified as new installations (see 1.2.4.3).”;

(3) Amend ANSI 1.2.4.4 Ropeway Modifications, by adding the following to read “(h) Any change in the models of significant components such as the chair or the grip.”;

(4) Amend ANSI 1.5.1 Design, by adding the following paragraph to the end of section to read “The ropeway design shall be certified in writing by a qualified design engineer(s) who has either originated or reviewed the design and design drawings and finds them to be in conformance with Pas 300. This document shall list all applicable drawings including structural, mechanical and electrical. This list shall show the title, drawing number, date, and date of any latest revision.”;

(5) Amend ANSI 2.2.1.5, 3.2.1.5, 4.2.1.5, 5.2.1.5, 6.1.2.5 and 7.1.2.5 Wiring, by adding the following paragraph to read “Power and control wiring suspended between a fixed structure and a moveable carriage shall be designed and installed such that the wiring will allow the carriage to move to established carriage stops without overstressing the wires.”;

(6) Amend ANSI 2.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modification meet all applicable rules.”;

(7) Amend ANSI 2.3.2.4.3 Periodic operation of drive units, so that the first sentence reads “Aerial tramways shall have the evacuation engine started and brought to operating temperature daily prior to operation for the public.”;

(8) Amend ANSI 3.3.2.4.3 Periodic operation of drive units so that the first sentence reads, “Aerial lifts shall have the evacuation engine started and brought to operating temperature daily prior to operation for the public.”;

(9) Amend ANSI 3.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”;

(10) Amend ANSI 4.3.2.4.3 Periodic operation of drive units so that the first sentence reads “Aerial lifts shall have the evacuation engine started and brought to operating temperature daily prior to operation for the public.”;

(11) Amend ANSI 4.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”;

(12) Amend ANSI 4.3.4.3 Carrier Inspection, by changing the first sentence to read: “All carriers (grips, clips, hangers, chairs, carriages, and cabins) shall be tested using a

nondestructive testing method capable of revealing flaws that might not be identified through visual examination alone.”;

(13) Amend ANSI 5.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”;

(14) Amend ANSI 6.3.2.2 Minimum Operating Personnel, by inserting before the first sentence “For fiber rope tows, the operator shall be stationed at the top terminal.”;

(15) Amend ANSI 6.3.2.2 Minimum Operating Personnel, by changing the first sentence of (a) in the fourth paragraph to read “Tows other than fiber rope tows may be operated by a single operator at the loading area who will serve concurrently as the operator and the attendant.”;

(16) Amend ANSI 6.3.4 and 7.3.4 Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”; and

(17) Amend ANSI A.3.1.1 Haul Ropes, by inserting before the first sentence “Splicing shall be performed by a qualified wire rope splicer.”

Readopt with amendments and renumber Pas 308, effective 1-11-12 (Document #10072), as Pas 309 to read as follows:

PART Pas 309 EMERGENCY SHUTDOWN

Pas 309.01 Notice. Notice of an emergency shutdown order issued by the board as set forth in RSA 255-A:18-a shall include the following:

- (a) Date;
- (b) Name of person to whom the order is directed;
- (c) Order to shutdown tramway;
- (d) Tramway plate number;
- (e) Statement of duration of the order;
- (f) Signature of board member issuing the order, or his or her agent; and
- (g) Affidavit of service, including:
 - (1) Name of person to whom the order is served;
 - (2) Date and time of service; and

(3) Signature of person making service.

Repeal Pas 309.01 and Pas 309.02, effective 2-5-20, (Document #12989), cited as follows:

[PART Pas 309 PASSENGER TRAMWAY SAFETY FORMS

Pas 309.01 Tramway Incident Report Form.

(a) The “Tramway Incident Report” form shall include the following:

- (1) Date of report;
- (2) Incident specifics, including:
 - a. Name of Ski Area and Tramway registration number;
 - b. Type of lift on which incident occurred;
 - c. Date and time of incident;
 - d. Specific location of incident;
 - e. Name of ski area owner;
 - f. Mailing address; and
 - g. Telephone number;
- (3) Carrier number;
- (4) Type of passenger as follows:
 - a. Skier;
 - b. Snowboarder;
 - c. Foot passenger; or
 - d. Other;
- (5) Each person injured or killed, including:
 - a. Name, address, and age; and
 - b. Detailed description of each person's injuries;
- (6) Weather conditions, temperature, visibility, uphill snow conditions, and wind conditions;
- (7) Name(s) and age(s) of attendants and lift operator in charge of tramway at the time of the incident;
- (8) A brief description of the incident;
- (9) Names and addresses of all witnesses;
- (10) Person’s name and address who performed the preoperational inspection of the tramway on the date of incident;

- (11) If the injured person was treated at the scene of the incident, the name(s) of persons who administered treatment;
- (12) Name of hospital or doctor's office where injured person was taken, if known;
- (13) Detailed statement describing any lift system failure that contributed to the incident; and
- (14) Signature of owner or operator.

Pas 309.02 Application for Construction and Registration Forms.

(a) The application for new construction, modification or relocation and registration of t-bar, j-bar, platter pull, chair lift, or gondola form shall include the following:

- (1) For the purpose of applying for construction:
 - a. Type of application, whether new installation, modification or lift relocation and description of the application;
 - b. Tramway number, if available;
 - c. Owner's name, address and telephone number;
 - d. If the owner is a corporation or partnership, the names and addresses of the officers or partners;
 - e. Manager's name, address and telephone number;
 - f. Lift name and specific location;
 - g. Tramway type, whether:
 - 1. T-bar;
 - 2. J-bar;
 - 3. Platter pull, whether fixed grip or detachable grip;
 - 4. Chairlift, whether fixed grip or detachable grip;
 - 5.. Gondola; or
 - 6. Other;
 - h. Name of the designer, manufacturer, construction supervisor and construction engineer;
 - i. Design data, including:
 - 1. Uphill capacity in people per hour at maximum speed;
 - 2. Vertical length in feet;
 - 3. Horizontal length in feet;
 - 4. Slope length in feet;
 - 5. Ranges for the number and spacing of carriers;

6. Number of passengers per carrier;
 7. For work carrier, if used, drawing of carrier and grip, and live load capacity;
 8. Maximum speed of lift;
 9. Percent of loading allowed on downhill side;
 10. The normal, maximum, and minimum line tower calculations, including full and partial loading;
 11. Line tower footing calculations; and
 12. For detachable lifts, specification for number of carriers on line before loading passengers;
- j. Design specification, including diameter, grade, construction, core and safety factor of the following:
1. Haul rope;
 2. Counterweight rope; and
 3. Other wire rope;
- k. Bullwheel data, including:
1. Diameter of drive and return in feet;
 2. Whether drive and return are cast or fabricated;
 3. Type of liner material on drive and return; and
 4. Bullwheel retention system;
- l. Tension system data, including:
1. Counterweight, hydraulic or other;
 2. Total force of tensioner in pounds;
 3. Ratio of motion of tensioner to bullwheel;
 4. Force at carriage;
 5. Travel of bullwheel carriage and tension device in feet; and
 6. Pressure range for hydraulic or pneumatic systems in psi;
- m. Line equipment data, including:
1. Tower line gauge;
 2. Maximum rope gradient for design carrier clearances;
 3. Maximum misalignment while still maintaining minimum clearances;

4. Degree of swing with unbalanced load of 250 pounds;
 5. Type of deropement switches;
 6. Manufacturer and model of carrier;
 7. Whether carrier has restraint bars and foot rests; and
 8. Manufacturer and model of grip.
- n. Line features, including:
1. Maximum height of carrier above the ground in feet;
 2. A lift profile, showing:
 - (i) Rope path;
 - (ii) Ground profile;
 - (iii) Maximum snow depth;
 - (iv) Tower locations; and
 - (v) Trail crossing areas; and
 3. Plan view of installations with plan width at least 150' centered on lift centerline, showing:
 - (i) Location of lift; and
 - (ii) Any buildings, trail crossings, power lines, other lifts or watercourses;
- o. Description of each power unit, including:
1. Horsepower;
 2. Age;
 3. Type; and
 4. Gearbox manufacturer and model;
- p. Quantities and locations of fuel storage;
- q. Brake data, including type, manufacturer, and model:
1. Service brake;
 2. Bullwheel brake;
 3. High speed backstop;
 4. Backstop; and
 5. Retarding device;

- r. A ladder diagram of control circuits indicating the location of all manual speed controls including stop and start switches;
- s. Description of the lift communications system;
- t. Personnel data, including:
 - 1. Minimum number of operators or attendants utilized;
 - 2. Location of operators or attendants at lift; and
 - 3. If single operator, whether entire lift is within view;
- u. If lift is in operation at night, a description of the lighting for the following:
 - 1. Machine room;
 - 2. Lift attendants; and
 - 3. Lift usage;
- v. Description and justification for any requested variance from these rules; and
- w. Signature of owner or agent and designer certifying that all information provided in the application is true and accurate ;

(2) For the purpose of applying for registration:

- a. Certificate from designer with original signatures and drawings list with revision dates and notes of changes made, not shown on the listed drawings submitted to the board;
- b. Construction certificate with a drawing list as built and original signatures submitted to the board within 30 days of the acceptance test;
- c. Completed acceptance test and inspection;
- d. Completed written evacuation plan and documentation of training;
- e. Rope inspection reports submitted to the board for the following:
 - 1. Haul;
 - 2. Counterweight; and
 - 3. Other wire rope or strand;
- f. On-site operations manual;
- g. On-site maintenance manual, and documentation of all required maintenance; and
- h. Documentation that any variances required have been granted.

(b) The application for new construction, modification, or relocation and registration of fiber rope tow or wire rope tow form shall include the date, a description of the application and the following information:

(1) For the purpose of applying for construction:

- a. Type of application, whether new installation, modification or lift relocation and description of the application;
- b. Tramway number, if available;
- c. Owner's name, address and telephone number;
- d. If the owner is a corporation or partnership, the names and addresses of the officers or partners;
- e. Manager's name, address and telephone number;
- f. Lift name and specific location;
- g. Type of tow, including:
 - 1. Portable or stationary;
 - 2. Fiber rope or wire rope;
 - 3. Whether a single rope is used, or 2 tows side by side in parallel; and
 - 4. Number of tow ropes operated by drive;
- h. Name of designer, manufacturer and model, and construction supervisor;
- i. Design data, including:
 - 1. Uphill capacity in people per hour at maximum speed;
 - 2. Vertical length in feet;
 - 3. Number and range of spacing of handles;
 - 4. Maximum speed of lift;
 - 5. Any recreational devices considered for use with the tow; and
 - 6. Plans for compliance with ANSI 6.1.1.3.2., effective 2017 and available as noted in Appendix B, if applicable, to minimize the risk of an inadvertently detached recreational device from sliding into another device or the tow;
- j. Design specification, including diameter, grade, construction, core of the following:
 - 1. Haul rope;
 - 2. Tensioning rope; and
 - 3. Stay ropes;
- k. Description of how the haul rope is tensioned and the upper and lower tension limits;
- l. Description of how the terminal is anchored;
- m. Line equipment data, including:
 - 1. Whether towers are steel or wood;

2. Distance between rope path and towers; and
 3. Manufacturer and model of handles;
- n. A lift profile, showing:
1. Rope path;
 2. Ground profile;
 3. Snow depth;
 4. Tower locations;
 5. Stop gate location; and
 6. Identification of bridges or structures which passengers are towed over or travel under;
- o. Plan view of installations with plan width at least 150' centered on lift centerline, showing:
1. Location of lift; and
 2. Any buildings, trail crossings, power lines, other lifts or watercourses;
- p. Description of primary power unit, including:
1. Horsepower;
 2. Age;
 3. Type; and
 4. Quantity and location of fuel storage;
- q. Type, manufacturer, and model of service and backstop brakes;
- r. A ladder diagram of control circuits indicating the location of all manual speed controls including start and stop switches;
- s. Description of the lift communications system;
- t. Personnel data, including:
1. Minimum number of operators or attendants utilized;
 2. Location of operators or attendants at lift; and
 3. If operating with a single operator, whether the operator has the entire lift in his or her view;
- u. If lift is in operation at night, a description of the lighting for the following:
1. Machine room;
 2. Lift attendants; and

3. Tow usage;

v. Description and justification of any requested variance from these rules;

w. Signature of owner or agent and designer certifying that all information provided in the application is true and accurate;

x. For pre-certified lifts:

1. The state issued pre-certification number; and

2. Certification by the manufacturer that the lift conforms to the pre-certification submission; and

y. For lifts that are not pre-certified:

1. A set of drawings by a designer showing the basic structure, electrical, and mechanical systems;

2. A design parameter specification, by a designer stamped by a qualified engineer showing the allowable operating and installation procedures such as passenger spacing, type of passengers, use of recreational devices, location of safety devices and anchorages; and

3. Operating and maintenance instructions for the lift system; and

(2) For the purpose of applying for registration:

a. Certificate from designer with original signatures and drawings submitted to the board within 30 days of the acceptance test;

b. Completed acceptance test and inspection; and

c. Wire rope test certificates submitted to the board for the following:

1. Haul rope;

2. Tensioning rope; and

3. Stay ropes;

d. On-site operations manual;

e. On-site maintenance manual;

f. Documentation that any variances required have been granted.

(c) The “Application for New Construction, Modification or Relocation and Registration of Conveyor or Carousel” form shall include the following:

(1) For the purpose of applying for construction:

a. Date, description and type of application, whether new installation, modification or lift relocation;

b. Tramway number, if available;

c. Owner’s name, address and telephone number;

- d. If the owner is a corporation or partnership, the names and addresses of the officers or partners;
 - e. Manager's name, address and telephone number;
 - f. Carousel or conveyor location, address, and name of conveyance (if known);
 - g. Tramway type, including;
 - 1. Whether carousel or conveyor;
 - 2. Manufacturer;
 - 3. Lift model;
 - 4. Lift drive horsepower;
 - 5. Location plan, showing the proposed location and environs; and
 - 6. Length of the conveyor or outer diameter of the carousel;
 - h. For pre-certified lifts:
 - 1. The state issued pre-certification number; and
 - 2. Certification by the manufacturer that the lift conforms to the pre-certified submission; and
 - i. For lifts that are not pre-certified:
 - 1. A set of drawings stamped by a qualified engineer showing the basic structure, electrical, and mechanical systems;
 - 2. A design parameter specification stamped by a qualified engineer, showing the allowable operating and installation procedures such as passenger spacing, type of passengers, use of recreational devices, location of safety devices, and anchorages; and
 - 3. Operating and maintenance instructions for the lift system;
 - j. Signature of the owner or agent, and designer certifying the information provided in the application is true and accurate.
- (2) For the purposes of applying for registration:
- a. Certificate from designer with original signatures and drawing list submitted to the board within 30 days of the acceptance test;
 - b. Completed acceptance test and inspection;
 - c. Onsite operations manual;
 - d. On-site maintenance manual; and
 - e. Documentation that any variances required have been granted.]

Repeal Pas 309.03, effective 1-11-12 (Document #10072), as follows:

[Pas 309.03 Renewal Registration Certificate.

(a) The renewal registration certificate form shall include the following:

- (1) Tramway number, if available;
- (2) Name and location of passenger tramway;
- (3) Operator name(s) and address(es);
- (4) Owner's name and address;
- (5) The seasons of operation;
- (6) Length of tow or lift;
- (7) Type of passenger tramway and registration fee;
- (8) Date issued;
- (9) Whether the tramway was operated in the previous year;
- (10) Whether the tramway is in compliance with these rules;
- (11) Name of insurance company covering tramway; and
- (12) Signature of operator.]

Repeal Pas 309.04, effective 2-5-20 (Document #12989), as follows:

[Pas 309.04 Ski Lift Annual Area Inspection Report.

(a) The "Ski Lift Annual Area Operators Inspection Report" form shall include the following:

- (1) Lift name and type;
- (2) Registration number and the last year registered;
- (3) Uphill length of lift in feet;
- (4) Business name, owner or operator's name, address, telephone number, and email address;
- (5) Signature of person responsible for the operation of the tramway, certifying:
 - a. The tramway has been inspected;
 - b. The date of inspection;
 - c. Any deficiencies identified have been corrected, or shall be corrected, prior to operation to comply with RSA 321-A and these administrative rules; and
 - d. A wire rope report has been received for all ropes requiring inspection.
- (6) Notation of any exceptions to the requirements set forth in (a)(6) above.

(b) The “Annual Wire Rope Inspection Report” shall include the following:

- (1) Ski area name, address and telephone number;
- (2) Date of report;
- (3) Lift designation and state registration number;
- (4) Rope data for each wire rope or strand, including:
 - a. Diameter;
 - b. Length;
 - c. Construction;
 - d. Lay;
 - e. Core;
 - f. Manufacturer;
 - g. Date installed;
 - h. Reel number and date;
 - i. Splice or other repair; and
 - j. Name of splicer and date of splice;
- (5) Inspection data of the wire haul rope, including:
 - a. Diameter of main body of haul rope, at each a minimum of 6 readings on 2 planes at 90 degrees;
 - b. Average length of lay;
 - c. Estimated percentage of abrasive wear;
 - d. Number and location of broken wires found;
 - e. Type of break;
 - f. Condition of lubrication;
 - g. Estimated degree of corrosion;
 - h. Any irregularities or damage to the rope such as but not limited to kinking, crushing or heat;
 - i. Number of splices;
 - j. Condition of each splice; and
 - k. Description of all changes from the previous inspections of the wire rope;
- (6) Inspection data of other wire ropes and cables, including:

- a. Diameter and condition;
 - b. Condition of lubrication; and
 - c. Condition of end connections; and
- (7) Other data, including:
- a. Position of center of tension bullwheel;
 - b. Inspector's comments; and
 - c. Inspector's address and telephone number; and
- d. Signature of inspector certifying that all rope has been inspected in accordance with ANSI B77.1-2017 Section A.4.1.2., effective 2017 and available as noted in Appendix B.]

APPENDIX

| Rule | Specific State Statute which the Rule Implements |
|----------------------------------|--|
| Pas 209 | RSA 541-A:11, VII |
| Pas 301 | RSA 541-A:8 |
| Pas 301.01 - Pas 301.03 | RSA 541-A:7 |
| Pas 301.04 | RSA 225-A:2, I |
| Pas 301.05 – Pas 301.08 | RSA 541-A:7 |
| Pas 301.09 | RSA 225-A:2, II |
| Pas 301.10 | RSA 225-A:2, III |
| Pas 301.11 | RSA 225-A:2, VI |
| Pas 301.12 - Pas 301.15 | RSA 541-A:7 |
| Pas 302.01 | RSA 225-A:1; RSA 225-A:3-a |
| Pas 302.02 | RSA 225-A:19 |
| Pas 302.03 | RSA 225-A:1; RSA 225-A:8 |
| Pas 302.04 | RSA 225-A:8 |
| Pas 302.05 | RSA 225-A:10-a |
| Pas 303.01 | RSA 225-A:14 |
| Pas 303.02 (repealed) | RSA 225-A:10-a; RSA 225-A:15 |
| Pas 303.02 (formerly Pas 303.06) | RSA 225-A:17; RSA 541-A:8 |
| Pas 303.03 (repealed) | RSA 225-A:15; RSA 225-A:16 |
| Pas 303.03 (formerly Pas 303.04) | RSA 225-A:16 |
| Pas 303.04 (formerly Pas 303.05) | RSA 225-A:25 |
| Pas 303.05 (formerly Pas 303.07) | RSA 225-A:17; RSA 225-A:8 |
| Pas 304 | RSA 225-A:10 |
| Pas 305.01 | RSA 225-A:10-a; RSA 541-A:8 |
| Pas 305.02 - Pas 305.06 | RSA 225-A:10-a; RSA 225-A:14; RSA 225-A:15 |
| Pas 305.07 (formerly Pas 305.04) | RSA 225-A:10; RSA 225-A:10-a |
| Pas 305.08 (formerly Pas 305.05) | RSA 225-A:10; RSA 225-A:10-a |
| Pas 305.09 (formerly Pas 305.06) | RSA 225-A:10; RSA 225-A:10-a |
| Pas 305.10 (formerly Pas 305.07) | RSA 225-A:10; RSA 225-A:14 |
| Pas 306.01 | RSA 225-A:10-a; RSA 225-A:15 |

| Rule | Specific State Statute which the Rule Implements |
|----------------------------|---|
| Pas 306.02 - Pas 306.04 | RSA 225-A:8; RSA 225-A:10-a; RSA 225-A:15 |
| Pas 307 (formerly Pas 306) | RSA 225-A:8; |
| Pas 308 (formerly Pas 307) | RSA 541-A:8; RSA 225-A:8 |
| Pas 309 (repealed) | RSA 225-A:8; RSA 225-A:12; RSA 541-A:16, I(b)(1) |
| Pas 309 (formerly Pas 308) | RSA 225-A:18-a |

APPENDIX B

| Rule | Title | Obtain at: |
|--|---|---|
| Pas 304.02(a)&(b); Pas 305.03(c); Pas 305.08(a); Pas 308.01(a) &(b) | “American National Standard for Passenger Ropeways – Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements (ANSI B77.1)”, dated 2017 | American National Standards Institute (ANSI) Attn: Customer Service Department 25 W. 43 rd Street, 4 th Floor New York, NY 10036 (212) 642-4980 E-mail: info@ansi.org Price: \$200 Also available for inspection by contacting the Department of Safety, Passenger Tramway Safety Board |

APPENDIX II-H

INCORPORATION BY REFERENCE STATEMENT

****PLEASE LIST THE FOLLOWING:**

1. Name of Agency: **Passenger Tramway Safety Board**

2. Person who has reviewed the material to be incorporated into the agency's rules:

Name: **Mark Petrozzi** Title: **Chairman**
Address: **Passenger Tramway Safety Board** Phone #: **603 524 4980**
33 Hazen Drive
Concord NH 03305

3. Specific rule number where the material is incorporated: **Pas 301.01; Pas 304.02 (a) & (b);
Pas 305.03 (b); Pas 305.08 (a);
Pas 308.01**

****PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the number on this sheet (a separate sheet is not required for every item):

4. The complete title of the material which is to be incorporated including the date on which the material became effective (or a document identification number) or, if the material is undated Internet content, the date the material was accessed and printed, and the title of the entity that created or promulgated the material.

5. How the agency modified the text of the material incorporated, clearly identifying where amendments have been made to the text.

6. How the material incorporated can be obtained by the public (include cost and the address of the party which published the material, and the Internet source URL if it appears in the rule, for example if the material is Internet content only available online).

7. Why the agency did not choose to reproduce the incorporated material in full in its rules. The discussion shall include more than the obvious reason that it is less expensive to incorporate by reference.

****PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,* certify that the text of the material which the agency is incorporating by reference in these rules has been reviewed by this agency. To the best of my knowledge and belief, this agency has complied with the requirements of RSA 541-A:12, IV and Section 3.12 of Chapter 4 of the Drafting and Procedure Manual for Administrative Rules. I further certify that the agency has the capability and the intent to enforce the material incorporated into the rules, as identified above.

Date: April 12, 2022

Signature: 

Name: Mark Petrozzi

Title: Chairman

*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

4. Complete title of the material:

“American National Standard for Passenger Ropeways – Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements (ANSI B77.1)”, dated 2017.

5. How the agency modified the text of the material incorporated, clearly identifying where amendments have been made to the text:

Pas 30[7]8.01 ANSI Safety Requirements.

(a) Pursuant to the authority granted to the board by RSA 225-A:1 and RSA 225-A:8, all design, construction, operation, and maintenance of passenger tramways shall comply with the “American National Standard for Passenger Ropeways - Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements ANSI B77.1-2017”, available as noted in Appendix B.

(b) The following revisions and additions shall supersede or supplement the applicable provisions of said requirements:

(1) Amend ANSI 1.2.4.1 Existing Installations, by changing the first sentence of the second paragraph to read “Operation and maintenance shall be in compliance with those requirements specifically listed (not included by reference) in the operation and maintenance subsection (2.3, 3.3, 4.3, 5.3, 6.3, 7.3) and normative Annexes A, C, D, E, F and G.”;

(2) Amend ANSI 1.2.4.2 Relocated Installations, to read “Existing ropeways, when removed or re-installed, or when not registered to operate for a period of 3 or more consecutive years, shall be classified as new installations (see 1.2.4.3).”;

(3) Amend ANSI 1.2.4.4 Ropeway Modifications, by adding the following to read “(h) Any change in the models of significant components such as the chair or the grip.”;

(4) Amend ANSI 1.5.1 Design, by adding the following paragraph to the end of section to read “The ropeway design shall be certified in writing by a qualified design engineer(s) who has either originated or reviewed the design and design drawings and finds them to be in conformance with Pas 300. This document shall list all applicable drawings including structural, mechanical and electrical. This list shall show the title, drawing number, date, and date of any latest revision.”;

(5) Amend ANSI 2.2.1.5, 3.2.1.5, 4.2.1.5, 5.2.1.5, 6.1.2.5 and 7.1.2.5 Wiring, by adding the following paragraph to read “Power and control wiring suspended between a fixed structure and a moveable carriage shall be designed and installed such that the wiring will allow the carriage to move to **established** carriage stops without overstressing the wires.”;

(6) Amend ANSI 2.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modification meet all applicable rules.”;

(7) Amend ANSI 2.3.2.4.3 Periodic operation of drive units, so that the first sentence reads “Aerial tramways shall have the evacuation engine started and brought to operating temperature daily prior to operation for the public.”;

(8) Amend ANSI 3.3.2.4.3 Periodic operation of drive units so that the first sentence reads, “Aerial lifts shall have the evacuation engine started and brought to operating temperature daily prior to operation for the public.”;

- (9) Amend ANSI 3.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”;
- (10) Amend ANSI 4.3.2.4.3 Periodic operation of drive units so that the first sentence reads “Aerial lifts shall have the evacuation engine started and brought to operating temperature daily prior to operation for the public.”;
- (11) Amend ANSI 4.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”;
- (12) Amend ANSI 4.3.4.3 Carrier Inspection, by changing the first sentence to read: “All carriers (grips, clips, hangers, chairs, carriages, and cabins) shall be tested using a nondestructive testing method capable of revealing flaws that might not be identified through visual examination alone.”;
- (13) Amend ANSI 5.3.4.1 General Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”;
- (14) Amend ANSI 6.3.2.2 Minimum Operating Personnel, by inserting before the first sentence “For fiber rope tows, the operator shall be stationed at the top terminal.”;
- (15) Amend ANSI 6.3.2.2 Minimum Operating Personnel, by changing the first sentence of (a) in the fourth paragraph to read “Tows other than fiber rope tows may be operated by a single operator at the loading area who will serve concurrently as the operator and the attendant.”;
- (16) Amend ANSI 6.3.4 and 7.3.4 Inspection, by adding the following paragraph to read “Design Integrity. Unless otherwise specified, the term “design integrity”, for the purposes of inspection, shall be limited to verifications as to whether or not the tramway has undergone any modifications (see 1.2.4.4) and if so, a verification will also be made to ensure that modifications meet all applicable rules.”; and
- (17) Amend ANSI A.3.1.1 Haul Ropes, by inserting before the first sentence “Splicing shall be performed by a qualified wire rope splicer.”

6. How the material incorporated can be obtained by the public (include cost and the address of the party which published the material, and the Internet source URL if it appears in the rule, for example if the material is Internet content only available online).

American National Standards Institute (ANSI)
Attn: Customer Service Department
25 W. 43rd Street, 4th Floor
New York, NY 10036
(212) 642-4980
E-mail: info@ansi.org
Price: \$200

Also available for inspection by contacting the Passenger Tramway Safety Board.

7. Why the agency did not choose to reproduce the incorporated material in full in its rules. The discussion shall include more than the obvious reason that it is less expensive to incorporate by reference.

It would be impractical to reproduce the incorporated material in full in the Passenger Tramway Safety Board's administrative rules because the American National Standard for Passenger Ropeways, Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Standard is a 198-page manual. In addition, the material is copyrighted.