

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

**SENATE BILL 648
RATIFIED BILL**

AN ACT TO AMEND THE LAWS CONCERNING WINTER SPORTS SAFETY AND ACCIDENTS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Chapter 99C of the General Statutes reads as rewritten:

"Chapter 99C.

"Actions Relating to Winter Sports Safety and Accidents.

"§ 99C-1. Definitions.

When used in this Chapter, unless the context otherwise requires:

- (1) Competitor. – A skier actually engaged in competition or in practice ~~therefor~~ for competition with the permission of the ski area operator on any slope or trail or portion ~~thereof~~ of a slope or trail designated by the ski area operator for the purpose of competition.
- (1a) Freestyle terrain. – ~~Constructed and natural features in ski areas intended for winter sports including, but not limited to, sports,~~ including terrain parks and terrain park features such as jumps, rails, fun boxes, half-pipes, quarter-pipes, and freestyle-bump terrain.
- (1b) Inherent risks of skiing. – Risks or conditions that are part of the sport of skiing, including the following:
 - a. Changing weather conditions.
 - b. Snow conditions as they exist or may change, such as ice, hard pack, powder, packed powder, wind pack, corn, crust, slush, cut-up snow, and machine-made snow.
 - c. Surface or subsurface conditions, such as bare spots, forest growth, rocks, stumps, streambeds, cliffs, extreme terrain, trees, or other natural objects, and collisions with any of the preceding terms.
 - d. Impact with lift towers, signs, posts, fences or enclosures, hydrants, water pipes, or other man-made structures and their components, both padded and unpadded.
 - e. Variations in steepness or terrain, whether natural or as a result of slope design, snowmaking, or grooming operations, including roads, freestyle terrain, jumps, and catwalks or other terrain modifications.
 - f. Collisions with other skiers.
 - g. Failing to properly load or unload a tramway.
 - h. Becoming an unseated passenger on a tramway.
 - i. A skier failing to ski within their own abilities.
- (2) Passenger. – Any person who is being transported or is awaiting transportation, or being conveyed on a passenger tramway or is moving from the disembarkation point of a passenger tramway or is in the act of embarking upon or disembarking from a passenger tramway.



- (3) Passenger tramway. – Any device used to transport passengers uphill on skis or other winter sports devices, or in cars on tracks, or suspended in the air, by the use of steel cables, chains, belts or ropes. ~~Such~~ This definition shall include such includes devices such as a chair lift, chairlift, J Bar, or platter pull, rope tow, conveyor lift, and wire tow.
- (3a) Season pass. – A license provided by a ski area operator for the purpose of allowing individuals to access terrain or property owned or operated as a ski area for a complete ski season.
- (4) Ski area. – All winter sports slopes, alpine and Nordic ski trails, freestyle ~~terrain-terrain,~~ and passenger tramways, that are administered or operated as a ski area enterprise within this State.
- (5) Ski area operator. – A person, corporation, or organization that is responsible for the safe operation and maintenance of the ski area.
- (5a) Ski pass. – A license provided by a ski area operator for the purpose of allowing individuals to access terrain or property owned or operated as a ski area on a daily or multiday basis.
- (6) Skier. – Any person who is wearing ~~skis-skis,~~ a snowboard, or other winter sports devices or any person who for the purpose of skiing or other winter sports is on a designated and clearly marked winter sports slope, alpine or Nordic ski trail or freestyle terrain that is located at a ski area, or any person who is a passenger or spectator at a ski area.
- (7) Winter sports. – Any use of skis, snowboards, snowshoes, or any other device for skiing, sliding, jumping, or traveling on snow or ice.

"§ 99C-2. Duties of ski area operators and skiers.

(a) A ski area operator ~~shall be is~~ responsible for the maintenance and safe operation of any passenger tramway in ~~his-the ski area operator's~~ ski area and ~~insure-ensuring~~ that ~~such-the~~ ski area is in conformity with the rules ~~and regulations~~ prescribed and adopted by the North Carolina Department of Labor pursuant to ~~G.S. 95-120(1) as such appear in the North Carolina Administrative Procedures Act. G.S. 95-120(1).~~ The North Carolina Department of Labor shall conduct certifications and inspections of passenger tramways.

A ski area operator's responsibility regarding passenger tramways ~~shall include, but is not limited to, insuring~~ includes:

- (1) Ensuring operating personnel are adequately trained and are adequate in ~~number; meeting~~ number.
 - (2) Meeting all standards set forth for terminals, stations, line structures, and line ~~equipment; meeting~~ equipment.
 - (3) Meeting all rules and regulations regarding the safe operation and maintenance of all passenger lifts and tramways, including all necessary inspections and record keeping.
- (b) A skier ~~shall have~~ has the following duties and responsibilities:
- (1) To know the range of the skier's abilities to negotiate any ski slope or trail and to ski within the limits of ~~such ability; their~~ ability.
 - (2) To maintain control of the skier's speed and course at all times when skiing and to maintain a proper lookout so as to be able to avoid other skiers and obvious hazards and inherent risks, including variations in terrain, snow, or ice conditions, bare spots and rocks, trees and other forms of forest growth or forest ~~debris; debris.~~
 - (3) To stay clear of snow grooming equipment, all vehicles, pole lines, lift towers, signs, snowmaking equipment, and any other equipment on the ski slopes and ~~trails; trails.~~

- (4) To heed all posted information and other warnings and to refrain from acting in a manner which may cause or contribute to the injury of the skier or ~~others; others.~~
- (5) To wear retention straps, ski brakes, or other devices to prevent runaway skis or ~~snowboards; snowboards.~~
- (6) Before beginning to ski from a stationary position or before entering a ski slope or trail from the side, to avoid moving skiers already on the ski slope or ~~trail; trail.~~
- (7) To not move uphill on any passenger tramway or use any ski slope or trail while ~~such the~~ person's ability to do so is impaired by the consumption of alcohol or by the use of any narcotic or other drug or while ~~such the~~ person is under the influence of alcohol or any narcotic or any ~~drug; drug.~~
- (8) ~~If involved in a collision with another skier or person, to not leave the vicinity of the collision before giving his name and current address to an employee of the ski area operator, a member of the ski patrol, or the other skier or person with whom the skier collided, except in those cases when medical treatment is required; in which case, said information shall be provided as soon as practical after the medical treatment has been obtained. If the other person involved in the collision is unknown, the skier shall leave the personal identification required by this subsection with the ski area operator;~~ To not leave the vicinity when the skier knows or should reasonably know that they were involved in a collision with another skier before giving his or her name and current address to an employee or agent of the ski area operator, a member of the ski patrol, or the other skier or person with whom the skier collided, except to seek medical treatment for anyone injured as a result of the collision or when remaining at the scene places the skier or others at significant risk of injury. If a skier does leave the vicinity for a reason permitted by this subdivision, the skier must provide the required information to an employee or agent of the ski area operator or a member of the ski patrol as soon as practical after leaving the vicinity. If the other skier involved in the collision is unknown, the skier shall leave the personal identification required by this subdivision with the ski area operator or their employee or agent or a member of the ski patrol.
- (9) ~~Not to~~ To not embark upon or disembark from a passenger tramway except at an area that is designated for ~~such purpose; that purpose.~~
- (10) ~~Not to~~ To not throw or expel any object from a passenger ~~tramway; tramway.~~
- (11) ~~Not to~~ To not perform any action that interferes with the operation or running of a passenger ~~tramway; tramway.~~
- (12) ~~Not to~~ To not use ~~such a~~ tramway unless the skier has the ability to use it with reasonable ~~safety; safety.~~
- (13) ~~Not to~~ To not engage willfully or negligently in any type of conduct that contributes to or causes injury to another person or ~~his properties; that person's properties.~~
- (14) ~~Not to~~ To not embark upon a passenger tramway without the authority of the ski area ~~operator; operator.~~
- (15) If using freestyle terrain, to know the range of the skier's abilities to negotiate the terrain and to avoid conditions and obstacles beyond the limits of ~~such the skier's ability~~ that a visible inspection should have revealed.
- (16) To not ski off or outside of the ski trail boundaries.

- (17) To load and unload properly from a tramway, and to use any passenger restraining devices on tramways in accordance with its intended purpose, posted instructions, and any verbal instructions from the ski area operator.
- (18) To not ski on a ski slope or ski trail that is posted as "closed" or outside of the operating hours of the ski area.
- (19) To stay clear of snow-grooming equipment, all vehicles, lift towers, signs, and any other equipment on ski slopes and ski trails.
- (20) To heed all posted information and other warnings, and to refrain from acting in a manner which may cause or contribute to the injury of the skier or others. Each skier is presumed to have seen and understood all information posted in accordance with this Chapter near base area lifts, on the passenger tramways, and on ski areas, ski slopes, and ski trails. Under decreased visibility, the skier has a duty to locate and ascertain the meaning of all signage.
- (21) To yield the right-of-way to the downhill skier when approaching or overtaking another skier.

(b1) A parent or guardian of a skier under 14 years of age who is participating in winter sports activities at the ski area has a duty to properly supervise the skier.

(c) A ski area operator ~~shall have~~ has the following duties and responsibilities:

- (1) To mark all trails and maintenance vehicles and to furnish ~~such those~~ vehicles with flashing or rotating lights that shall ~~be in operation~~ operate whenever the vehicles are working or moving in the ski ~~area; area.~~
- (2) To mark with a visible sign or other warning implement the location of any hydrant or similar equipment that is used in snowmaking operations and located anywhere in the ski ~~area; area,~~ unless the hydrant or similar equipment is in an open and obvious location.
- (3) To indicate the relative degree of difficulty of a slope or trail by appropriate signs. ~~Such signs~~ Signs are to be prominently displayed at the base of a slope where skiers embark on a passenger tramway serving the slope or trail, or at the top of a slope or trail. The signs must be of the type that have been approved by the National Ski Areas Association and are in current use by the ~~industry; industry.~~
- (4) To post (i) at or near the top of or entrance to, any designated slope or trail, (ii) at ticket kiosks, or (iii) online, signs giving reasonable notice of unusual conditions on the slope or ~~trail; trail.~~
- (5) To provide adequate ski ~~patrols; patrol.~~
- (6) To mark clearly any hidden rock, hidden stump, or any other hidden hazard known by the ski area operator to ~~exist; exist.~~
- (6a) To inspect the winter sports slopes, alpine and Nordic ski trails, and freestyle terrains that are open to the public at least twice daily and maintain a log recording: (i) the time of the inspection and the name of the inspector(s); and (ii) the general surface conditions, based on industry standards, for the entire ski area at the time of the ~~inspections; inspections.~~
- (6b) To post, in a conspicuous manner, the general surface conditions for the entire ski area twice ~~daily; and~~ daily.
- (7) ~~Not to~~ To not engage willfully or negligently in any type conduct that contributes to or causes injury to another person or ~~his~~ the person's properties.

"§ 99C-3. Violation constitutes negligence.

A violation of any duty or responsibility placed on the ~~skier, passenger or ski area operator~~ skier, passenger, or skier's parent or guardian as set forth in G.S. 99C-2, to the extent ~~such the~~ violation proximately causes injury to any person or damage to any property, shall constitute negligence on the part of the person violating the provisions of that section.

"§ 99C-4. Competition.

The ski area operator shall, prior to the beginning of a competition, allow each competitor a reasonable visual inspection of the course or area where the competition is to be held. The competitor shall be held to assume risk of all course conditions ~~including, but not limited to,~~ including weather and snow conditions, course construction or layout, and obstacles which a visual inspection should have revealed. No liability shall attach to a ski area operator for injury or death of any competitor proximately caused by ~~such an~~ assumed risk.

"§ 99C-5. Operation of passenger tramway.

The operation of a passenger tramway shall not constitute the operation of a common carrier.

"§ 99C-6. Assumption of risk.

Skiers are deemed to have knowledge of and to assume the inherent risks of skiing.

"§ 99C-7. Liability of ski area operator.

No ski area operator who has complied with G.S. 99C-2 shall be liable to any person who voluntarily participates in skiing for any damage or injury to property or persons that arises out of a person's participation in the activity that takes place in a ski area.

"§ 99C-8. Misuse of ski passes and season passes; unauthorized access to and use of ski area.

(a) Violation. – It shall be unlawful for any person to do any of the following acts:

- (1) Use a stolen, fictitious, or borrowed ski pass or season pass for the purpose of obtaining services of any kind from a ski area.
- (2) Ski at a ski area without a valid ski pass or season pass.
- (3) Provide a stolen or fictitious ski pass or season pass or to loan a ski pass or season pass to another person for the purpose of allowing another to obtain services of any kind from a ski area.
- (4) Provide a ski pass or season pass to another person who is not the lawful owner and authorized user of the season pass for the purpose of allowing another to obtain services of any kind from a ski area.
- (5) Access closed lifts, tramways, or ski trails.
- (6) Access lifts, tramways, or ski trails without a ski pass or season pass.

(b) Punishment. – A person who violates this section is guilty of a Class 1 misdemeanor.

"§ 99C-9. Hit and run ski collision.

(a) Violation. – It shall be unlawful for a skier to leave the vicinity when the skier knows or should reasonably know that they were involved in a collision with another skier before giving his or her name and current address to an employee or agent of the ski area operator, a member of the ski patrol, or the other skier or person with whom the skier collided, except to seek medical treatment for anyone injured as a result of the collision or when remaining at the scene places the skier or others at significant risk of injury. If a skier does leave the vicinity for a reason permitted by this subsection, the skier must provide the required information to an employee or agent of the ski area operator or a member of the ski patrol as soon as practical after leaving the vicinity. If the other skier involved in the collision is unknown, the skier shall leave the personal identification required by this subsection with the ski area operator or their employee or agent or a member of the ski patrol.

(b) Punishment. – A person who violates this section is guilty of a Class 1 misdemeanor.

"§ 99C-10. Civil action.

A ski area operator may bring a civil action against a person who misuses a ski pass or season pass or who accesses or uses a ski area without authorization from the ski area operator and shall be entitled to recover an amount equal to the regular cost of a full season pass to the ski area. Misuse of a ski pass or season pass and unauthorized access to and use of ski areas means any one or more of the following:

- (1) Using a stolen, fictitious, or borrowed ski pass or season pass for the purpose of obtaining services of any kind from a ski area.

- (2) Skiing at a ski area without a valid ski pass or season pass.
- (3) Providing a stolen or fictitious ski pass or season pass or loaning a ski pass or season pass to another person for the purpose of allowing another to obtain services of any kind from a ski area.
- (4) Providing a ski pass or season pass to another person who is not the lawful owner and authorized user of the ski pass or season pass for the purpose of allowing another to obtain services of any kind from a ski area.
- (5) Accessing closed lifts, tramways, or ski trails.
- (6) Accessing lifts, tramways, or ski trails without a ski pass or season pass.

"§ 99C-11. Limited immunity.

A ski area operator's agent or employee who detains or causes the arrest of any person shall not be held civilly liable for detention, malicious prosecution, false imprisonment, or false arrest of the person detained or arrested, if (i) within the premises of the ski area, (ii) in a reasonable manner for a reasonable length of time, and (iii) the agent or employee had probable cause to believe, at the time of the detention, that the person committed a violation under this section. If the person detained is a minor under 18 years of age, the agent or employee shall call or notify, or make a reasonable effort to call or notify, the parent or guardian of the minor during the period of detention. An agent or employee shall not be held civilly liable for failing to notify the parent or guardian of the minor.

"§ 99C-12. Medical bills as evidence.

Evidence offered to prove past medical expenses shall be limited to evidence of the amounts actually paid to satisfy the bills that have been satisfied, regardless of the source of payment, and evidence of the amounts actually necessary to satisfy the bills that have been incurred but not yet satisfied. This section does not impose upon any party an affirmative duty to seek a reduction in billed charges to which the party is not contractually entitled.

"§ 99C-13. Public policy of waivers.

It is the public policy of the State of North Carolina that waivers of liability executed in conjunction with winter sports are an express acknowledgement of the inherent risks set out in G.S. 99C-1(1b) enumerated in that document.

"§ 99C-14. Ski patrol and volunteers.

The provisions of G.S. 95-25.3 (minimum wage), 95-25.4 (overtime), 95-25.5 (youth employment), and 95-25.15(b) (record keeping) do not apply to a bona fide volunteer who volunteers at a ski area. For the purposes of this section, a "bona fide volunteer" is (i) a volunteer ski patroller, competition or special event volunteer, volunteer ski instructor, or volunteer mountain host or (ii) any other person performing volunteer services at a ski area, if the individual receives no compensation for the services other than meals, lodging, or the use of ski area facilities or any combination of meals, lodging, or use of ski area facilities."

SECTION 1.(b) G.S. 95-25.5, as amended by S.L. 2025-56, reads as rewritten:

"§ 95-25.5. Youth employment.

...

(o) Nothing in this section prohibits a qualified youth under 18 years of age from volunteering at a ski area as defined by G.S. 99C-14. As used in this subsection, the term "qualified youth under 18 years of age" means a bona fide volunteer who receives no compensation but who may be offered and may accept meals, lodging, or use of the ski area facilities or any combination thereof."

SECTION 2. This act becomes effective October 1, 2026, and applies to causes of action arising on or after that date and offenses committed on or after that date.

In the General Assembly read three times and ratified this the 1st day of July, 2026.

s/ Rachel Hunt
President of the Senate

s/ Destin Hall
Speaker of the House of Representatives

Josh Stein
Governor

Approved _____m. this _____ day of _____, 2026