

1 H.577

2 Introduced by Representatives Botzow of Pownal, Marcotte of Coventry, Carr
3 of Brandon, Cross of Winooski, Kitzmiller of Montpelier, and
4 Kupersmith of South Burlington

5 Referred to Committee on

6 Date:

7 Subject: Recreation and sports; ski tramways; penalties

8 Statement of purpose of bill as introduced: This bill proposes to increase the
9 penalties for ski tramway operators who operate a passenger tramway without
10 being registered by the Department of Labor.

11 An act relating to ski tramways

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 ~~Sec. 1. 31 V.S.A. § 712 is amended to read:~~

14 ~~§ 712. PENALTIES~~

15 ~~(a) Operating without registration. Any operator who operates a passenger~~
16 ~~tramway without being registered by the ~~department~~ Department shall be fined~~
17 ~~not more than ~~\$50.00~~ \$1,000.00 for each day of operation.~~

18 ~~(b) After suspension. Any person who operates a passenger tramway after~~
19 ~~being ordered to cease operations shall be fined not more than ~~\$100.00~~~~
20 ~~\$5,000.00 for each day of illegal operation.~~

1 ~~Sec. 2. EFFECTIVE DATE~~

2 ~~This act shall take effect on July 1, 2014.~~

Sec. 1. 31 V.S.A. § 707 is amended to read:

§ 707. REGISTRATION AND FEES

(a) A passenger tramway shall not be operated in this ~~state~~ State unless the operator thereof has been registered by the ~~department~~ Department. On or before the ~~1st~~ first day of November in each year, every operator of a passenger tramway shall apply to the ~~department~~ Department on forms prepared by it for registration hereunder. The application shall contain such information as the ~~department~~ Department may require and shall be accompanied by a registration fee, according to the formula stated in this section, unless an alternate payment plan is approved by the Commissioner pursuant to subsection (f) of this section. The ~~department~~ Department shall assess total registration fees in the sum of the amount approved in the appropriations process for the program for that fiscal year, adjusted by any balance in the ~~passenger tramway special fund~~ Passenger Tramway Special Fund from the prior fiscal year.

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(f) Fee-due-state payment plans. The Commissioner has discretion to authorize a tramway operator to enter a payment plan to pay some or all of the fee-due-state after November 1 upon a showing of financial need. The

authorization and terms of any payment plan shall be in writing and set a date or dates for payment, provided that the total amount of the fee-due-state shall be paid no later than January 15. Failure to pay on November 1 or pursuant to an authorized plan may subject the operator to the penalties established in section 712 of this title.

Sec. 2. 31 V.S.A. § 712 is amended to read:

§ 712. PENALTIES

(a) Operating without ~~registration~~ passing inspection. Any operator who operates a passenger tramway without ~~being registered~~ first passing the annual inspection by the ~~department~~ Department shall be fined not more than ~~\$50.00~~ \$1,000.00 for each day of operation.

(b) Operating without paying fee-due-state. Any operator who operates a passenger tramway without paying the fee-due-state as provided in section 707 of this title shall be fined not more than \$50.00 for each day of operation.

(c) After suspension. Any person who operates a passenger tramway after being ordered to cease operations shall be fined not more than ~~\$100.00~~ \$5,000.00 for each day of illegal operation.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2014.