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# ADAM JARCHOW

STATE REPRESENTATIVE • 28<sup>TH</sup> ASSEMBLY DISTRICT

**Testimony on AB 596/SB 463 – The Alpine Sports Act**

Assembly Committee on Tourism

Wednesday, January 13, 2016 – 1:01 p.m.

Room 328 NW

Throughout the State of Wisconsin, ski hills are looking for ways to increase revenue in the summer months, and in some cases, during mild springs and falls. One great way to be able to use a ski hill is for alpine mountain biking. In essence, this means riding a bike down the side of a ski hill. There are more and more brave people who are looking to engage in this activity and the ski hills would like to be able to offer this activity just like they offer skiing to their customers.

This bill would amend the current Winter Sports Statute to create an Alpine Sports Statute, which would mirror those Winter Sports Statutes. This would include terms and definitions in relation to alpine mountain biking and would create some operational requirements on ski hills who wish to offer this sport to their customers.

This means that we are providing the same kind of legal environment for biking just as we do for skiing.

I ask that you support this bill which would help ski hills safely offer alpine biking at their facilities without assuming any further risk. Shorter winters are hard on ski hills... this bill could mean keeping the doors open or possibly investing in their business.



# DUEY STROEBEL

STATE SENATOR • 20<sup>TH</sup> DISTRICT

## Assembly Bill 596

I would like to thank you, Representative Tranel, for holding a public hearing on Assembly Bill 596 and allowing me the opportunity to testify in favor of Assembly Bill 596. This bill will reduce much of the liability exposure for ski areas that charge for mountain biking at their facilities.

The increased popularity of mountain biking has seen ski areas across the globe open their doors to the sport in the summer months. In fact, some ski areas have offered mountain biking for well over a decade. With over 30 ski areas located throughout the state, Wisconsin has the third most ski areas of any state with an economic impact of over \$240 million. This bill will provide the opportunity for job growth, increased tourism and revenue in these areas.

Ski areas that currently offer mountain biking in the summer months face a greater responsibility than they do during the winter when skiing and snowboarding is offered. To reduce the burden of risk placed on the ski areas, Assembly Bill 596 will amend the current Winter Sports Statute to create the Alpine Sports Statute. The amended law will slightly modify the existing winter sports law to include mountain bike specific terms and definitions as well as some operational requirements.

Assembly Bill 596 essentially establishes an assumption of risk statute. This will place a greater burden of risk on the participant rather than the facility. Although the burden of risk will be shifted from the ski area to the participant, several safety requirements will be set forth for ski operators as well as requirements designed to inform participants of the dangers associated with biking. The necessary safety requirements include placing warning signs and information signs regarding the level of difficulty of ski trails as well as the recommendation to use a helmet.

These minor technical updates will ensure that Alpine sports will continue to have a positive impact on the state's economy throughout both the winter and summer. Thank you again Representative Tranel and all committee members for allowing me the opportunity to testify in favor of Assembly Bill 596.

Respectfully submitted,

John Soper

1/13/2016

Richard J. Schmitz  
Owner, Nordic Mountain  
Co-Owner, Little Switzerland

## Testimony for Proposed Change to AB 596

I would like to offer my support for the proposed change to AB 596, the Ski Safety Act, to include mountain biking activities. I am in my 11<sup>th</sup> season as owner of Nordic Mountain in Mt. Morris and 4<sup>th</sup> at Little Switzerland in Washington County. In that time, we have tried hard to find summer activities that can provide year round revenue for our business. From the many businesses we have tried from disc golf to cable wakeboarding, mountain biking has been the most successful and offers the most potential for future growth.

At Nordic Mountain, we have a great cross country bike trail system that we hold multiple races on each year. At Little Switzerland, we have been running a lift serviced downhill mountain bike park on limited days for the last two seasons to test the market. Our market testing in the last two seasons has proven that there is a large demand for bike parks in the Midwest. We only opened the bike park 6 days (once a month) last season. Each event grew over the previous and in our last events of the year we had over 200 people from all over the Midwest (Lower and Upper Michigan, Minnesota, Iowa, Illinois, and Indiana). The feedback we have received is that they want more days open and more options in coming years.

Lift serviced mountain biking is becoming increasingly popular at resorts across the country and is becoming a large tourist attraction and revenue generator for larger ski resorts in the East and the West. It is a new, and quickly growing sport. Most trends in our industry start on the coasts and work their way to the Midwest. By passing these revisions to AB 596, you can help to get Wisconsin ahead of the curve in helping to grow the sport.

Mountain biking, like any sport, comes with its inherent risks. In the same way the Ski Safety Act has put requirements on resort operators like myself to inform guests of the risks through signage, trail markings, maps, and other means, this bill sets similar guidelines and requirements for mountain biking. This will give this growing sport more uniformity and standardization across resorts and in turn make this growing sport safer for mountain bikers.

By passing the proposed changes to AB 596 to include biking, it would make our resorts more willing to offer and expand on our biking operations and encourage other resorts to invest in and grow mountain biking. We have the ability to make Wisconsin the go-to mountain biking state of Midwest, increase tourism from surrounding states, and in turn, increase revenues.