

STATEMENT OF SCOPE

Department of Commerce

Rule No. : Chapters Comm 5 and 33

Relating to : Passenger Ropeways, Tramways, Lifts, Tows and Conveyors

1. Description of the objective of the rule.

The objective of the rule is to update the Administrative Code chapter Comm 33, Passenger Ropeways, to reflect current national standards, and to evaluate administrative and enforcement aspects of the program which may include credentialing of inspectors.

2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Chapter Comm 33 establishes minimum technical standards for the design, construction, installation, operation, inspection and maintenance of aerial tramways, aerial lifts, surface lifts and rope tows. The code currently incorporates by reference the 1999 edition of the American National Standards Institute (ANSI) B77.1, Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements. The rule project will update the chapter and will evaluate adopting by reference the 2006 edition of the ANSI B77.1 standard.

The alternative of not revising the code would result in rules not being up-to-date with current national standards.

3. Statutory authority for the rule.

The statutory authority for the rule is contained in sections 101.02(15)(h) to (j), 101.17 and 101.19(1)(b), Stats.

4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates approximately 300 hours will be needed to perform the review and develop any needed rule changes. This time includes forming and meeting with an advisory council, drafting the rule changes and processing the changes through public hearings, legislative review, and adoption. The department will assign existing staff to perform the review and develop the rule changes, and no other resources will be needed.

5. Description of all entities that will be affected by the rule.

The rule will affect any entity, private or public, that owns and operates existing aerial tramways, aerial lifts, surface lifts and tows. The rule will also affect any entity which proposes to design and install a new aerial tramway, aerial lift, surface lift or tow.

6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.

An Internet-based search for "passenger ropeways", "aerial lifts", and "ski lifts" in the *Code of Federal Regulations* and the *Federal Register* did not identify any existing or proposed federal regulations that address these topics.

Approved for publication in the Wisconsin Administrative Register at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Mary P. Burke, Secretary

Approved for implementation at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Mary P. Burke, Secretary