



VIRTUAL/TELECONFERENCE
PASSENGER ROPEWAYS ADVISORY COUNCIL
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
March 19, 2024

The following agenda describes the issues that the Council plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Council.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-2)**
- B. Approval of Minutes of February 27, 2024 (3)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Introductions, Announcements and Recognition**
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Council Updates
 - 2) Advisory Council Members
 - a. Amacher, Andrew
 - b. Dederich, Lucas
 - c. Engel, Jim
 - d. Rudd, Grenville
 - e. Schmitz, Richard
 - f. Vohs, Matthew
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rules Matters – Discussion and Consideration (4-14)**
 - 1) Proposed code language for SPS 333 (5-12)
 - 2) APPEARANCE: Third-Party Inspections – Eric Morgan and Walt Read, Safehold, Inc.(13-14)
- H. Discussion and Consideration of Items Added After Preparation of Agenda**
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Alternates
 - 5) Delegation of Authorities
 - 6) Education and Examination Matters

- 7) Credentialing Matters
- 8) Legislative and Policy Matters
- 9) Administrative Rule Matters
- 10) Council Liaison Training and Appointment of Mentors
- 11) Informational Items
- 12) Division of Legal Services and Compliance (DLSC) Matters
- 13) Motions
- 14) Petitions
- 15) Appearances from Requests Received or Renewed

I. Public Comments

ADJOURNMENT

NEXT MEETING: APRIL 23, 2024

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
PASSENGER ROPEWAYS ADVISORY COUNCIL
MEETING MINUTES
FEBRUARY 27, 2024**

PRESENT: Andrew Amacher, Lucas Dederich, Jim Engel, Grenville Rudd, Richard Schmitz, Matthew Vohs

STAFF: Brad Wojciechowski, Executive Director; Joseph Ricker, Legal Counsel; Jacob Pelegrin, Administrative Rules Coordinator; Brenda Taylor, Board Services Supervisor; and other Department staff

Brad Wojciechowski, Executive Director, called the meeting to order at 9:06 a.m. A majority was confirmed with six (6) members present.

ADOPTION OF AGENDA

MOTION: Jim Engel moved, seconded by Rick Schmitz, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 23, 2024

MOTION: Rick Schmitz moved, seconded by Andrew Amacher, to adopt the Minutes of January 23, 2024, as published. Motion carried unanimously.

ADJOURNMENT

MOTION: Matthew Vohs moved, seconded by Lucas Dederich, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:16 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator		2) Date when request submitted: 3/7/24 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting													
3) Name of Board, Committee, Council, Sections: Passenger Ropeways Advisory Council															
4) Meeting Date: 3/19/24	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Proposed new code language per last meeting's discussion													
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A													
10) Describe the issue and action that should be addressed: Attachments: -Proposed new code language -Example of Colorado code - Major Modifications															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border-bottom: 1px solid black;">11) <i>Jake Pelegrin</i></td> <td style="width: 40%; border-bottom: 1px solid black; text-align: center;">Authorization</td> <td style="width: 30%; border-bottom: 1px solid black; text-align: right;">3/7/24</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td></td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td></td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> </table>				11) <i>Jake Pelegrin</i>	Authorization	3/7/24	Signature of person making this request		Date	Supervisor (if required)		Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date
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Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.															

1. Mechanical Malfunction Reporting – Proposed changes

SPS 333.15 (Title) is amended to read:

SPS 333.15 Accident or malfunction reporting.

SPS 333.15 (3) is created to read:

SPS 333.15 (3) “The owner of a passenger ropeway **aerial lift, aerial tramway, tower lift, etc.** that experiences an evacuation, deropement, or an unseated passenger which is not a direct result of loading or unloading the ropeway shall report the incident by phone **or email** as soon as reasonably possible but within no more than 24 hours.”

(No written report is required for this type of malfunction)

SPS 333.15 (2) (Note) is amended to read:

Note: Accidents are to be reported to the Department's Division of Industry Services, P.O. Box 7302, Madison, WI 53707-7302. Forms for reporting accidents may be obtained at the Division's Web site at <http://dsps.wi.gov/programs/industry-services> <https://dsps.wi.gov/Documents/Programs/SkiLifts/SBD211s.pdf>. The Division can be contacted by telephone at 608/266-3151 or 877/617-1565 or 411 (Telecommunications Relay) during normal business hours. The State Division of Emergency Management can be contacted at 800/943-0003 during non-business hours.

(Also, consider including an email address for submitting incident reports)

2. Major Modifications to a Lift System – Proposed Changes

See attached example from the Colorado code – they give a definition of a major modification and procedures to follow. 21.1.2 and 21.3, which are highlighted. The professional engineer in charge must verify that the design meets all rules.

Colorado Code:

21.3.5 Submittal of verification of design. Before construction of the major tramway modification is begun, the Professional Engineer in responsible charge of the design of the Tramway major modification shall verify to the Board on the appropriate forms that the design, plans and specifications for the major tramway modification conforms to all rules and

regulations of the Board and is compatible with the existing Tramway design. Copies of such designs, plans and specifications shall be submitted with this written verification.

Proposed change:

SPS 333.11 is amended to read:

SPS 333.11 Ropeway alterations. Complete information regarding an alteration which affects the design, structural strength or operation of a passenger ropeway or which replaces any piece of major equipment of a passenger ropeway shall be kept at the passenger ropeway site subject to the same department review requirements in SPS 333.10. The information shall be submitted to the department, shall be kept at the passenger ropeway site and shall be open to inspection by the department or a third party independent inspector.

Note: Examples of alterations include the ropeway modifications listed in ANSI B77.1 section 1.2.4.4.

3. Soil Investigation – Proposed Changes

SPS 333.10 (1) (c) 5. is amended to read:

SPS 333.10 (1) (c) Plans shall include all of the following applicable information:

SPS 333.10 (1) (c) 5. Details of tower construction mountings, foundations and supports, sheave assemblies and carriages. Foundation drawing shall include a description of the soil and allowable soil pressure based on investigation by the professional engineer/ Wisconsin registered engineer.

Example of the New Jersey language that was used as a template:

New Jersey

§ 5:12-3.8. Submittal of plans

(f) Plans required by (a) above shall include the following information:

...

2. "... The foundation drawing shall include a description of the soil and allowable soil pressure based on investigation by the professional engineer."

...

5. A signed and sealed letter or certification from a licensed professional engineer stating that the structure will adequately support the passenger tramway in the proposed location in all design loading conditions.

4. Applicable Design Requirements

Proposed language:

4.3.1.1 Applicable design requirements

The following design requirements shall be installed by the effective date listed:

F.3 Combustion engine protective devices (Nov 1, 2025).

Section 21 New installations and modifications

21.1 Definitions.

21.1.1 New installation. “New Installation” means any passenger tramway installation not previously licensed and shall include both new and relocated passenger tramways (also reference Rules 1.2.4.2 and 1.2.4.3).

21.1.2 Major tramway modification. “Major Tramway Modification” means any modification to a passenger tramway which alters its verified design or verified construction and which results in a substantive change:

- (a) In design speed of the system; or
- (b) In capacity by changing the number of carriers, spacing of carriers, or load capacity of carriers; or
- (c) In the path of the rope; or
- (d) In the type of brakes and/or backstops or components thereof; or
- (e) In structural arrangements; or
- (f) In power or type of prime mover or auxiliary engine; or
- (g) To control system logic.

Design and construction verifications are required. A major tramway modification may be deemed a new installation by the Board and current requirements shall be applicable (reference Rule 1.2.4.4).

21.1.3 Minor modification. “Minor Modification” means any modification, addition, or deletion to a passenger tramway which does not meet the criteria of a major modification but which results in a significant change in the tramway’s verified design or verified construction and materially affects its integrity, operation or control. A design verification is required, however, no construction verification is required. A minor modification may be considered a major modification at the discretion of the Board. If the authority appointed by the Board disagrees with the classification of the modification as “minor”, the matter may be referred to the Board for a final decision.

21.1.4 Minor alteration. “Minor Alteration” means any other addition or deletion to a passenger tramway which does not meet the criteria of a major or minor modification or one for one replacement, and which does not materially affect the tramway’s integrity, operation or control. No design or construction verification is required. A minor alteration may be considered a minor modification or a major modification at the discretion of the Board.

21.1.5 One for one replacement. “One for One Replacement” means the replacement of a component with an equal component. A one for one replacement shall be considered as normal maintenance and not as a modification. No design or construction verification is required.

21.2 Procedures prior to public operation for new and relocated Installations.

- 21.2.1 Submittal of notice of new or relocated installation.** Before construction of the new or relocated installation begins, the area operator shall give notice of such activity to the Board on the required forms and include the appropriate fee.
- 21.2.2 Acknowledgment of new or relocated installation.** Upon receipt of the notice, the Board shall send an acknowledgment of such to the area operator together with the appropriate forms and requirements to complete the procedure as set forth in these Rules and regulations.
- 21.2.3 Submittal of request for exception.** If the area operator proposes to depart from these Rules and regulations, a request for exception must be made in writing by the area operator as set forth in Rule 1.2.3.
- 21.2.4 Exception request procedure.** Within thirty days after receipt of the request for exception as provided for in 21.2.3, the Board shall notify the area operator in writing of its action on the requested exception. If the Board denies or limits the requested exception, the Board's notification shall set forth the reasons for such action. Within sixty (60) days of the mailing of such notification, the area operator may appeal the Board's decision as provided for in Article 4 of Title 24 of the Colorado Revised Statutes.
- 21.2.5 Submittal of verification of design.** Before construction of the new installation is begun, the Professional Engineer in responsible charge of the design shall verify to the Board on the appropriate forms that the passenger tramway design conforms to all rules and regulations of the Board. Copies of such designs, plans and specifications shall be submitted with this written verification.
- 21.2.6 Submittal of acceptance test request.** Acceptance tests will be scheduled by the Board on a first come, first served basis. At least thirty (30) days before a requested acceptance test, the area operator shall notify the Board of a projected date for the required acceptance test. Upon receipt of such notification the Board shall establish a tentative acceptance test date for such passenger tramway and shall notify the area operator of the same. If the projected date changes the area operator shall immediately notify the Board of same, and the Board shall reschedule the acceptance test. No later than three (3) days before the date of the acceptance test, the area operator shall notify the Board that the passenger tramway is completed and ready for testing. The area operator shall verify to the Board that the required hours of continuous operation have been accomplished in accordance with 2.1.1.11.2 or 3.1.1.11.2 or 4.1.1.11.2. Upon receipt of such timely notifications, the initial inspection and acceptance test shall proceed as scheduled.
- 21.2.7 Submittal of acceptance test procedure.** At least thirty (30) days before the scheduled acceptance test date, the area operator shall submit an acceptance test procedure which was prepared by the Professional Engineer in responsible charge of the design (see 2.1.1.11, 3.1.1.11, 4.1.1.11, 5.1.1.11, 6.1.1.11, 8.1.1.11, or 2.1.1.11 ANSI B77.2-2004) for approval by the Board or the authority appointed by the Board.
- 21.2.8 Submittal of verification of concrete construction.** After the new installation or relocation is completed and before the initial inspection is conducted, and before the acceptance test is observed, the Professional Engineer in responsible charge of the tramway construction shall verify to the Board on the appropriate form that the foundations, soils and concrete test samples have been inspected and completed according to the design, plans and specifications for such work. This document shall be required prior to the acceptance test.

21.2.9 Submittal of verification of acceptance test. For new or modified ropeways, a qualified engineer shall witness the acceptance test and certify to the owner that the ropeway was in compliance with the CPTSB Rules and Regulations based on the successful completion of acceptance inspection (X.1.1.11.2).

Any deficiencies to the acceptance test shall be included in the acceptance test report by the Board Inspector (21.2.12).

21.2.10 Submittal of as-built drawings and additional documents. Prior to or during the acceptance test, the "As-Built" designs, plans, specifications and drawings signed and sealed by the design engineer shall be submitted to the Board.

Within thirty days after the acceptance test, the authority appointed by the Board shall notify the area operator of any additional documents which must be submitted.

21.2.11 Inspection and acceptance test. All inspections and acceptance tests shall be according to these rules and regulations. Items failing to pass the acceptance test shall be retested if so directed by the Board.

21.2.12 Submittal of verification of initial inspection and acceptance test. The Board inspector shall report to the Board the results of the Acceptance Test in a deficiency report.

21.3 Procedures prior to public operation for tramways with major tramway modifications. In addition to the applicable requirements of Section 20 and Rule 1.2, the following procedure shall be completed prior to public operation of the passenger tramway.

21.3.1 Submittal of notice of modification. Before the major tramway modification commences, the area operator shall give notice of such activity to the Board on the required forms and include the appropriate fee.

21.3.2 Acknowledgment of major tramway modification. Upon receipt of the notice, the Board shall send an acknowledgment of such to the area operator together with the appropriate forms and requirements to complete the procedure as set forth in these rules and regulations.

21.3.3 Submittal of request for exception. If the area operator proposes to depart from these rules and regulations, a request for exception must be made in writing by the area operator as set forth in Rule 1.2.3.

21.3.4 Exception request procedure. Within thirty days after receipt of the request for exception as provided for in 21.3.3, the Board shall notify the area operator in writing of its action on the request. If the Board denies or limits the requested exception, the Board's notification shall set forth the reasons for such action. The area operator may appeal the Board's decision as provided for in Article 4 of Title 24 of the Colorado Revised Statutes.

21.3.5 Submittal of verification of design. Before construction of the major tramway modification is begun, the Professional Engineer in responsible charge of the design of the Tramway major modification shall verify to the Board on the appropriate forms that the design, plans and specifications for the major tramway modification conforms to all rules and regulations of the Board and is compatible with the existing Tramway design. Copies of such designs, plans and specifications shall be submitted with this written verification.

21.3.6 Submittal of acceptance test request. Acceptance tests will be scheduled by the Board on a first come, first served basis. At least thirty days before a requested acceptance test, the area operator shall notify the Board of a projected date for the acceptance test. Upon receipt of such notification, the Board shall establish a tentative acceptance test date for such passenger tramway and shall notify the area operator of the same. If the projected date changes, the area operator shall immediately notify the Board of same and the Board shall reschedule the acceptance test. No later than three days before the date of the acceptance test, the area operator shall notify the Board that the passenger tramway modification is completed and ready for testing.

21.3.7 Submittal of acceptance test procedure. At least thirty days before the scheduled acceptance test date, the area operator shall submit an acceptance test procedure which was prepared by the Professional Engineer in responsible charge of the design of the major tramway modification for approval by the Board or the authority appointed by the Board. The acceptance test procedure shall take into consideration the modification which was made to the passenger tramway and should be tailored to test the critical components of said modification.

21.3.8 Submittal of verification of concrete construction. After the major modification is completed and before the initial inspection is conducted, and before the acceptance test is observed, the Professional Engineer in responsible charge of the tramway construction shall verify to the Board on the appropriate form that the foundations, soils and concrete test samples have been inspected and completed according to the design, plans and specifications for such work. This document shall be required prior to the acceptance test.

21.3.9 Submittal of verification of acceptance test. For major modifications, a qualified engineer shall witness the acceptance test and certify to the owner that the ropeway was in compliance with the CPTSB Rules and Regulations based on the successful completion of acceptance inspection (X.1.1.11.2).

Any deficiencies to the acceptance test shall be included in the acceptance test report by the Board Inspector (21.3.12).

21.3.10 Submittal of as-built drawings and additional documents. Prior to or during the acceptance test, the "As-Built" designs, plans, specifications and drawings signed and sealed by the design engineer shall be submitted to the Board.

Within thirty days after the acceptance test, the authority appointed by the Board shall notify the area operator of any additional documents which must be submitted

21.3.11 Inspection and acceptance test. All inspections and acceptance tests shall be according to these rules and regulations. Items failing to pass the acceptance test shall be retested if so directed by the Board.

21.3.12 Submittal of verification of initial inspection and acceptance test. The Board inspector shall report to the Board the results of the Acceptance Test in a deficiency report.

21.4 Procedures for tramways with minor modifications.

21.4.1 Submittal of notice of modification. Before the minor modification commences, the area operator shall give notice of such activity to the Board on the required forms.

21.4.2 Acknowledgment of minor modification. Upon receipt of the notice, the Board shall send an acknowledgment of such to the area operator together with the appropriate forms and requirements to complete the procedure as set forth in these rules and regulations.

21.4.3 Documentation of minor modifications. The area operator shall keep a log documenting all minor modifications made to each of its passenger tramways. Such log shall be readily available for inspection by the Board or designated representatives of the Board and shall contain at a minimum the following information:

- (a) Tramway name or other means of identification;
- (b) Name of design engineer;
- (c) Verification of design engineer on form approved by the Board;
- (d) Date of modification;
- (e) Purpose of modification;
- (f) Description of modification;
- (g) Names of personnel performing such modification;
- (h) Date of modification review and acceptance by area operator or its authorized agent.

Each area operator's log of minor modifications shall be readily available to the Board's inspectors during every inspection.

21.5 Documentation of Minor Alterations. The area operator shall keep a log documenting all minor alterations made to each of its passenger tramways. Such log shall be readily available for inspection by the Board or designated representatives of the Board and shall contain at a minimum the following information:

- (a) Tramway name or other means of identification;
- (b) Date of alteration;
- (c) Purpose of alteration;
- (d) Description of alteration;
- (e) Names of personnel performing such alteration;
- (f) Date of alteration review and acceptance by area operator or its authorized agent.

Each area operator's log of minor alterations shall be readily available to the Board's inspectors during every inspection.

Department Order

This Department of Safety and Professional Services (Department) Order is issued as a result of an inspection conducted for the ski lift referenced on the front of this report. You are hereby ordered to have the listed violation(s) corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or statutes. These violations must be corrected by the compliance date noted, and upon correction of the violations, the inspector who signed this report must be notified in writing. If you fail to comply, this order is enforceable in circuit court pursuant to s. 101.02 (13), Stats., with forfeitures ranging from \$10 to \$100 per day for each violation. In addition, the Department may attach a notice of violation to the deed for the property on which the violations occur. If you have questions regarding this matter, please feel free to contact the inspector at the number provided on the front of this report.

Accident Reporting:

Whenever an aerial lift, surface lift, fiber rope tow or wire rope tow fails and causes injury to any person, the owner or user shall report in writing the facts involved to the Department within the following 24 hours. The owner or user may not remove or disturb the object or any of its parts nor permit any such removal or disturbance prior to receiving authorization from the Department, except for the purpose of saving human life or further property damage.

Note: The department may be contacted by phone: (608) 266-2112; option 4; 2; 7. Please save the completed form as a PDF file and submit to [DSPS Inspection Support](#).

To file an accident report with the Department use this linked form:

<https://dsps.wi.gov/Documents/Programs/SkiLifts/SBD211s.pdf>