



RISK MANAGEMENT FOR ABCSC MEMBER SNOWMOBILE CLUBS

The following sections are written to discuss specific risk management topics and to provide risk management guidelines for ABC Snowmobile Clubs.¹

Club's Insurance Needs

The role of the snowmobile club is to manage access to its tenure area without becoming a tour operator. The club does not require liability insurance to cover tour-guiding operations, but does need insurance for many activities including the following, as well as Executive roles:

- Constructing trails and backcountry warming huts and placing signage
- Grooming snowmobile trails from parking lots into the alpine using snowcats and grooming equipment
- Owning and caring for backcountry warming huts located in the backcountry (describe the huts and locations)
- Patrolling backcountry areas where staff equipped with communication equipment and first aid kit patrol these areas on snowmobiles. *(Snow Host Program)
- Collecting trail-use fees, [where applicable], and annual membership fees
- Constructing and/or managing parking lots/staging areas (describe location of lots)
- Soliciting corporate membership
- Conducting familiarization trips for marketing purposes for magazine writers and VIP's
- Marketing

- Directors and Officers

Snowmobile Club Exposures

Club operations bring a variety of legal exposures. For example, these would include, but not be limited, to the following:

- **Occupier's Liability.** As an exclusive tenure holder for their tenure area the club will be considered an "occupier" under the Occupiers Liability Act. The responsibilities under this act are broad and not well defined for organizations of the nature of snowmobile clubs.
- **Negligence of guiding operators in the tenure area.** While it is probable that guides and tour operators will be responsible for their own negligence. The club is likely to incur costs to defend actions against guides and tour operators if the club is named as a co-defendant.
- **Snow patrol.** The provision of a snow patrol is problematic and brings with it the expectation that it will be done appropriately. Given the size of the club's tenure, if it is relatively large, this may not be possible. A hosting program such as the one developed in ski areas to supplement the Ski Patrol would have fewer expectations from the user and could be done more appropriately with the limited resources of most clubs. **** (Snow Host Program)**
- **Trail Grooming.** Even if the actual trail grooming is carried out by contractors who own and operate the equipment, under a hire agreement with the club, or as a private contractor providing this service to a club receiving remuneration through the use of trail passes, it is likely that the club would be held responsible for inappropriate grooming, lack of signage, etc.

AON Policy

The Province of British Columbia, through the Ministry of Forests, provides clubs with Management Agreements with \$2 million of insurance coverage (per occurrence) through Aon Reed Stenhouse Inc. in a Commonwealth Insurance Company policy. This is a primary policy intended to cover the club for operations in their managed areas. This is a long-standing policy that has been in place for many years. It is expected that this policy will continue into the future, and any additional insurance coverage acquired by the club will be secondary to this policy. The policy should be expanded to include at least \$5 million and preferably \$10 million. It is likely that any additional insurance provider will want to review this policy before providing coverage.

The following excerpts and table are quoted from this policy:

Insured Operations

All operations related to the Recreation Site/Trail Management Agreement between the Named Insured (Club Name) and Her Majesty the Queen in Right of the Province of British Columbia as represented by the Ministry of Forests for the Province has agreed to provide insurance:

Comprehensive General Liability, including:

Non-Owned Automobile Liability
Use of Attached Machinery
Products and Completed Operations
Cross Liability Clause
Blanket Contractual
Loading and Unloading of Automobiles
World Wide Coverage
Personal Injury
Volunteers as Additional Insureds
Loss of Use without Property Damage
Employees as Additional Insureds
Unlicensed and Specially Licensed

A Basic Role of Risk Management

Risk Management must play a major role in club activities and events. We must manage in terms of consequences and likelihood. As part of this process we must insure the following items are addressed and/or implemented.

- Maintaining a proper Paper Trail throughout the planning and implementation process of events.
- Clearly defining the routes to be ridden and the provision of maps to those riders who will act as active ride coordinators, [Ride Leaders who are familiar with the route].
- Establishing points along the route where riders will re-group and a head count taken.
- Proper route signage/flagging.
- Development of a plan to extricate any injured party on the course of the ride, as well as the recovery of any snowmobile, which may break down. [Coordinate contact numbers with local club members en-route as well as the availability of Paramedic services and helicopter services]. Appointment of a ride Safety Coordinator.
- The development of a communication plan mapping out areas, which do not have Cell or Sat phone coverage.
- Establishing clearly defined rules to be adhered to while on the ride. [I.e.-No excessive speed, No alcohol on the ride, Maintain contact with the group-“maintaining the pace”, meeting at established points to re-group, etc.].

- Preparing a waiver for those non-members participating in the event.
- Insuring that there are sufficient Level I First Aid Kits on any organized rides involving reasonably large numbers of participants and that there are at least two, (2) individuals with a minimum Industrial First Aid, Level I, or equivalent.
- Establishing a registration form and acquiring a club volunteer to register all participants.

We must clearly define all of the risks, the likelihood of specific incidents and the consequences arising from any incidents. Autos (Whilst being operated off highways)

Signage, Trial Passes, and Waivers

Clubs presently implement a series of risk management actions that demonstrate a certain understanding and effort toward the topic. Warning language is employed on trail passes, contractual releases of liability are used, and warning signs have been developed. However, to be effective, all these items need to be professionalized and updated, as they may be inadequate in wording, content and design.

A club's risk management should be looked at as a comprehensive program rather than a series of unrelated actions. This program should be based upon already-established practices. The activities of selling daily and annual trail pass, conducting trail grooming, installing warning signage, and requiring signed liability waivers most closely mimic ski hill risk management. It is toward this existing standard that clubs should adhere. Consistent and up-to-date wording and accepted color schemes should be adopted for signage, tickets, and waivers. These should be developed and implemented across the entire tenure area and for all operations. Staff training should be implemented with regards to their use and placement.

Operational Procedures

Although a club's intent is not to operate as a commercial tour operator, they may have commercial operations using their areas and thus have a "sub-contracting" role as "tenure managers". The club is required to develop operating standards in the tenure area. These standards need to meet industry norms where they exist. There is a role to play for clubs to play in the development of standards, for example, in the case of snowmobile guiding where standards do not broadly exist. Clubs need to develop operational standards, and they should be written in the form of an "operations manual".

An operations manual for a club should include, but not be limited to, the following subject areas:

- Organizational structure and staffing

- How to acquire membership in the club
- Administrative policies and procedures
- Accessing the tenure areas as a commercial operator
- Commercial operating standards, qualifications, procedures and requirements
- Risk management policies and procedures
- Trail grooming standard operating procedures (SOPs)
- Warming huts SOPs
- Snow patrol SOPs
- Snow host SOPs
- Signage, ticket sales, and waivers SOPs
- Emergency response protocol
- Annual reporting
- Staff training

****ABCSC SNOWMOBILE HOST PROGRAM OUTLINE**

Snowmobile hosts are trained to provide guided safety and environment instruction to riders. Club members volunteer their time to act as snow hosts while they are out in their club's riding areas. They are trained to teach a formal Snowmobile Safety and responsible environmental use of the back country to children and adults as well as to teach safe and environmentally responsible riding in the field. Trained local club members can provide the direct, on the trail, contact and guided practice to snowmobile users to influence environmentally friendly and safe riding behaviors.

Snowmobile Hosts are trained to:

1. Identify unsafe riding practice
2. Identify mark and report unsafe snowmobile conditions
3. Recognize avalanche danger levels
4. Encourage safe riding habits
5. Teach safe riding habits in formal safety courses
6. Administer basic first aid
7. Initiate search and rescue when required
8. Monitor abuse of the environment
9. Inform riders of closed and restricted riding areas

10. Guide riders into areas that match their riding ability
11. Provide literature pertaining to safety and the environment
12. Build a positive image with snowmobilers and non snowmobilers
13. Be knowledgeable of commercial snowmobile use requirements
14. Be knowledgeable of other snowmobile use; snow boarding, ice fishing, hunting, trapping, etc.
16. Be knowledgeable of risk management initiatives in snowmobile areas,
17. Work cooperatively with partnering back country users.

NOTE:

The major differences between the Snowmobile Patrol Program and the Snowmobile Host Program are:

The removal of the enforcement of trail pass use and the observe and report function, and a de-emphasis on the first aid and SAR capabilities that are in the Snow Patrol Program

The addition of the responsible environment use and the hosting with a responsible guiding skills emphasis, an emphasis on guided practice being provided by all members of snowmobile club when they are out riding, and an emphasis on environmental stewardship being practiced and monitored.
