

This is a summary. Please see policy forms for coverages and exclusions.



National Ski Patrol Systems, Inc. Insurance Summary and FAQ

The purpose of this document is to provide an overview of the National Ski Patrol Systems Inc's (NSP) liability insurance program. This document has been created to inform patrols, ski areas and NSP sanctioned event organizers about the protection afforded through NSP's General Liability policy. NSP recommends ski areas share this information with their insurers to ensure there is a complete understanding of the coverage afforded by NSP's policy, as well as the coverage that it does not provide. Please review the entire document, including the potential claims scenarios at the end of the document, which provide real-world examples that illustrate how the coverage works.

This document provides an overview of the coverage as it is written today. Under no circumstances shall this document be used in determining coverage provided by NSP's insurance policies nor shall it create any obligation for NSP to defend or indemnify another party. It is strictly a summary designed to help explain NSP's current insurance program to patrols and ski areas based on requests to educate its members about NSP's insurance program.

General Liability Policy

- A general liability policy protects business organizations and their employees against certain liability claims for bodily injury (BI) and third-party property damage (PD) arising out of premises, operations, products, and completed operations; and advertising and personal injury (PI) liability.

Business Auto Policy (BAP)

- A commercial auto policy that includes auto liability and auto physical damage coverages; other coverages are available by endorsement.

Umbrella Liability Policy

- A policy designed to provide protection against catastrophic losses. It generally is written over various primary liability policies, such as the business auto policy (BAP) and commercial general liability (CGL) policy. The umbrella policy provides excess limits when the limits of underlying liability policies are exhausted by the payment of claims; as well it drops down and picks up where the underlying policy leaves off when the aggregate limit of the underlying policy in question is exhausted by the payment of claims.

When does General Liability Coverage Apply?

- During a sanctioned NSP educational course or sanctioned NSP event as defined by NSP.

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When does Coverage NOT Apply?

- This Coverage does not apply to losses arising from Occurrences in the normal scope and duty of patrol work conducted at the ski resort.
- Automobiles/Transportation - The general liability policy excludes coverage for losses arising out of the use of an automobile and therefore, all activities involving automobiles are not covered (including transportation of patrol members). It is recommended that local NSP patrols secure automobile liability coverage from a local insurance agent for any transportation exposures (if any).
- Directors and Officers Insurance – Directors and Officers Insurance is not included with this program but is available for divisional, regional, or local NSP boards. Please contact your NSP representative for quotes through the NSP insurance contact.
- Liquor Liability – NSP's policies do not provide coverage for liquor liability losses.

Please note all examples are hypotheticals. The coverage determination is by the carrier and will be based on the facts, the pleadings and a careful review of the policy language.

Hypothetical Claim Example 1:

During an NSP sanctioned OET refresher class an instructor is teaching an NSP Patroller how to guide a toboggan down the hill. Unfortunately, the party inside the toboggan was not strapped down correctly and rolls out of the sled and suffers an injury. A claim of negligence is made against NSP and the instructor by the injured party.

- As this is an NSP sanctioned OET Class, the NSP policy would respond to defend both NSP and the instructor, as the instructor was an NSP instructor participating in a sanctioned NSP event.

Hypothetical Claim Example 2:

NSP Patrollers at Rocky Bottom Resort are having their annual patrol refresher on-the-hill while looking for potential new patrollers. During a lift evacuation training conducted by the ski area, the belayer accidentally drops an individual from the chair who suffers injuries as a result. A claim of negligence is made against Rocky Bottom Resort, NSP, and the instructor.

- As this is not a sanctioned NSP Educational Event, coverage is **NOT** provided by NSP. Coverage may be provided by the Resort and/or its liability insurance for which the patrollers were acting on behalf. See NSP-NSAA JSOU as reference.

Hypothetical Claim Example 3:

NSP Patrollers at Rocky Bottom Resort are responding to an accident reported on the hill. While exiting the patrol shack and rushing to the scene a patroller hits another skier who suffers injuries as a result. A claim of negligence is made against Rocky Bottom Resort, NSP, and the patroller.

- As this is not a sanctioned NSP Educational Event, coverage is not provided by NSP. Coverage may come from the Resort and/or its liability insurance because the patrollers are acting under the direction of the ski area.

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Hypothetical Claim Example 4:

At Powderfall, NSP sets up a bar made of snow and ice to hand out snow cones. The bar begins to melt and a patroller's husband who is there visiting slips and suffers injuries as a result. A claim of negligence is made against the Resort (location of Powderfall) and NSP.

- As this is a sanctioned NSP Event it is possible coverage would be provided for NSP's claim. However, further review of the contract between the hosting site and NSP would be needed before coverage is determined.

Hypothetical Claim Example 5:

NSP Patrollers at Rocky Bottom Resort are having their annual fundraising ski swap at the county fair. A guest at the swap is looking at ski poles when he pokes another person in the face, causing injury to their eye. A claim of negligence is made against Rocky Bottom Resort and NSP.

- As this is not a sanctioned NSP Event, coverage is not provided by NSP. Coverage also may not come from the resort, or their liability carrier, if the patrol was not authorized to hold such an event. Coverage is afforded when acting within the scope and duty of your job.

Hypothetical Claim Example 6:

NSP Patrollers at Rocky Bottom Resort show up to the mountain to find their patrol building was a total loss due to an electrical fire the previous night. Due to the loss of ski patrol property, a property claim is made. The ski patrol property is owned by Rocky Bottom Resorts Patrol.

- There is no insurance provided for patrol buildings, the property of specific patrols, or individual patrollers under the NSP property policy. It is the duty of the individual patrols to insure their property. If patrol property (building and contents) is owned by the resort, property coverage would fall under the terms and conditions of the resort's insurance policies.

Hypothetical Claim Example 7:

NSP Patrollers at Rocky Bottom Resort respond to an injured skier on the mountain. A patroller treats the skier on the hill and transports them to the first aid room at the resort and arranges for them to be transported to a local hospital via ambulance. Later a claim of negligence is made against the individual patroller(s), Rocky Bottom Resort, and NSP alleging a failure to properly treat or transport the individual.

- As this is not a sanctioned NSP Educational Event, coverage is NOT provided by NSP. Coverage would most likely come from the Resort and/or its liability insurance for which the patrollers were acting on behalf of. Patrollers should check with their local resort's liability coverage.

Contact NSP Finance & Operations with questions or requests for certificates at finance@nsp.org or (303) 988-1111.