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# Lines: The CWA Newsletter

**Vol. 4, No. 3**

**June 10, 2008**

## Welcome

Dear Colleague,

It's been a while since our last newsletter, so this one is crammed full of content ... and about as long as a spool of gym rope.

We've been defending legislative attacks, launching the Climbing Wall Instructor Certification, and hosting the Climbing Wall Summit. A great year.

Thanks for Reading!

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## Topping Out at 2011 Climbing Wall Summit

This May, a record 310 climbing professionals gathered in Boulder, Colorado for the fifth annual Climbing Wall Summit. Duane Raleigh, chief editor of Rock and Ice, kicked it off recounting a win-at-all-costs race where completion yields innovation, growth and some creative--though not exactly certification worthy--equipment and techniques.

Spanning four days, three parties and 42 workshops, attendees enjoyed time to network, develop professional skills, and roll-up their sleeves to develop a strong and healthy industry. Some extended their trip to climb Boulder's world class crags.

Summit highlights included the debut of the Climbing Wall Instructor Certification program, an eye-opening Mock Trial where a climbing gym was sued by an injured climber, and happy hours for meeting 27 sponsors & exhibitors who are industry leaders.

*Mark Your Calendar. The 2012 Climbing Wall Summit is May 16-20th.*

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## **CWA Heads Off Amusement Legislation in Tennessee**

CWA has been working in the government affairs arena on your behalf throughout 2011. Thanks to a heads-up from Lance Brock at Climb Nashville, CWA was able to help protect climbing facilities from proposed legislation introduced in Tennessee. Tennessee House Bill 0039 (Montgomery) and Tennessee Senate Bill 0075 (Overbey) were introduced to address safety concerns related to climbing. The bills would have put commercial climbing gyms under the regulatory framework for amusements.

As introduced, the bills would have added climbing walls to the definitions of amusement devices subject to inspection and review by the elevator and amusement device safety board. The bill aimed to also remove exemptions for some previously exempt activities.

The proposed law would have established as an "amusement device" any mechanical or structural device that permitted a person to walk along, around or over a fixed or restricted route or course or within a defined area for the purpose of amusement, pleasure, thrills or excitement, including a climbing wall. This definition is vague to the extent that it could have been interpreted to include recreational climbing walls and gyms.

The State's fiscal summary indicated that the licensing and inspection effort would have increased State revenue by \$87,300 annually with a one-time expenditure of \$20,000 and \$46,300 in recurring expenses netting the State \$21,000 in the first year and \$41,000 in subsequent years. We have noticed that as states' tax revenues decline, agencies are finding creative ways to increase fee revenue.

CWA promptly registered as a lobbying organization, hired a lobbyist and successfully persuaded the bills' sponsors to withdraw support for the proposed legislation.

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## **Regulatory Assault Targets Colorado Climbing Gyms**

Late last summer the State of Colorado, Department of Labor and Employment, Division of Oil and Public Safety attempted to regulate recreational climbing facilities in Colorado. The facilities approached were commercial climbing gyms, including a prominent gym in Boulder. Initially targeting facilities with

auto belay devices, the Department of Labor eventually approached over 75 businesses regarding amusement licensure.

The CWA worked closely with affected members in a two-pronged effort to deflect this regulatory assault. The CWA directed its efforts to the Colorado Attorney General's Office while members directed their efforts to the Department of Labor. CWA secured a meeting with both agencies. We communicated our position that regulating a climbing gym or a climbing wall in a recreational or educational setting as an amusement ride or device is inappropriate for a number of reasons and probably illegal.

In several states, attempts to regulate recreational sports facilities as amusement rides have largely failed, thanks to the CWA and our active intervention. Administrative findings and trials in states such as New Jersey have established that the application of amusement licensing statutes to non-amusement settings is inappropriate at best and unlawful at worst (see H&S Development Corp. d/b/a New Jersey Rock Gym, v. The New Jersey Department of Community Affairs and Susan Bass Levin, Superior Court of New Jersey, Essex County: Law Division, Docket No.: ESX-L-0879-05, Decided December 7, 2006).

The Department of Labor initiated a rule-making process to better define the scope of amusement regulation in the state. CWA staff remained engaged to provide oral and written testimony throughout the process. Emergency regulations were issued in January, a final hearing was conducted in February, the rule-making process was concluded in March and revised regulations took effect in May.

CWA was successful in helping to narrow the definition of regulated climbing walls to:

"Regulated climbing walls include climbing walls located in amusement settings and fixed or portable climbing walls for use by the general public as amusement devices and not for sport or fitness training."

We successfully provided language exempting recreational climbing facilities as part of the regulation:

"Climbing walls used for sport and fitness training, typically located in educational facilities, schools, gymnasiums, sport and recreational facilities, or other facilities devoted to sport and recreational climbing, training and instruction."

Special thanks to board member Robert Angell for his expert assistance in this process. Thanks also to the Colorado members who participated by alerting us, coordinating intervention efforts, and supporting the CWA.

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## **New Member Insurance Program: Participant Accident Medical Insurance**

Climbing wall operators should be concerned not only with liability insurance, but also with the quality of the medical coverage of your patrons. Uninsured climbers may look to you if hurt in your facility regardless of their expertise, prior experience, or any agreement you might have in place with them.

You can protect yourself from the claims of uninsured patrons by purchasing Accident Medical Insurance to cover participant injuries. Accident medical insurance, unlike liability insurance, is payable without regard to fault and is intended to "make whole" the participant for out of pocket medical costs in the event of an accident. Liability insurance provides relief to the injured person only if you were somehow responsible for the incident.

*The participant accident medical insurance is available only to current members of the CWA as a member benefit through Stratus Insurance Services.* The primary insurer for the program is National Union Fire Insurance Company of Pittsburgh PA; a member of American International Group, an A.M. Best A rated company.

Insurance rates with the new carrier have been reduced by nearly half, making the coverage even more affordable for members. Contact Cameron Allen at Stratus for more information or to get an application form.

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## First Braking Devices Earn UIAA Safety Label

The UIAA Safety Commission adopted its first-ever safety standard for braking devices which will go into effect July 1st, 2011. The standard lays out performance parameters and testing procedures for four kinds of belaying and abseiling devices: manual, locking-assisted, abseiling devices and abseiling devices with a panic function. Manufacturers meeting the standard will be able to display the UIAA Safety Label on their braking devices.

The requirements set forth in the standard are based on the forces that can develop during fall arrest with the use of dynamic ropes. Requirements vary according to device classification, which includes manual devices (i.e. tube or plate devices), locking assist devices (Gri-Gri®) and devices with a panic function (Eddy®). All classifications require a strength test to demonstrate that neither the device nor the rope are compromised during braking, and both the locking assist and panic function devices must also be tested for rope slippage.

Petzl's GriGri2 and four pieces of equipment from Black Diamond have become the first braking devices to be certified by the UIAA and can now bear the UIAA Safety Label. The Black Diamond devices are: ATC, ATC-Guide, ATC-XP, ATC-Sport. Other belay/rappel devices are in the process of being tested for compliance with this standard.

Organizations that require the UIAA safety label for climbing equipment, can use the UIAA certified equipment web search function to determine which belay/rappel devices have valid safety labels.

## New CWA Board Members

Welcome five new members to the CWA Board: Carolyn Brodsky of Sterling Rope, Dan Hague of Rise Up Climbing, Chis O'Connell of Boston Rock Gym, Casey Newman an industry veteran, and Antoine Richard of Entre Prises USA. Each new member brings valuable expertise and perspective from a segment of CWA's membership.

After more than a decade of service, Rich Johnston hands the Board Chair position to Casey Newman. Rich remains on the board and continues contributing. Carolyn Brodsky accepts responsibilities of Vice President.

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## TRUBLUE 2 Auto Belay Released

TRUBLUE Auto Belays announces the launch of the TRUBLUE 2 Auto Belay to provide wall operators with options in webbing length and a slower descent than its original (see video comparison).

The TRUBLUE 2 is priced at \$2,195 and is expected to begin shipping at the end of June. It will be available in two webbing lengths: 41 ft (12.5 m) and 24.6 ft (7.5 m). The shorter webbing will further reduce the descent rate for users with shorter walls and is also available for the original TRUBLUE. Owners of the original TRUBLUE will be able to send in their units for an optional retrofit to a slower descent rate. Details of this retrofit are expected to be available in June.

Developed specifically for the climbing industry, the TRUBLUE unit uses self-regulating magnetic braking system to eliminate wear parts and to meet multiple international safety standards for fall safety devices. TRUBLUE Auto Belays is a subsidiary of Eldorado Climbing Walls, and offers more information at [www.climbtru.com](http://www.climbtru.com).

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## Perfect Descent Releases New Auto Belay

Perfect Descent Climbing Systems releases the Model 220 redundant modular auto belay device to culminate six years of R&D. The 220 is equipped with a mechanically activated secondary locking device that is always engaged, giving the unit a fully redundant braking system. Its features include: a lighter weight (32lbs.); corrosion resistant stainless steel & aluminum construction; field replaceable yellow safety lanyards with built-in wear indicators, available in 52 ft, 40 ft or 28 ft lengths; and a two-year factory re-certification interval requirement.

The 220 units will be priced \$1875. Perfect Descent Climbing Systems is a division of OTE Services, LLC. Find more information and replacement lanyards at [www.PerfectDescent.com](http://www.PerfectDescent.com).

## CAMP Recalls Carabiners and Quickdraws

This spring CAMP has voluntarily recalled Photon carabiners, and Photon and Mach Express quickdraws. No injuries have been reported, but the carabiner gate may open under a heavy load. CAMP reports updating its dies to remedy the flaw and is testing pre-production samples before reengaging production.

Contact CAMP at 1.877.421.CAMP or [climbing@camp-usa.com](mailto:climbing@camp-usa.com) to return your Photon carabiner based products for a full refund. Read the official Recall Notice.

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## Counterfeit Petzl Product

Petzl has discovered counterfeit versions of four products: Croll ascender (B16), Attache locking carabiner (M35SL), Ascension ascender (B17R), and the Rescue pulley (P50). Counterfeit products pose a significant safety risk because they do not meet Petzl, UIAA or CE standards. To determine if a product is counterfeit and for more information visit Petzl.

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## Stone Gardens Staffing New Location

This fall, Stone Gardens Climbing Gym is opening a new 20,000 square foot location in Bellevue, Washington. They are looking to hire an Assistant Manager, Route Setters, Front Desk Staff, Instructors, and additional staff.

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**About the Climbing Wall Association, Inc. (CWA).** The CWA is a 501(c)(06), non-profit, trade association incorporated in May of 2003 for manufacturers of climbing wall equipment, builders of climbing walls, operators of climbing walls, and others involved in the climbing industry.

The CWA is the only trade association addressing the needs and interests of the climbing wall industry and climbing wall operators. The mission of the Climbing Wall Association is to support the growth, health and independence of the climbing wall industry, and to promote the sport of climbing.