

6 **2019**
7
8 **REVISED OPERATING PROCEDURES**
9 **for the**
10 **ACCREDITED STANDARDS COMMITTEE (ASC) B77**
11 **AERIAL PASSENGER ROPEWAYS**

12 Approved May 20, 2019 by ASC B77
13 Reaccreditation Approved May 21, 2019 by ANSI ExSC
14

15 **TABLE OF CONTENTS**
16

<u>ARTICLE</u>	<u>PAGE(s)</u>
I. General	2
II. Secretariat.....	3
III. Standards Committee	4 - 6
IV. Officers of the Standards Committee.....	7 - 8
V. National Tramway Standards Board (NTSB) and the Administrator.....	9 - 10
VI. Special Committees	10 - 11
VII. Liaison Representatives.....	12
VIII. Meetings	12 - 13
IX. Communications	13 - 14
X. Requests for Interpretations.....	14 - 15
XI. Development of a New Standard or Revisions to an Existing Standard	16 - 19
XII. ANSI Patent Policy.....	20
XIII. Commercial Terms and Conditions.....	20
XIV. Right to Appeal	21

1 **ARTICLE I**

2 **GENERAL**

3
4
5 **A. SCOPE OF THE ASC B77 COMMITTEE'S WORK**

6
7 It is the responsibility of the ANSI (American National Standards Institute) ASC (Accredited Standards
8 Committee) B77 (hereinafter referred to as the Standards Committee) to develop a system of principles,
9 specifications, and performance objectives, which will reflect the current state of the art of passenger ropeway
10 design, operation and maintenance, and which will be acceptable for adoption by government agencies and
11 others. It is recognized that certain dangers and risks are inherent in the riding, operation, construction, and
12 maintenance of machines of this type. These objectives are intended to result in passenger ropeways that are
13 designed, constructed, operated, and maintained in a manner that minimizes danger and exposure to risk to its
14 passengers, operators, and maintenance personnel, and will encourage improvements in productivity, efficiency,
15 development and progress consistent with these objectives. Such a system with these stated objectives will
16 constitute a safety standard. (Section 1 - Scope, ANSI B77.1)

17
18 **B. PURPOSE**

19
20 It is the purpose of these procedures to establish an orderly method for the operation of the ASC B77. The
21 Standards Committee operates as an Accredited Standards Developer (ASD) and complies with the normative
22 policies and administrative procedures established by the ANSI Executive Standards Council or its designee.
23 No part of the ASC B77 Operating Procedure is intended to supersede the American National Standards
24 Institute (ANSI) Essential Requirements.

25
26 **C. PROFESSIONAL CONDUCT OF MEMBERS AND OBSERVERS**

27
28 It is understood that when a person accepts an appointment to the Standards Committee or a Special
29 Committee, the member's decisions regarding the committee work will be their own, made in a sincere,
30 professional manner, to the end that the standards and the committees' ruling thereon are impartial and rigorous
31 in their requirements for safety and engineering excellence.

32
33 Misrepresentation of qualifications, duties, experience or facts to the committee, or misrepresentation to others
34 regarding the Standards Committee actions or a person's involvement with the Standards Committee, shall be
35 considered a material breach of professional conduct. Such conduct impugns the integrity of the Standards
36 Committee and shall be grounds for expulsion and exclusion of the person involved from all ASC B77 related
37 activities.

38
39 It is further understood that members serving on committees in no way commit or bind their employer or
40 sponsoring organization to conform with an American National Standard when they express their personal views
41 in committee work or in balloting.
42

1 D. REVISIONS OF THESE PROCEDURES

2
3 These procedures are subject to revision by vote of the ASC B77 Voting Members. Revision of these
4 procedures requires a formal recorded vote with approval of more than 50% affirmative vote cast by voting
5 members with more than 2/3 of the voting members returning ballots.
6

7 E. DEFINITIONS

8
9 **ANSI Essential Requirements:** The current edition of the ANSI (American National Standards Institute)
10 Essential Requirements: Due Process requirements for American National Standards.
11

12 **ASC B77:** The (American National Standards Institute) ANSI (Accredited Standards Committee) ASC B77,
13 also referred to as the "Standards Committee".
14

15 **ASC B77 Member:** Any member type listed under Article III.A.
16

17 **ASC B77 Voting Member:** Member type listed under Article III.A.1. This membership type is designated as
18 the "Consensus Body".
19

20 **Consensus Body:** Approves the content of a standard and whose vote demonstrates evidence of consensus
21

22 **National Tramway Standards Board (NTSB):** The executive board of the ASC B77 comprised of ten or
23 eleven members. Three or four are appointed and seven elected from the ASC B77 Voting Membership.
24

25 **ARTICLE II**

26 **SECRETARIAT**

27
28
29 The National Ski Areas Association (NSAA) has been designated by ANSI as the Administrative Secretariat of
30 the ASC B77 activity. The Administrative Secretariat, hereinafter referred to as the Secretariat, shall fulfill the
31 responsibilities described in the ANSI Essential Requirements and the additional items specified here in these
32 ASC B77 Operating Procedures. The National Ski Areas Association (NSAA) shall fulfill its responsibilities
33 through the actions of and decisions of the Chair or such individual(s) as they may designate.
34

35 The National Ski Area Association (NSAA) can be contacted at the following address:
36

37 National Ski Areas Association
38 133 So. Van Gordon Street
39 Suite 300
40 Lakewood, Colorado 80228
41 (303) 987-1111 FAX (303) 986-2345
42 info@nsaa.org
43
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ARTICLE III

STANDARDS COMMITTEE

The ASC B77 is a technically competent administrative and reviewing body. The administrative function is delegated to the National Tramway Standards Board (NTSB) and the B77 Administrator, however, the final review of documents and administrative decisions and policy functions are the responsibilities of the Consensus Body.

A. MEMBERSHIP

The Standards Committee is composed of representatives of groups and organizations having a direct and material interest in such equipment covered under the Scope of the Committee (Article I, Paragraph A), plus additional individual members. Organizations, which designate representatives on the Standards Committee are, therefore, participants in the work of the Standards Committee and in the documents developed by it. The member types and qualifications are described as follows:

1. VOTING MEMBER

The NTSB may grant an organization representation on the Consensus Body. An organization may also be granted representation by several individuals in different fields of expertise. The organization shall designate an individual(s) as its Voting Member(s). The designated representative(s) shall provide the NTSB with their qualifications. The NTSB will review the qualifications and make its recommendations to the Secretariat and the Standards Committee.

Individuals possessing expert knowledge in the field of the Standards Committee's work who are recommended to the Standards Committee by the Secretariat or the NTSB as ASC B77 Voting Members shall be approved by an affirmative vote of more than 50% of the voting members.

All directly and materially affected interests shall have the opportunity for fair and equitable participation without dominance by any single interest category, individual, or organization. No interest category may constitute more than one-third of the membership. The interest categories appropriate to the development of consensus are:

Manufacturers – companies/individuals producing ropeway systems or components thereof;

Operators – purchasers or owners of ropeway systems;

Employees – persons directly in charge of or performing operations and maintenance functions of ropeway systems;

Government – authority having jurisdiction (AHJ) as defined by the B77 Standard and representing the public and users of the equipment;

Independent Specialists – persons whose occupation is providing professional services to manufactures, owners, operators, or authorities having jurisdiction,

Insurance – persons representing insurance companies;

Allied – persons representing allied industry organizations and groups.

1 2. ALTERNATE MEMBER

2
3 Any ASC B77 Voting Member may designate an alternate to represent them for committee functions. The
4 ASC B77 Voting Member shall submit in writing to the Administrator, the name and contact information for
5 the Alternate Member. The communication shall also indicate whether the Alternate Member may vote on
6 all matters that may come before the Standards Committee or only on specified matters.
7

8
9 3. OBSERVER MEMBER

10
11 Individuals having an interest in the committee's work may request listing as an Observer Member. The
12 Standards Committee may also select individual experts to assist it. Observers shall serve for a
13 renewable term of one administrative year and shall be subject to initial approval by an affirmative vote of
14 more than 50% of the ASC B77 Voting Members upon recommendation by the Secretariat or the NTSB.
15

16 Observers shall be advised of the committee's activities, may attend meetings, and shall have comment
17 voting privileges. They do not need to meet the requirements outlined in Article III-C to maintain
18 membership. Observer Members are not considered in the calculation of dominance, size, balance, or
19 calculation of voting percentages for the Consensus Body.
20

21
22 4. HONORARY MEMBERS

23
24 Honorary Members shall be selected from those ASC B77 Committee Members who have rendered long
25 and distinguished service to the committee. A unanimous affirmative vote of the NTSB and an affirmative
26 vote by more than a 2/3 of the ASC B77 Voting Members shall elect them to Honorary Membership.
27

28 Honorary Members shall be advised of the committee's activities, may attend meetings, and shall have
29 comment voting privileges. They do not need to meet the requirements outlined in Article III-C to maintain
30 membership. Honorary Members are not considered in the calculation of dominance, size, balance, or
31 calculation of voting percentages for the Consensus Body.
32

33 5. COMMITTEE SIZE

34
35 The total number of Voting Members and Observer Members shall be limited to maintain the efficient and
36 responsive workings of the committee. The following targets should be used when making adjustments to
37 the committee's size:
38

39	TOTAL VOTING MEMBERS	50-55
40	TOTAL OBSERVERS	20-25

41
42 B. APPLICATION

43
44 A request for membership shall be addressed to the Secretariat or Committee Administrator. The request shall
45 indicate the applicant's direct and material interest in the committee's work and qualifications and willingness to
46 participate actively, and, if the applicant is an organization, company, or government agency, shall identify a
47 representative.
48

1 C. MEMBERSHIP - REQUIREMENTS AND REVIEW

2
3 Active participation in the work of the Standards Committee is a fundamental requirement of membership.
4 Attendance at committee and subcommittee meetings is an important form of participation. Periodic participation
5 in the formation of proposed changes, as a member of a subcommittee is an essential form of participation.
6

7 A Voting Member is delinquent if they fail to attend at least one annual meeting or subcommittee meeting every
8 two years. When a Voting Member has missed two consecutive committee functions (Ballots or Annual
9 Meetings) without explanation, the Administrator shall request that the member explain the reason for this
10 absence. Failure to respond to the Administrators request is cause for the voting member to be declared
11 delinquent.
12

13 Absence from, or failure to respond to, any combinations of three consecutive meetings and/or ballots or failure
14 to fulfill other responsibilities are grounds for removal from the ASC B77 Committee and the Voting Member shall
15 be declared delinquent and voting privileges suspended.
16

17 When a member is declared delinquent, the administrator shall notify in writing the member and their sponsoring
18 organization, if any. The NTSB shall review with the member the reason for their delinquency, considering any
19 mitigating circumstances and the member's overall record of participation in committee and subcommittee
20 activities. Following this review, the NTSB shall recommend to the standards committee reaffirmation of Voting
21 Membership, or the dismissal of the member from the Standards Committee. The recommendations of the
22 NTSB shall be subject to approval by an affirmative vote of more than 50% of the ASC B77 Voting Members.
23 Unless the delinquent member chooses voluntarily to resign from the committee, their voting privileges will
24 remain suspended until committee action is completed at the next committee meeting or letter ballot.
25

26 In making additions or deletions to the membership, the history of active participation by the Voting Member or
27 Observer shall be the primary consideration after all other requirements of this section have been met.
28

29 D. CHANGE OF EMPLOYMENT

30 Voting Members and Observer Members shall promptly declare to the Administrator in writing, a change of
31 employment. The NTSB shall review the reported change of employment in consideration of committee
32 membership, organizational representation, Interest Category, and committee balance.
33
34

35 E. VOTING

36 The Standards Committee functions by voice vote, and letter ballot (written and electronic).
37
38

39 Voting period lengths for Action Ballots on operation items, membership, interpretations, and revisions to these
40 procedures shall be 30 days. Voting Members or their Alternates shall be the only member types receiving
41 Action Ballots.
42

43 Pre-Ballot of standards documents, and Recirculation of comments and objections for a standard documents
44 shall be 30 days
45

46 Voting period lengths on ballots for a standard document approval shall be 45 days.
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ARTICLE IV

OFFICERS OF THE STANDARDS COMMITTEE

The Standards Committee officers shall be a Chair, a Vice-Chair, and an Administrator. The officers of the Standards Committee shall be officers of the National Tramway Standards Board (NTSB).

A. SELECTION OF CHAIR, VICE-CHAIR, AND ADMINISTRATOR

The Chair, Vice-Chair, and Administrator shall be selected from the ASC B77 membership.

The Chair, Vice-Chair, and Administrator shall be appointed by the Secretariat. Those appointed shall take office at the first Standards Committee or National Tramway Standards Board meeting following approval by an affirmative vote of more than 50% of the ASC B77 Voting Members.

B. TERM OF OFFICE

The Chair, Vice-Chair, and Administrator shall serve until a successor is selected and ready to serve.

C. DUTIES

The following are the duties of the officers, in addition to those set forth in these procedures:

1. CHAIR

The Chair shall be the executive officer, preside at meetings, and perform those duties normally associated with this office.

2. VICE-CHAIR

A Vice-Chair shall, in the absence or incapacity of the Chair, fulfill the duties of that office and other tasks assigned by the Chair.

3. ADMINISTRATOR

a. MANAGEMENT DUTIES AND RESPONSIBILITIES

The Administrator's responsibilities shall include the performance of services and duties assigned by the Chair and the Secretariat. These duties may include the management of proposed changes and proposals for revising a B77 Standard, proposing responses to interpretation requests, and overseeing all aspects of the Standards Committee operations.

1 In the absence of the Chair and Vice-Chair at a meeting, the Administrator shall take the chair for
2 nomination and election of a chair pro-tem who shall preside at the meeting.
3

4 The Administrator shall send the following material to each Standards Committee Member upon
5 appointment:
6

- 7 i. A written or electronic communication confirming the member's appointment and a statement
8 outlining their voting obligations.
9
- 10 ii. ASC B77 Operating Procedures.
- 11
- 12 iii. Roster of Standards Committee members.
13

14 The Administrator shall make available to each ASC B77 Member a current roster including the
15 membership type and Interest Category of the ASC B77 Membership.
16

17 b. OPERATIONS DUTIES

- 18
- 19 i. Receive, coordinate, and disseminate all correspondence, proposed changes, inquiries for
20 interpretation, and other material on behalf of the NTSB.
21
- 22 ii. Coordinate, direct, set agendas, and keep minutes of all NTSB meetings and Standards
23 Committee meetings.
24
- 25 iii. Assist the Chair in conducting balloting and resolving negative votes and other
26 responsibilities prescribed by ANSI Essential Requirements.
27
- 28 iv. Maintain liaison with other groups in related fields.
29
- 30 v. Perform duties assigned by the NTSB or the Secretariat.
31
- 32 vi. Maintain the official records and files of the NTSB and the Standards Committee as required
33 in the *ANSI Essential Requirements*.
34
- 35 vii. Communicate regularly with the Standards Committee, the public, the industry, and the
36 Secretariat on Standards Committee activities.
37
- 38 viii. The Administrator shall review the membership of the Consensus Body for balance and
39 report annually to the NTSB, and the secretariat.
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ARTICLE V

NATIONAL TRAMWAY STANDARDS BOARD AND THE ADMINISTRATOR

The management of the Standards Committee shall be delegated to the National Tramway Standards Board (hereinafter referred to as the NTSB) which shall develop the policy and conduct of the Standards Committee subject to review and approval by the Consensus Body. The officers of the NTSB shall also be the officers of the Standards Committee.

A. MEMBERSHIP OF THE NATIONAL TRAMWAY STANDARDS BOARD

1. The NTSB shall consist of ten or eleven members. Seven members are elected by and from the Consensus Body and three officers are appointed by the Secretariat.

The Secretariat, at its discretion, may appoint a representative from the Standards Committee to serve as an eleventh member of the NTSB. The nominated member must be confirmed by an affirmative vote of more than 50% of the ASC B77 Voting Members. The term of this eleventh member shall expire at the end of the next NTSB election process.

The elected members shall serve three-year terms that may be staggered. It is recommended that elected members step down after serving two consecutive terms. No more than two of the seven elected NTSB members may come from any one-interest category as defined in Article III-A.

2. The Chair shall appoint a nominating committee. The nominating committee shall submit a list of candidates for election as NTSB members, at least 45 days before the election. The NTSB shall review the list of candidates. The Administrator shall submit a list of such candidates to the Standards Committee members not later than 30 days prior to the time of the election. Any independent nomination may be made upon the written motion of 20 members of the ASC B77 Voting Members and shall be submitted to the Administrator not later than 20 days before the election, and the Administrator shall notify the membership of such nomination at least 15 days prior to the election. Voting Members are allowed one vote for each open position. Votes cannot be combined for a nominee. The nominees receiving the most votes fill open positions.
3. Fifty percent of the members of the NTSB shall constitute a quorum. Each member of the NTSB shall have one vote.
4. Absence by a member at two consecutive meetings, failure to attend at least fifty percent of the NTSB meetings in any administrative year, or failure to fulfill other B77 Committee and NTSB responsibilities are grounds for removal from the NTSB and the member shall be declared delinquent.

When a member has been absent from two consecutive NTSB meetings without explanation, the Administrator shall request that the member explain the reason for this absence. When a member is delinquent, the Administrator shall notify in writing the member and their sponsoring organization. The officers shall review with the delinquent member the reasons, and recommend to the Consensus Body reaffirmation to or discharge from the NTSB within sixty days.

1 5. Chairmen of any special committees who are not members of the NTSB shall be encouraged to attend
2 NTSB meetings held regarding their special committee work.
3

4 6. The NTSB may make such rules and regulations covering its meetings as it may in its discretion
5 determine necessary. For the purpose of the conduct of any meetings hereunder, Roberts Rules of Order
6 should apply, except where these operating procedures direct otherwise.
7

8 In any instance wherein these operating procedures do not proscribe protocols that are covered in the
9 ANSI Essential Requirements: Due Process Requirements for American National Standards, the ANSI
10 Essential Requirements shall apply.
11

12 7. Vacancies in the NTSB shall be filled by a vote of the majority of the remaining members of the NTSB for
13 the balance of the term. If any NTSB member's interest category changes during a term, they may
14 complete their current term at the discretion of the other NTSB members.
15

16 B. RESPONSIBILITIES OF THE NATIONAL TRAMWAY STANDARDS BOARD
17

18 1. Review, develop, and recommend policies for affirmation by the Consensus Body.
19

20 2. Create, review, define, and coordinate the activities of special committees.
21

22 3. Develop, review, and recommend proposed responses to interpretations for Standards Committee
23 affirmation (Article XI).
24

25 4. Coordinate and oversee standards development on behalf of the Standards Committee.
26

27 **ARTICLE VI**

28 **SPECIAL COMMITTEES**
29

30
31 Special Committees, also known as Subcommittees, shall consist of Technical Committees and Ad Hoc Committees.
32 Special Committees shall be established or discharged by the Chair of the NTSB with the consent of the NTSB.
33

34 A. TECHNICAL COMMITTEES
35

36 Technical Committees are permanent standing subcommittees for ropeway types and topics. Technical
37 Committees shall be responsible for technical tasks assigned to them by the NTSB.
38
39

- 1 B. AD HOC COMMITTEES
2
3 An Ad Hoc Committee is a temporary subcommittee responsible for making special studies and/or developing
4 proposed changes to a standard's requirements on an assigned topic.
5
- 6 C. CHAIR OF SPECIAL COMMITTEES
7
8 The Chair of Special Committees shall be selected from the Standards Committee and appointed by the Chair of
9 the Standards Committee with the advice and consent of the NTSB. The Special Committee Chair is
10 responsible for the operations of that subcommittee.
11
12 Where the Special Committee Chair fails to fulfill their duties, the Standards Committee Chair following
13 discussion with the Special Committee Chair and the other officers, shall recommend to the NTSB appropriate
14 action. Discharge of a Special Committee Chair shall be by a majority vote of the NTSB membership.
15
- 16 D. SPECIAL COMMITTEE MEMBERSHIP
17
18 The members of Special Committees shall be chosen by the Special Committee Chair in consultation with the
19 Committee Chair and Administrator. The Special Committee shall include the widest possible cross-section of
20 interested and qualified parties. It shall restrict its size to maintain workability and balance.
21
22 It shall be the responsibility of the Special Committee Chair to review continually the performance of the
23 members of that committee. Membership on a Special Committee carries with it the responsibility of active
24 participation and regular attendance at meetings. Allowance should be made for corresponding members who
25 cannot attend meetings but wish to contribute.
26
27 Each Special Committee Chair shall advise the Administrator of all personnel changes as they may occur.
28
- 29 E. INDIVIDUAL QUALIFICATIONS OF MEMBERS OF SPECIAL COMMITTEES
30
31 The individual qualifications of proposed new members of Special Committees must be carefully considered,
32 since individual qualifications are the primary, though not the sole criterion for acceptance. Membership on all
33 Special Committees is on an individual basis and not on the basis of organizational representation.
34
- 35 F. SPECIAL COMMITTEE VOTING
36
37 The Chair of each Special Committee is responsible for the operation of that Subcommittee, and for reporting to
38 the NTSB and the Administrator actions that represent the conclusions of that Committee. Proposed
39 interpretation replies and technical revisions shall be accompanied by a tabulation of the Special Committee's
40 vote for and against each proposal.
41

1 **ARTICLE VII**

2
3 **LIAISON REPRESENTATIVES**

4
5 Liaison representatives maintain liaison with outside organizations, which promulgate standards and specifications of
6 interest to members of the Standards Committee. The Standards Committee Chair may, as required, appoint special
7 liaison representatives. Liaisons are appointed by the Chair as necessary and will be discharged when their tasks are
8 completed.

9
10 **ARTICLE VIII**

11 **MEETINGS**

12
13
14 The following shall be the minimum schedule of meetings per year for the various committees:

15	Standards Committee	1
16	NTSB	2

17
18
19 **A. CALLS FOR MEETINGS**

20
21 The administrative year shall begin July 1. A schedule of meetings, excluding Special Committee meetings, for
22 each administrative year shall be issued by the Administrator at the beginning of that year. Notices of changes
23 in that schedule, agendas, and background material should be available not less than 14 days prior to the
24 meeting.

25
26 The Chair of a Special Committee shall notify all members of that Committee, the Administrator, and the
27 Standards Committee Chair ten days in advance of all meetings. The meeting notice shall include an agenda
28 and all pertinent background material for items that are to be discussed.

29
30 **B. OPEN MEETINGS**

31
32 Guests who wish to present and discuss any matter germane to the work of the committee shall be accorded an
33 opportunity to do so by the Chair of the committee. Special Committee, Standards Committee, and NTSB
34 meetings may be closed at the discretion of the Chair for purposes of discussion. When a vote is taken, the
35 meeting shall be open.

36
37 **C. QUORUMS FOR STANDARDS COMMITTEE AND SPECIAL COMMITTEE MEETINGS**

38
39 A quorum shall consist of more than 50% of the eligible Voting Members. All meetings called shall commence
40 and continue at the discretion of the Chair regardless of the attendance at that meeting. Actions taken at a
41 meeting where a quorum is not present are not official until approved by more than 50% of the Voting Members,
42 by letter ballot, or at a subsequent meeting.

1 D. MINUTES OF MEETINGS
2

3 Draft minutes shall include the name of all members present and guests. Members represented by alternates
4 would not be considered absent. Draft minutes shall be made available 60 days after the meetings occurred.
5 The minutes are to report what occurred at the meeting, and are to be approved with corrections, if necessary, at
6 the next meeting at which a quorum exists. Minutes will be marked as approved and remain available for 90
7 days after approval.
8

9 The Administrator shall maintain a file of minutes of the Standards, NTSB and all Special Committees. They
10 shall be available for inspection upon written request, subject to the policies of the NTSB and ANSI.
11

12 1. STANDARDS COMMITTEE AND NTSB MINUTES
13

14 Minutes of for the Standards Committee and the NTSB shall follow the above procedures.
15

16 2. SPECIAL COMMITTEE MINUTES
17

18 Minutes shall be kept of the proceedings of all meetings and shall be sent to the Administrator. The
19 Administrator shall make available copies of the Special Committee minutes with the appropriate
20 attachments.
21

22 **ARTICLE IX**
23

24 **COMMUNICATIONS**
25

26 Written committee correspondence, notifications, letter ballots, and the term "in writing" includes written documents and
27 electronic communications.
28

29 A. INFORMAL
30

31 All Standards Committee members may communicate informally as they see fit. However, when the subject of
32 the communication within the committee involves action by a group other than that with which the author of the
33 communication is a member, copies shall be distributed as outlined in Article IX, Paragraph B, to provide for
34 proper coordination of the committee's work.
35

36 B. FORMAL
37

38 1. INTERNAL
39

40 A copy of all correspondence pertaining to a subject that goes beyond the informal activities of a
41 committee, including all correspondence of the Special Committee Chair, should be sent to the
42 Administrator.
43

44 2. EXTERNAL
45

46 Official external correspondence of the Standards Committee or a Special Committee is required to go out
47 over the signature of the Chair or Administrator of the ASC B77 Committee.
48

1 C. INCOMING

2
3 Incoming communication shall be addressed to the Administrator who, upon its receipt, will develop a reply and
4 copy the appropriate committee members.
5

6 D. CONFIRMATION OF INTERPRETATION REQUESTS

7
8 Where a written confirmation of a verbal answer made by any committee member regarding the B77 Standard is
9 requested, the inquirer shall be instructed by the member to submit a formal written inquiry to the Administrator
10 who will process this inquiry in accordance with these procedures.
11

12 E. STATIONERY

13
14 All formal written Standards communications may be circulated on private stationery, but must use the reference
15 line "ASC B77 Committee Correspondence."
16

17 All external communication shall be on the official ASC B77 Committee letterhead.
18

19 **ARTICLE X**

20
21 **REQUESTS FOR INTERPRETATIONS**
22

23 Upon receipt of a written inquiry requiring an official interpretation of a document produced by the Standards
24 Committee, the Administrator shall process it in accordance with the following procedure:
25

26 A. PREVIOUSLY APPROVED INTERPRETATIONS

27
28 If the inquiry can be answered by a previously approved interpretation, the Administrator will reply to the inquirer
29 with a copy sent to the Officers of the Standards Committee.
30

31 B. INTERPRETATIONS DEVELOPED BY THE NTSB AND SPECIAL COMMITTEES

32
33 If the inquiry requires a new interpretation, the Administrator will acknowledge the receipt of the inquiry, assign it
34 a number, and refer it to the NTSB, which can either author a reply or refer it to the Administrator or Special
35 Committee to propose a reply. The interpretation request will be placed on the agenda for the next NTSB
36 Committee meeting and continue on succeeding agendas until a reply is approved and reviewed by the
37 Standards Committee.
38

39 The Administrator, NTSB, and Special Committees will be guided by the following when preparing proposed
40 interpretations:
41

- 42 1. A thorough study must be made of the inquiry including research of past interpretations.
- 43 2. If additional information is required, it may be obtained verbally, or in writing.
- 44 3. A Special Committee may be requested to address technical issues related to an interpretation. These
45 committees will operate according to the procedures for Special Committees as specified in these procedures.
- 46 4. All answers developed are to be based on interpretations of the Standards Committee documents only.
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1 C. FORM OF REPLIES FOR INTERPRETATIONS

2
3 The Administrator shall submit proposed interpretations using the following format:

- 4
5 1. INQUIRY NUMBER: (Assigned by Administrator)
- 6
7 2. SUBJECT: Include the applicable Section numbers(s) and a concise description.
- 8
9 3. QUESTION: The inquirer's question shall be quoted, or if necessary, re-phrased to be clearly applicable
10 to all Sections(s) or Item(s) in question and if possible, phrased in a Yes/No format.
- 11
12 4. ANSWER: The reply shall be worded as an interpretation, suitable for general understanding and use, not
13 a response to a proprietary design or situation. Discussion or reasoning should be included where
14 appropriate.

15
16 D. NATIONAL TRAMWAY STANDARDS BOARD (NTSB) REVIEW OF INTERPRETATIONS

17
18 The NTSB shall be guided by the following in reviewing proposed interpretations:

- 19
20 1. Determine that the question, as nearly as possible:
- 21
22 a. Reflects the inquirer's request for interpretation.
- 23
24 b. Is complete and independent of other supporting materials.
- 25
26 c. Applies only to an interpretation of Standards Committee documents.
- 27
28 2. Determine that the answer:
- 29
30 a. Fully answers the question.
- 31
32 b. Is consistent with previous interpretations.
- 33
34 c. Was given adequate consideration.
- 35
36 d. Does not require further input.

37
38 E. REPLY TO INQUIRER

39
40 Following approval of a response by the NTSB, the Administrator shall inform the inquirer of the action taken and
41 that this interpretation will be sent to the Standards Committee for review and approval.

42
43 F. FINAL APPROVAL OF INTERPRETATIONS

44
45 The response approved by the NTSB shall be balloted to the Consensus Body. A ballot asking approval or
46 disapproval of the response shall be issued for a 30-day review. Any Voting Member disapproving of the
47 response must state their objections in writing with return of the ballot. The balloted requires an affirmative vote
48 of more than 50% of the voting members with more than 2/3 of the voting members returning ballots. Negative
49 votes found Not-Persuasive cannot exceed 10 % of the eligible votes. If no objections are made, the response
50 shall be considered approved.

51
52 If any disapproving objection is made, the Administrator shall inform the submitter that a negative comment is
53 being considered. The comment(s) shall be resolved using the procedures listed under Article XI.E.

54
55 Editorial modifications of interpretations, not technical revisions, shall not be considered revisions of the
56 interpretation and it shall be considered approved. The Standards Committee and submitter shall be notified in
57 writing of the final action and wording.

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ARTICLE XI

DEVELOPMENT OF A NEW STANDARD OR REVISIONS TO AN EXISTING STANDARD

The Standards Committee shall follow these procedures for a new standard or revising all Standards Committee documents. The NTSB at the appropriate time, based on its review of proposals, shall recommend the specific project intent and time-line. The administrator will be directed to file a PINS form with ANSI.

A. ORIGIN OF REVISIONS

A new standard or revisions to existing standards may originate from inquiries, Special Committees, the Administrator, or correspondence from interested parties. All proposed changes must be accompanied by a reason why the change is necessary. The reason for the change must be consistent with sections 1.1 and 1.2 of the appropriate standard.

Proposed Changes will be assigned an identifying number by the Administrator. They will be distributed regularly to the NTSB for review. The NTSB will review the proposed change and assign it to a subcommittee as required, or reject the proposal with cause. An originator whose proposed change has been rejected shall be informed in writing of the reasons and their right to appeal. The Administrator will also inform the standards committee of all actions to proposed changes. A record will be kept by the Administrator of the progress of all proposed changes.

B. PROPOSED CHANGE REVIEW

At each NTSB meeting all proposed changes shall be reviewed. The 5-year maintenance schedule to renew, revise, or remove a standard will be considered during this review. The administrator will be directed to submit the appropriate PIN's form no later than 2-years prior to the end of the 5-year schedule.

Special Committees shall be required to report on the status of all outstanding proposals-which they have been asked to review by the NTSB. If progress is not reported within 120 days, the Administrator shall inform the Special Committee Chair and the Standards Committee Chair that a meaningful report is required at the next NTSB meeting. If no report is given, it will be brought to the attention of the NTSB for appropriate action. The originator shall be kept informed of the progress of their proposed change.

The Special Committees shall be guided by the following in reviewing or proposing revisions:

1. Study the matter thoroughly.
2. Assure that there is no conflict or adverse effect on other clauses or subclauses that refer to, or are referred to by, the proposed revision.
3. Consult with other Standards Committee members or others when their areas of expertise may be affected.
4. Consult with the Administrator on questions of grammar or format.
5. Propose the revision in draft form.
6. Include the reason for the acceptance, change, or rejection of the proposed change.
7. Furnish a copy of the subcommittee voting record.
8. Insure that the revision is consistent with sections 1.2 and 1.3 of this standard.

The Special Committee may request a Pre-Ballot review of a proposed change for the purpose of gaining further understanding on the proposed change wording during the above process.

When a proposed change is completed in a subcommittee, it will be submitted to the NTSB as a proposed revision.

1 C. NATIONAL TRAMWAY STANDARDS BOARD REVIEW OF PROPOSED REVISIONS

2
3 The NTSB shall review each proposed revision to determine whether to hold the revision to be compiled with
4 other revisions for a draft standard Pre-Ballot review or a draft standard approval ballot.

5
6 A draft standard Pre-Ballot review shall be conducted in a manner similar to an approval ballot but with the
7 purpose of gaining further understanding and committee position on the proposed revisions to the draft standard.

8 The NTSB shall review the results of the draft standard Pre-Ballot review voting and comments. The draft
9 standard will be modified accordingly with specific subclause wording changes or returned to the appropriate
10 subcommittee for additional review and wording changes. After the comments are resolved, the NTSB will
11 recommend an additional draft standard Pre-Ballot review or direct the Administrator to hold an approval ballot
12 for a new or revised standard.

13
14 D. BALLOTING A NEW STANDARD OR REVISED STANDARD

15
16 The Administrator shall prepare the proposed new or revised standard for formal approval balloting. Any
17 technical changes require concurrence from the NTSB. The Administrator shall then ballot the Standards
18 Committee. The voting period shall end forty five (45) days from the date of issuance. A follow-up written or
19 electronic communication requesting return of the ballot shall be sent, 10-days before the end of the voting
20 period, to Standards Committee members who have not responded.

21
22 The ballot will be sent to ASC B77 Voting Members and Comment Ballots sent to other member types within the
23 ASC B77 and interested parties. Ballots shall indicate the type of ballot issued

24
25 For approval, a new, revised, or reaffirmed standard document being balloted requires an affirmative vote of
26 more than 50% of the voting members with more than 2/3 of the voting members returning ballots. Negative
27 votes found Not-Persuasive cannot exceed 10% of the eligible votes. A ballot item returned unmarked shall be
28 considered as not returned.

29
30 E. PUBLIC REVIEW

31
32 New, revised, or reaffirmed standards shall be announced in ANSI Standards Action and other industry
33 publications for the purpose of public review. This may be conducted concurrently with Standards Committee
34 balloting at the discretion of the Officers of the Standards Committee.

35
36 Public Comments submitted during public review will follow the same process outlined in Article XI.F. Public
37 commentators will receive the same information as to disposition of comments as Committee Members. Any
38 substantive change subsequently made in a proposed American National Standard shall be announced in
39 *Standards Action*.

40
41 F. DISPOSITION OF COMMENTS, NEGATIVE VOTES, AND PUBLIC COMMENTS

42
43 At the close of the voting period the Administrator shall forward the tally of the ballots, all comments, all negative
44 votes with comments, and public comments to the Chair of the Standards Committee. The Chair and
45 Administrator will then consider the comments and public comments. They will attempt to resolve them in
46 consultation with the other NTSB members, the voter, the public commenter, the Chair of the appropriate Special
47 Committee, or by correspondence, or at a meeting of the Standards Committee.

48
49 Negative votes shall be accompanied by a written statement(s). Any negative vote that is not accompanied by a
50 written statement shall be recorded as Negative without Comment and need not be considered further.

51
52 Public comments that are not accompanied by a written statement will not be considered. The submitter will be
53 contacted to provide a supporting statement.

1 The negative voter or public commenter may withdraw a negative vote or objection at any time, unless the item
2 is withdrawn from ballot. A withdrawn negative vote is counted as affirmative unless specified by the voter as an
3 abstention.
4

5 1. Handling Negative Votes and Public Comments
6

7 If a negative vote, comment, or public comment is deemed persuasive and substantive changes are made
8 to the document, the revision shall be reballoted.
9

10 All motions for handling negative votes and public comments shall include an explanation of the reason for
11 the action. At the completion of a ballot and resolution of comments, a negative voter or public
12 commenter shall be informed in writing of the actions of the Standards Committee and their right to
13 appeal.
14

15 *Not-Related:* A motion at a meeting, or a ballot, to find a negative vote or public comment Not Related to
16 the item being balloted requires an affirmative vote of more than 50% of the voting members with more
17 than 2/3 of the voting members voting. Negative votes found to be Not-Related shall be recorded as
18 Negative without Comment. The standards committee shall treat the Not-Related negative or public
19 comment as a new proposal.
20

21 *Not-Persuasive:* A motion at a meeting or a ballot, to find a negative vote or public comment
22 Not-Persuasive requires an affirmative vote of more than 50% of the voting members with more than 2/3
23 of the voting members voting. Negative votes found to be Not-Persuasive shall be recorded as such
24 when determining ballot approval under Article XI.D. If the motion or ballot fails, the balloted item is
25 deemed persuasive.
26

27 G. RECIRCULATION
28

29 Each unresolved comment and attempt at resolution, and any substantive changes made in a proposed
30 standard shall be reported to the Standards Committee members to afford all members an opportunity to
31 respond, reaffirm or change their vote. The committee voting member results of this recirculation ballot shall be
32 recorded on the final BSR-9 submittal to ANSI, unless additional substantive changes are subsequently made to
33 the document that requires further processing.
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H. SUBMITTAL OF VOTING RESULTS

Following the disposition of comments, negative votes, and public comments, the ASC B77 Chair shall forward to the Secretariat the disposition of the ballot vote, and any actions on negative votes and or public comments with appropriate comments. The proposed revision shall be submitted to the Secretariat with the recommendation that the revision is approved if the voting requirements of Article XI.D are met.

I. ANSI APPROVAL

Following approval by the Chair of the Secretariat, a proposed new standard or standard revision shall be submitted to ANSI in accordance with the ANSI Essential Requirements. The ANSI approval date shall be appropriate for the affected industries.

J. PUBLICATIONS

Following ANSI approval, the Administrator shall prepare the document for publication. The document shall be published as soon as practicable but not later than six months after ANSI approval.

K. DISCONTINUANCE OF A STANDARDS PROJECT OR STANDARD

A project to develop a new standard or revise an existing standard may be abandoned. The NTSB, based on its review of the project, shall recommend the specific project be abandoned with a written justification. The administrator shall be directed to ballot the recommendation to committee members following the balloting procedures under article XI. D.

If the ballot passes, the Administrator will inform the committee members and file the appropriate notice with ANSI.

The ASC B77 approval of a existing standard may be withdrawn. The NTSB, based on its review, shall recommend the withdrawal of a standard with a written justification. The administrator shall be directed to ballot the recommendation to committee members following the balloting procedures under article XI. D.

If the ballot passes, the Administrator will inform the committee members and inform ANSI immediately according to the ANSI Essential Requirements.

1 **ARTICLE XII**

2
3 ANSI PATENT POLICY

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5
6 ASC B77 agrees to comply with the current ANSI Patent policy. Should such occurrence arise the current ANSI
7 Essential Requirements shall be followed

8
9 **ARTICLE XIII**

10
11 COMMERCIAL TERMS AND CONDITIONS

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15 ASC B77 agrees to comply with the ANSI Commercial Terms and Conditions policy. Should such occurrence arise, the
16 current ANSI Essential Requirements shall be followed.
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ARTICLE XIV

RIGHT TO APPEAL

A. Appeals at the standards Developer Level

Persons who have directly and materially affected interests and who have been or will be adversely affected by any procedural action or inaction by a standards developer with regard to the development of a proposed American National Standard or the revision, reaffirmation, or withdrawal of an existing American National Standard, have the right to appeal. The burden of proof to show adverse effect shall be on the appellant.

Complaint. The appellant shall file a written complaint with the Secretariat within 30 days after the date of notification of action or anytime with respect to an inaction. The complaint shall state the nature of the objections(s) including any adverse effects, the sections(s) of these procedures, actions or inactions that are at issue, and the specific remedial actions(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objections(s) and the outcome of each shall be noted.

Response. Within 30 days after receipt of the complaint, the respondent (standards committee Chair or secretariat's representative) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

Hearing. If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the Secretariat shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving a least ten working days' notice.

Appeals Panel. The appeals panel shall consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the respondent.

Conduct of the Hearing. The appellant has the burden of demonstrating adverse effects, improper actions or inaction's, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the Standards Committee and the Secretariat took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals. Roberts Rule of Order (latest edition) shall apply to questions or parliamentary procedure for the hearing not covered herein.

Decision. The appeals panel shall render its decision in writing within 30 days, stating findings of fact and conclusions, with reasons therefor, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

- 1) Finding for the appellant, remanding the action to the Standards Committee or the Secretariat with a specific statement of the issues and facts in regard to which fair and equitable action was not taken.
- 2) Finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections.
- 3) Finding that new, substantive evidence has been introduced, and remanding the entire action to the Standards Committee or the Secretariat for appropriate reconsideration.

B. Appeals at ANSI

Persons who have directly and materially affected interests and who have been or will be adversely affected by any procedural action or inaction by ANSI or by any ANS-related process have the right to appeal. ANSI will not normally hear an appeal of an action or inaction by a standards developer relative to the development of an American National Standard until the appeals procedures provided by the standards developer have been completed. Appeals of actions shall be made within reasonable time limits; appeals of inactions may be made at any time. Such appeals shall be directed to ANSI in accordance with the procedures of the appropriate ANSI board or council (e.g., Board of Standards Review, Executive Standards Council).