2019
REVISED OPERATING PROCEDURES
for the
ACCREDITED STANDARDS COMMITTEE (ASC) B77
AERIAL PASSENGER ROPEWAYS
Approved May 20, 2019 by ASC B77
Reaccreditation Approved May 21, 2019 by ANSI ExSC

TABLE OF CONTENTS

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

GENERAL

A. SCOPE OF THE ASC B77 COMMITTEE’S WORK

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

B. PURPOSE

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

C. PROFESSIONAL CONDUCT OF MEMBERS AND OBSERVERS

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

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

It is further understood that members serving on committees in no way commit or bind their employer or sponsoring organization to conform with an American National Standard when they express their personal views in committee work or in balloting.
D. REVISIONS OF THESE PROCEDURES

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

E. DEFINITIONS


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

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

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

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

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

 ARTICLE II

SECRETARIAT

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

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

National Ski Areas Association
133 So. Van Gordon Street
Suite 300
Lakewood, Colorado 80228
(303) 987-1111  FAX (303) 986-2345
info@nsaa.org
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.
2. ALTERNATE MEMBER

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

3. OBSERVER MEMBER

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

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

4. HONORARY MEMBERS

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

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

5. COMMITTEE SIZE

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

<table>
<thead>
<tr>
<th>Category</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL VOTING MEMBERS</td>
<td>50-55</td>
</tr>
<tr>
<td>TOTAL OBSERVERS</td>
<td>20-25</td>
</tr>
</tbody>
</table>

B. APPLICATION

A request for membership shall be addressed to the Secretariat or Committee Administrator. The request shall indicate the applicant’s direct and material interest in the committee’s work and qualifications and willingness to participate actively, and, if the applicant is an organization, company, or government agency, shall identify a representative.
C. MEMBERSHIP - REQUIREMENTS AND REVIEW

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

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

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

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

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

D. CHANGE OF EMPLOYMENT

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

E. VOTING

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

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

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

Voting period lengths on ballots for a standard document approval shall be 45 days.
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.
In the absence of the Chair and Vice-Chair at a meeting, the Administrator shall take the chair for nomination and election of a chair pro-tem who shall preside at the meeting.

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

i. A written or electronic communication confirming the member’s appointment and a statement outlining their voting obligations.

ii. ASC B77 Operating Procedures.

iii. Roster of Standards Committee members.

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

b. OPERATIONS DUTIES

i. Receive, coordinate, and disseminate all correspondence, proposed changes, inquiries for interpretation, and other material on behalf of the NTSB.

ii. Coordinate, direct, set agendas, and keep minutes of all NTSB meetings and Standards Committee meetings.

iii. Assist the Chair in conducting balloting and resolving negative votes and other responsibilities prescribed by ANSI Essential Requirements.

iv. Maintain liaison with other groups in related fields.

v. Perform duties assigned by the NTSB or the Secretariat.

vi. Maintain the official records and files of the NTSB and the Standards Committee as required in the ANSI Essential Requirements.

vii. Communicate regularly with the Standards Committee, the public, the industry, and the Secretariat on Standards Committee activities.

viii. The Administrator shall review the membership of the Consensus Body for balance and report annually to the NTSB, and the secretariat.
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.
5. Chairmen of any special committees who are not members of the NTSB shall be encouraged to attend NTSB meetings held regarding their special committee work.

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

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

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

B. RESPONSIBILITIES OF THE NATIONAL TRAMWAY STANDARDS BOARD

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

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

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

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

ARTICLE VI

SPECIAL COMMITTEES

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

A. TECHNICAL COMMITTEES

Technical Committees are permanent standing subcommittees for ropeway types and topics. Technical Committees shall be responsible for technical tasks assigned to them by the NTSB.
B. AD HOC COMMITTEES

An Ad Hoc Committee is a temporary subcommittee responsible for making special studies and/or developing proposed changes to a standard’s requirements on an assigned topic.

C. CHAIR OF SPECIAL COMMITTEES

The Chair of Special Committees shall be selected from the Standards Committee and appointed by the Chair of the Standards Committee with the advice and consent of the NTSB. The Special Committee Chair is responsible for the operations of that subcommittee.

Where the Special Committee Chair fails to fulfill their duties, the Standards Committee Chair following discussion with the Special Committee Chair and the other officers, shall recommend to the NTSB appropriate action. Discharge of a Special Committee Chair shall be by a majority vote of the NTSB membership.

D. SPECIAL COMMITTEE MEMBERSHIP

The members of Special Committees shall be chosen by the Special Committee Chair in consultation with the Committee Chair and Administrator. The Special Committee shall include the widest possible cross-section of interested and qualified parties. It shall restrict its size to maintain workability and balance.

It shall be the responsibility of the Special Committee Chair to review continually the performance of the members of that committee. Membership on a Special Committee carries with it the responsibility of active participation and regular attendance at meetings. Allowance should be made for corresponding members who cannot attend meetings but wish to contribute.

Each Special Committee Chair shall advise the Administrator of all personnel changes as they may occur.

E. INDIVIDUAL QUALIFICATIONS OF MEMBERS OF SPECIAL COMMITTEES

The individual qualifications of proposed new members of Special Committees must be carefully considered, since individual qualifications are the primary, though not the sole criterion for acceptance. Membership on all Special Committees is on an individual basis and not on the basis of organizational representation.

F. SPECIAL COMMITTEE VOTING

The Chair of each Special Committee is responsible for the operation of that Subcommittee, and for reporting to the NTSB and the Administrator actions that represent the conclusions of that Committee. Proposed interpretation replies and technical revisions shall be accompanied by a tabulation of the Special Committee’s vote for and against each proposal.
ARTICLE VII

LIAISON REPRESENTATIVES

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

ARTICLE VIII

MEETINGS

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

<table>
<thead>
<tr>
<th>Committee</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standards Committee</td>
<td>1</td>
</tr>
<tr>
<td>NTSB</td>
<td>2</td>
</tr>
</tbody>
</table>

A. CALLS FOR MEETINGS

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

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

B. OPEN MEETINGS

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

C. QUORUMS FOR STANDARDS COMMITTEE AND SPECIAL COMMITTEE MEETINGS

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

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

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

1. STANDARDS COMMITTEE AND NTSB MINUTES

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

2. SPECIAL COMMITTEE MINUTES

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

ARTICLE IX

COMMUNICATIONS

Written committee correspondence, notifications, letter ballots, and the term “in writing” includes written documents and electronic communications.

A. INFORMAL

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

B. FORMAL

1. INTERNAL

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

2. EXTERNAL

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

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

D. CONFIRMATION OF INTERPRETATION REQUESTS

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

E. STATIONERY

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

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

ARTICLE X

REQUESTS FOR INTERPRETATIONS

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

A. PREVIOUSLY APPROVED INTERPRETATIONS

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

B. INTERPRETATIONS DEVELOPED BY THE NTSB AND SPECIAL COMMITTEES

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

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

1. A thorough study must be made of the inquiry including research of past interpretations.

2. If additional information is required, it may be obtained verbally, or in writing.

3. A Special Committee may be requested to address technical issues related to an interpretation. These committees will operate according to the procedures for Special Committees as specified in these procedures.

4. All answers developed are to be based on interpretations of the Standards Committee documents only.
C. FORM OF REPLIES FOR INTERPRETATIONS

The Administrator shall submit proposed interpretations using the following format:

1. INQUIRY NUMBER: (Assigned by Administrator)

2. SUBJECT: Include the applicable Section numbers(s) and a concise description.

3. QUESTION: The inquirer's question shall be quoted, or if necessary, re-phrased to be clearly applicable to all Sections(s) or Item(s) in question and if possible, phrased in a Yes/No format.

4. ANSWER: The reply shall be worded as an interpretation, suitable for general understanding and use, not a response to a proprietary design or situation. Discussion or reasoning should be included where appropriate.

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

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

1. Determine that the question, as nearly as possible:
   a. Reflects the inquirer's request for interpretation.
   b. Is complete and independent of other supporting materials.
   c. Applies only to an interpretation of Standards Committee documents.

2. Determine that the answer:
   a. Fully answers the question.
   b. Is consistent with previous interpretations.
   c. Was given adequate consideration.
   d. Does not require further input.

E. REPLY TO INQUIRER

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

F. FINAL APPROVAL OF INTERPRETATIONS

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

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

Editorial modifications of interpretations, not technical revisions, shall not be considered revisions of the interpretation and it shall be considered approved. The Standards Committee and submitter shall be notified in writing of the final action and wording.
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.
C. NATIONAL TRAMWAY STANDARDS BOARD REVIEW OF PROPOSED REVISIONS

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

A draft standard Pre-Ballot review shall be conducted in a manner similar to an approval ballot but with the purpose of gaining further understanding and committee position on the proposed revisions to the draft standard. The NTSB shall review the results of the draft standard Pre-Ballot review voting and comments. The draft standard will be modified accordingly with specific subclause wording changes or returned to the appropriate subcommittee for additional review and wording changes. After the comments are resolved, the NTSB will recommend an additional draft standard Pre-Ballot review or direct the Administrator to hold an approval ballot for a new or revised standard.

D. BALLOTING A NEW STANDARD OR REVISED STANDARD

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

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

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

E. PUBLIC REVIEW

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

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

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

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

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

Public comments that are not accompanied by a written statement will not be considered. The submitter will be contacted to provide a supporting statement.
The negative voter or public commenter may withdraw a negative vote or objection at any time, unless the item is withdrawn from ballot. A withdrawn negative vote is counted as affirmative unless specified by the voter as an abstention.

1. Handling Negative Votes and Public Comments

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

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

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

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

G. RECIRCULATION

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

ANSI PATENT POLICY

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

ARTICLE XIII

COMMERCIAL TERMS AND CONDITIONS

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