

# Oregon Outfitters & Guides Association

63043 Sherman Road, Bend, OR 97701 • 541-617-9090 • info@ogpa.org

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Oregon House Committee on Agriculture and Natural Resources

Dear Chair Clem and Members of the Committee,

I am writing in opposition to HB 2716 which would require helmet use by persons 12 years old and younger on commercial river trips.

There is little evidence to support the notion that traumatic brain injuries are a common occurrence while rafting on class II or class III whitewater. A study was cited during the SB643 hearing that reported 28,716 TBIs related to Water Sports in 2009. The study lists water sports as diving, scuba, surfing, swimming, polo, water skiing and tubing. Rafting, canoeing or kayaking is not mentioned. The study recommends helmet use for specific sports but does include an activity in the water sports category. A similar study from 2013 analyzing sport-related TBIs states that "The least common mechanism was water sports (1.8%) such as diving and waterskiing.

2009 Article: <https://goo.gl/WZPskM>. 2013 Article: <https://goo.gl/Cga31v>

Regulatory policies should be based on real assessments backed up by statistics rather than the perception of a potential hazard. Furthermore, requiring helmets exclusively on commercial trips is placing a requirement on only a sub-section of the boating community where the fewest number of injuries occur and where the industry already has standard best practices regarding helmet use. The American Whitewater Association's Safety Code states, "*Wear a solid, correctly-fitted helmet when upsets are likely. This is essential in kayaks or covered canoes, and recommended for open canoeists using thigh straps and rafters running steep drops.*" You will find that on Oregon rivers where the above conditions apply, outfitters are already requiring helmet use.

Preventing heat-related illness on a river trip is a primary medical concern of outfitters. Helmets may hinder efforts to avoid heat-related illnesses, where young children and older adults are the most susceptible. Helmets provide only limited sun protection, are tight-fitting and generally uncomfortable. To require a 12-year old child to wear a helmet on a Class II river trip during 100 degree temperatures (as opposed to a brimmed hat which can be kept wet) increases the likelihood of heat-related medical emergencies.

Parents make decisions about their children's safety every day. On a commercial river trip, every parent agrees to assume the risks of the activity on behalf of their minor children. They choose the appropriate trip, the proper clothing and footwear and are typically proactive with regard to their child's food allergies when meals are included. It is not unheard of for clients (parents) to request helmets and I know of no outfitter that would deny such a request.

The provision that all passengers over the age of 12 are "provided with a helmet" is unclear. It seems to indicate that if a client decides part of the way through a trip that they would like a helmet, the outfitter must provide one. Carrying enough helmets to cover all clients on a trip means additional equipment in a raft where space may already be limited. This is contrary to the basic safety standard of having clutter-free (entanglement-free) rafts.

The bill is well-meaning but does not significantly improve safety on the river. It is too broad in that it includes all waters "class II or higher" while at the same time being too narrow in that it is limited to only commercial outfitters. I urge you not support moving this bill forward.

Sincerely,



Brian Sykes

President

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