MountainGuard®
SERVING THE SKI INDUSTRY SINCE 1962

The Oregon State Senate
Senate President Rob Wagner
Sen.RobWagner@oregonlegislature.gov

February 20, 2026

Re: Proposed Oregon liability waiver bills (S.B. 1593 vs. S.B. 1517-7)

Dear Senators:

I have learned that the Oregon Senate is considering two competing bills regarding the enforcement of liability releases or waivers. I have been overseeing insurance claims in the ski industry for MountainGuard Insurance across the U.S. and Canada for more than 25 years—including claims involving zip lines, mountain biking, competitions, and outfitter guides—and I am writing to stress that S.B. 1517-7 will not improve Oregon's recreational liability insurance crisis. MountainGuard Insurance strongly urges you to vote for S.B. 1593, which would align Oregon to all other western states that enforce releases without gaping exceptions that undermine the enforceability of releases.

First, S.B. 1593 is unanimously supported by the broad and diverse recreation industry, small businesses, and organizations—most who struggle to afford these significant spikes in liability insurance.

Second, S.B. 1517-7 has so many exceptions to enforceability of releases—including *any allegation* that an operator "failed to warn" of some risk, or allegations of violations of amorphous "safety standards." These proposed exceptions in S.B. 1517-7 would make it extremely easy to allege any of these circumstances and prevent courts from enforcing these releases. I am confident in saying that if S.B. 1517-7 is ultimately passed, no release of liability in Oregon will be enforced given the ease of getting around enforceability under S.B. 1517-7.

Lastly, S.B. 1517-7 does nothing to solve Oregon's current insurance crisis which impacting recreational providers across all modes in the state. It's *actually worse* than current Oregon law, including changes that would effectively amend Oregon's Ski Safety statute without any support or input from Oregon's ski areas. No other state approaches releases of liability with gaping exceptions that swallow the rule.

Respectfully submitted,

*/ s / Tim Hendrickson*

Tim Hendrickson
Senior Vice President
MountainGuard Insurance

From the Desk of Senator Mark Meek