

Senate Bill 1517

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act changes some laws about lawsuits that are about skiing. (Flesch Readability Score: 72.6).

Modifies provisions relating to liability related to skiing.

1 A BILL FOR AN ACT

2 Relating to civil litigation; creating new provisions; and amending ORS 30.970.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 30.970 is amended to read:

5 30.970. As used in ORS 30.970 to 30.990:

6 (1) **“Constructed feature” means any human-made or otherwise artificially constructed**
7 **feature for skiing upon, including those created for mountain passage or navigation, such**
8 **as cat tracks and get backs, and those designed for freestyle use, such as terrain parks,**
9 **jumps, rails, fun boxes, half-pipes, quarter-pipes, rails and freestyle-bump terrain.**

10 [(1)] (2) “Inherent risks of skiing” includes, but is not limited to, those dangers or conditions
11 which are an integral part of the sport, such as changing weather conditions, variations or steepness
12 in terrain, snow or ice conditions, surface or subsurface conditions, bare spots, creeks and gullies,
13 forest growth, rocks, stumps, lift towers and other structures and their components, collisions with
14 other skiers and a skier’s failure to ski within the skier’s own ability.

15 [(2)] (3) “Injury” means any personal injury or property damage or loss.

16 [(3)] (4) “Skier” means any person who is in a ski area for the purpose of engaging in the sport
17 of skiing or who rides as a passenger on any ski lift device.

18 (5) **“Skiing” means self-propelled or gravity-propelled travel on skis or a snowboard**
19 **within a ski area.**

20 [(4)] (6) “Ski area” means any area designated and maintained by a ski area operator for skiing.

21 [(5)] (7) “Ski area operator” means those persons, and their agents, officers, employees or rep-
22 resentatives, who operate a ski area.

23 (8) **“Ski slopes or trails” means all ski slopes or trails and adjoining skiable terrain, in-**
24 **cluding all their edges and features.**

25 **SECTION 2.** Sections 3 and 4 of this 2026 Act are added to and made a part of ORS 30.970
26 to 30.990.

27 **SECTION 3.** (1) Except as provided in subsection (2) of this section, a ski area operator
28 may require a person 18 years of age or older who purchases a lift ticket or season pass to
29 release the operator from claims for ordinary negligence for injuries sustained during the

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 act of skiing. A release described in this subsection is not unconscionable or void as contrary
2 to public policy if it complies with subsection (2) of this section.

3 (2) A ski area operator may not require a person to release the operator from:
4 (a) Claims for greater than ordinary negligence, including gross negligence;
5 (b) Claims relating to any injury not sustained during the act of skiing;
6 (c) Claims relating to any injury involving a snow mobile, snow cat, chair lift, passenger
7 tramway, motor vehicle or other type of equipment used by a ski area operator; or
8 (d) Claims arising out of the statutory duties of a ski area operator set forth in section
9 4 of this 2026 Act.

10 (3) A release that is broader than described in subsections (1) and (2) of this section is
11 void in its entirety.

12 (4) A ski area operator shall provide an opportunity for a person who purchases a lift
13 ticket or season pass to opt out of the release described in subsections (1) and (2) of this
14 section for a fee not to exceed 10 percent of the price paid for the lift ticket or season pass.

15 (5) Nothing in this section shall be construed to alter the public policy of this state dis-
16 favoring preinjury releases of negligence except as expressly provided herein.

17 **SECTION 4.** (1)(a) A ski area operator has the duty to inspect a ski slope or trail before
18 opening the area to skiing and to evaluate whether there are any hazards beyond the inher-
19 ent risks of skiing.

20 (b)(A) A ski area operator has the following duties to warn:

21 (i) Within ski slopes and trails opened by the ski area operator, a ski area operator shall
22 mark natural hazards that are not readily visible to skiers under conditions of ordinary vis-
23 ibility from a distance of at least 100 feet, including bare spots, creeks, gullies, cliffs, rocks
24 and stumps.

25 (ii) A ski area operator shall mark hydrants, water pipes and all other human-made
26 structures on ski slopes and trails that are not readily visible to skiers under conditions of
27 ordinary visibility from a distance of at least 100 feet and shall adequately and appropriately
28 cover the obstructions with a shock-absorbent material that will lessen injuries.

29 (B) A marker required under this paragraph must be visible from a distance of 100 feet
30 and may not itself create a hazard to skiers.

31 (c) A ski area operator has the duty to design, construct and maintain all constructed
32 features consistent with industry best practices for the type of constructed feature.

33 (d) A ski area operator has the duty to comply with American National Standards Insti-
34 tute (ANSI) B77.1-2022: Passenger Ropeways - Aerial Tramways, Aerial Lifts, Surface Lifts,
35 Tows and Conveyors - Safety Standard, or any later version adopted by rule of the Depart-
36 ment of Consumer and Business Services under ORS 460.310 to 460.370.

37 (2) A violation by a ski area operator of any requirement of this section shall, to the
38 extent the violation causes injury, constitute negligence on the part of the ski area operator.

39 **SECTION 5.** Sections 2 to 4 of this 2026 Act and the amendments to ORS 30.970 by section
40 1 of this 2026 Act apply to claims that arise on or after the effective date of this 2026 Act.