



TO: Oregon Senate Judiciary Committee
FROM: Cindy Robert, Oregon Recreation & Park Association
DATE: February 4, 2026
RE: SB 1517

The Oregon Recreation & Park Association (ORPA) urges the committee to consider Recreational Liability Waiver changes that include all recreation providers, and assure that people of all ages have the ability to participate in activities.

Oregon's modern waiver landscape was shaped by the Oregon Supreme Court decision in *Bagley v. Mt. Bachelor, Inc.*, which addressed the enforceability of anticipatory releases in the recreational context. Since then, the effects have been felt across recreation and fitness providers—not only ski resorts—including your local parks agencies, who offer such activities and facilities as:

- Mountain biking and bike parks
- Swimming pools and swim lessons
- Climbing gyms
- Outdoor guiding services
- Rafting and paddle sports
- Zipline and aerial parks
- Equestrian centers
- Fitness and training facilities
- Youth camps and outdoor education programs

Many of these activities rely on liability waivers to operate safely and sustainably. All of them face the same legal uncertainty.

The impacts on insurance costs for your local parks agencies is also important to note. One agency shared that their insurance costs have continued to rise, even though their claim history remains low, and they have not introduced any new activities considered higher risk. In the past five years, their liability insurance costs have increased by 71%, or about \$180,000. Even after raising their deductible from \$5,000 to \$25,000, they still saw a 16% increase in rates last year and are expecting another 12% increase this coming year. This amounts to over half a million in total costs with the coming year.

Also of importance to ORPA, is the ability for minors to join their families for activities or to pursue their passions with their parent's permission. From swim lessons, to summer camps, to family whitewater rafting, waivers have their purpose. Making waivers available for youth participation will keep recreation providers from cutting youth programs, limiting access for activities, and forcing Oregon families to leave the state for recreation.

We respectfully urge the committee to amend SB 1517 so that liability waiver reforms apply to all recreational activities in Oregon and make waiver available to parents of minors. Doing so will:

- Strengthen Oregon's outdoor economy
- Protect small businesses and nonprofits
- Preserve access to recreation for families and youth
- Moderate insurance costs for local governments
- Reduce litigation and legal uncertainty
- Create a fair, consistent framework for all participants and providers in Oregon's recreation community

Thank you for your consideration.

The Oregon Recreation and Park Association includes city, county and special district parks agencies, and 2,200 park and recreation professionals, agencies, and volunteers.