



February 5, 2026

### Testimony in Support of SB 1593 – Preserving Oregon Recreation Access and Stability

Dear Chair Meek, Vice-Chair Drazan and Members of the Committee,

My name is Jeff Kohnstamm and my family has operated Timberline Lodge since 1955. As a National Historic Landmark and one of Oregon's most iconic recreation destinations, Timberline employs hundreds of Oregonians each year and supports countless local businesses. Outdoor recreation is not just our livelihood, it is central to who we are as Oregonians.

In 2022, following a court ruling involving Skibowl's mountain bike park, Timberline's bike park insurance was canceled, forcing an early closure that directly impacted trail crews, lift operators, and hospitality staff. On May 30, 2025, we were notified that our remaining liability insurance carrier is leaving Oregon due to the state's unfavorable recreational liability climate.

Oregon is facing an affordability crisis in recreation, health, and fitness. Prices are rising, businesses are closing, insurers are leaving the state, and Oregon families are losing access to the recreational activities they love and cherish. As Senator Mark Meek (D - Oregon City) has stated, SB 1593 (ORCA) will return Oregon to legal alignment with every other Western state, making recreation safer, more affordable, and more accessible.

Since 2014, Oregon court rulings have effectively nullified the enforceability of liability waivers. This has resulted in lost insurance coverage, skyrocketing premiums, higher prices for consumers, and fewer recreational opportunities. Every other Western state, including California and Washington, recognizes liability waivers as part of a balanced legal framework that preserves accountability while acknowledging inherent risk. Oregon is now the outlier.

As Representative Emerson Levy (D - Central Oregon) has said, recreation is a vital part of Oregon's economy and way of life. Without waiver reform, Oregon families will lose the social, economic, and health benefits that recreation and fitness provide.

SB 1593 does not eliminate accountability or limit access to the courts. Instead, it restores the long-standing standard that governed Oregon for decades. By clarifying liability expectations around inherent risk, SB 1593 creates a fair and predictable

framework that allows responsible recreation providers to operate while preserving consumer protections.

Today, in Oregon, questions of personal responsibility in recreational injury cases are resolved through lengthy and expensive litigation. Many businesses cannot afford to defend themselves and are forced to settle claims, even when injuries result from inherent risks or individual decisions.

As a ski area operator on federal land, our Special Use Permit requires us to maintain liability insurance and indemnify the U.S. Forest Service. Without available and affordable insurance, continued operation is not possible, regardless of our ongoing and paramount commitment to safety.

SB 1593 must be an industry-wide solution. Oregon cannot pick winners and losers in recreation; no other Western state does. Legislative action will only matter if it meaningfully improves conditions for recreational insurers in this state. Without insurer participation, reform will fail.

With bipartisan support and backing from a broad coalition of recreation organizations, SB 1593 is the right solution at the right time. Restoring a fair and predictable liability framework will preserve access to Oregon's cherished recreational activities while supporting businesses, employees, and communities statewide.

For these reasons, we strongly urge passage of SB 1593.

Thank you for your consideration.

Sincerely,

Jeff Kohnstamm  
President / Area Operator  
Timberline