

Chair Meek, Vice-Chair Drazan, and members of the committee,

My name is Ken Rodgers, and I am the owner of Oregon Paddle Sports and Whitewater Designs in Eugene. For many years, our small, locally owned business has helped Oregonians and visitors safely access our rivers and lakes through equipment sales, rentals, lessons, safety courses, and community events. We serve a wide range of people, from first-time paddlers and families to experienced river runners.

I am writing in strong support of the Oregon Recreation Commerce and Affordability Act of 2026, SB 159, and in opposition to SB 1517.

Since Oregon's 2014 Supreme Court decision weakened the enforceability of recreational liability waivers, the impact on our business has been severe and ongoing. Last year, Oregon Paddle Sports paid over \$15,000 in liability insurance premiums. That single expense represents more than half of all the revenue we generate from lessons, rentals, and safety courses combined. At that point, insurance is no longer a manageable cost of doing business. It becomes a direct barrier to providing safe, affordable access to outdoor recreation.

Safety is at the core of what we do. We invest heavily in staff training, equipment standards, and customer education. We offer formal safety courses and hands-on instruction designed to prevent accidents before they happen. We are also producing an extremely detailed safety video for rental customers, not because it meaningfully improves outcomes beyond our existing practices, but because the current legal environment forces us to operate in constant fear of liability exposure. That fear now drives decisions that should be guided by safety, access, and common sense.

Because of this legal landscape, we have declined opportunities to host or support community events, youth programs, and partnerships with local organizations. These were reasonable, well-run opportunities that aligned with our mission, supported local recreation, and would have strengthened our business. The insurance risk made participation impossible. When liability exposure prevents small businesses from teaching safety, supporting community programs, and expanding access, something is fundamentally broken.

Affordability is another critical concern. As insurance costs rise, we are forced to raise prices simply to stay open. This disproportionately affects those with lower incomes, families, and first-time participants, the very people most likely to rent equipment or take entry-level lessons. Oregon is already facing an affordability crisis. Making outdoor recreation more expensive only deepens that divide.

SB 1593 provides the right, balanced solution. It restores enforceability of liability waivers for ordinary negligence while preserving accountability for gross negligence, reckless behavior, or willful disregard for safety. This approach reflects what every other

Western state already recognizes: adults can knowingly assume inherent risk without eliminating accountability for serious wrongdoing.

By contrast, SB 1517 creates a divide-and-conquer outcome by limiting reform to ski areas alone. This ignores years of documented public support for comprehensive waiver reform and leaves non-ski recreation providers exposed under the same broken system. I ask plainly: why should my paddle sports business, and the thousands of Oregonians we serve, be left without the same protections?

While I write on behalf of Oregon Paddle Sports and Whitewater Designs, our experience is shared by outfitters, guides, gyms, and recreation providers across the state. Many are quietly reducing services or stepping away entirely. That loss affects jobs, public safety education, access to proper equipment, and the vitality of our communities.

I urge you to oppose SB 1517 and to support and pass SB 1593. ORCA 2026 restores balance, improves affordability, and ensures Oregon's outdoor recreation economy remains accessible, safe, and sustainable for all Oregonians.

Thank you for your time and consideration.

Sincerely,

Ken Rodgers
Owner
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