

I am writing as a co-owner of Rock Haven Climbing, a bouldering gym located in Gresham, Oregon. We are a small business, family owned and operated, that serves our local community, the greater Portland metro area and at times we organize events that draw visitors from out of state.

As a small business that opened in 2022, we've faced a number of challenges, including high interest rates on a startup loan, continually increasing wages and a rise in pretty much all other costs. I will add that we pay all staff above minimum wage and offer benefits to full time employees, not because it is easy but because it is the right thing to do.

As a recreation and sports business in Oregon, we face extra costs and risk to our business because of how recreational waiver law is written. There are few insurance companies that want to insure recreational businesses in Oregon, and our insurance agents have emphasized that we pay more simply because of the state where we are doing business. The greater fear is that because of the way waiver law is now written, we can do everything "right" for our customers - showing a video before entry, requiring the signing of a 5-page "waiver and acknowledgment of risk" for every single person who walks into our building, providing an in-person orientation and safety talk for every person who climbs - and if there is an injury, we know that technically speaking, a single lawsuit could mean the closure of our business.

We would never expect to be protected from all negligence. A slippery floor, a climbing wall built incorrectly or not maintained, or neglecting to orient new customers to the sport, or to check in with them as they're climbing; we are responsible for a high standard of operations. However, in any sport or recreational activity, you cannot remove all risk, and a fair waiver process as part of the legal system allows participants to understand and acknowledge this aspect of engaging in any recreational and sports activity.

Climbing and sports overall provide a way for people of all ages to stay active, recreate indoors and outside, and to be social at a time when social connection is more important than ever. At our climbing gym, we have provided thousands of adults with an opportunity to climb, work out with gym equipment and take yoga classes. We work extensively with local schools and nonprofits to offer field trip opportunities and have given thousands of students an opportunity to challenge themselves, gain self confidence and socialize in a positive environment.

For this reason, I am asking alongside many other small business owners in Oregon for a change to waiver law so that our regulations align with other Western states, and allow businesses to continue to provide positive recreation opportunities for all ages. I am asking for a return to balance so that Oregon businesses can thrive, and Oregon residents can have access to our abundant opportunities for sports and recreation.