

2/6/2026

Re: Support for Liability Waiver Reform for Oregon Recreation Businesses

Dear Senator Wagner,

I am writing on behalf of **The Circuit Bouldering Gym**, an Oregon-based climbing gym that has served our communities for over 20 years. We operate multiple locations across the state and employ dozens of Oregonians while providing accessible indoor recreation, youth programs, and community events that support physical and mental health.

I strongly support liability waiver reform as advanced under HB 3140 and the broader effort to restore enforceability of liability waivers for ordinary negligence in Oregon's recreation and fitness industry.

As you know, Oregon is an outlier nationally due to a 2014 Oregon Supreme Court decision that made liability waivers unenforceable, even when adults knowingly and voluntarily accept risk inherent in recreational activities. For businesses like ours where participants actively choose physically demanding activities this legal environment has had real and lasting consequences. Insurance costs are significantly higher than in neighboring states, coverage options are limited, and long-term planning becomes more difficult despite our strong safety practices and training standards.

Climbing gyms, like many recreation providers, already operate with extensive risk management protocols, staff certifications, equipment standards, and participant education. Waiver reform would not eliminate accountability for reckless or intentional conduct. Instead, it would simply allow adults to take responsibility for inherent risks they knowingly accept, bringing Oregon in line with the legal framework used successfully in most other states.

Without reform, Oregon recreation businesses face increasing pressure that ultimately affects access and affordability for the public. Rising insurance costs force difficult decisions around pricing, programming, expansion, and employment particularly for small and mid-sized operators. These pressures threaten not just businesses, but the broader recreation ecosystem that supports tourism, local economies, and healthy communities.

Restoring enforceable liability waivers for ordinary negligence is a practical, balanced solution that protects consumers, supports responsible operators, and strengthens Oregon's recreation economy without compromising safety.

On behalf of The Circuit Bouldering Gym and the thousands of Oregonians who climb with us each year, I urge you to support liability waiver reform and help ensure that recreation businesses can continue to operate, grow, and serve our communities sustainably.

Thank you for your time and consideration.

Sincerely,

Danny Burkhead
GM & Co-Owner
The Circuit Bouldering Gym