

Submitter: Steve Roti
On Behalf Of: Meissner Nordic Ski Club
Committee: Senate Committee On Judiciary
Measure, Appointment or Topic: SB1517

Dear Chair Prozanski, Vice Chair Thatcher, and Members of the Committee,

Meissner Nordic Ski Club respectfully submits this testimony in opposition to SB 1517.

My name is Steve Roti and I'm the president of Meissner Nordic Ski Club. Our club grooms 47 km of cross-country ski trails at Virginia Meissner Sno-Park, located between Bend and Mt Bachelor. We have used liability waivers for many years at ski events such as our annual Tour of Meissner, which draws hundreds of participants from around Oregon and neighboring states.

As you know, most U.S. states enforce liability waivers for ordinary negligence in recreational settings, but since the Oregon Supreme Court made liability waivers for ordinary negligence unenforceable, the result has been increasing legal risk and insurance costs for Oregon recreational businesses and nonprofits like ours.

We are concerned that SB 1517 does not address the liability risk or insurance issues of trails-related organizations and it does not include minor releases which are crucial for families participating together in outdoor recreation and stewardship activities. We are also concerned about the precedent set by the requirement to sign natural hazards not readily visible from a distance of 100 feet on trails, which may not be practicable in always changing natural environments.

We respectfully urge the Legislature to reject SB 1517 and instead pursue comprehensive, consistent recreational liability reform that recognizes personal responsibility and avoids unworkable signage mandates. Meissner Nordic Ski Club supports a solution to the current crisis that both recognizes the rights of individuals to pursue legal action in cases of gross negligence, yet also allows recreational operators and organizations such as ours to continue providing opportunities for the public without shouldering costs that are truly prohibitive.