

Dear Chair Meek, Vice-Chair Drazan, and Members of the Senate Committee on Commerce and General Government

(Senator Mark Meek, Senator Christine Drazan, Senator Courtney Neron Misslin, Senator Khanh Pham, and Senator Noah Robinson),

I'm writing as a regular Oregonian who grew up recreating outdoors and who wants to see these opportunities remain available and affordable for people across the state.

I understand the goal of SB 1593 is to support recreation providers and help keep these activities operating. I share that goal. Outdoor and fitness recreation are part of what makes Oregon special, and I don't want to see businesses close or access disappear.

That said, I'm concerned that as written, this bill goes too far by removing liability for ordinary negligence when providers require pre-injury waivers. Ordinary negligence is the basic level of care people reasonably expect, such as maintaining equipment, training staff, and addressing known hazards. Allowing those responsibilities to be waived shifts too much risk onto consumers before anything even happens.

As a physician, I also want to share a real-world perspective. I treat people living with the after-effects of traumatic brain injuries, many of which occur during recreational activities. These injuries are not always obvious at first, and they can be life-altering, affecting cognition, mood, employment, and family life long after the initial event. When injuries like these result from preventable safety failures, removing ordinary accountability has serious human consequences.

When liability is removed at this level, the costs don't disappear. They are shifted to individuals and families through medical bills, long-term care needs, insurance premiums, and lost income. Over time, this makes participation more expensive and less obtainable, especially for those with fewer resources. Ironically, that can reduce access to recreation rather than protect it.

I believe there is a better balance available. Instead of relying on sweeping pre-injury waivers, the bill could be revised to:

- \* Preserve baseline, non-waivable duties of care for personal injury, including injuries caused by ordinary negligence; and
- \* Allow responsibility and recovery to be reduced when a participant behaves irresponsibly, ignores instructions, or increases their own risk.

This approach supports personal responsibility while maintaining basic safety accountability and access for the public.

I respectfully ask that you consider revising SB 1593 to reflect this balance. I want recreation to thrive in Oregon, but not in a way that quietly shifts life-altering risks onto consumers and families.

Thank you for your time and consideration.

Sincerely,

Dr. Gibran Ramos