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re: Support for “-3 Recreational Immunity Fix Amendment” to SB 1576

Dear Chair Prozanski, Vice Chair Thatcher and members of the committee:

I am an active member of my community in the Newberg-Dundee-McMinnville area in Yamhill County. Nearly every day, along with my fellow citizens, I benefit from the availability of streets with paved shoulders, sidewalks, and trails that provide access and connectivity as I walk and bicycle to do local errands, attend meetings and enjoy healthful exercise on my way to recreational pursuits – all while avoiding the unhealthy compulsion to use a polluting car for every trip anywhere.

Many of the trails and other connecting accesses I use, whether locally or further from home, are available only by easement or landowner generosity. Of late, a number of egregious personal injury cases have been decided against public and private landowners for accidental injuries sustained by users of accesses to public recreation areas, notwithstanding existing “recreational immunity” law. These cases appear to have been decided based on the false premise that there is a distinction between “recreational” and “utilitarian” use of accesses. As a result, insurance companies have begun pressuring access-granting entities to shut down those accesses – essentially shutting down some of our parks and other recreation areas. This must be fixed.

I urge you to pass SB 1576-3 with language that clearly restores recreational immunity for public and private landowners and clearly applies to both improved and unimproved trails.

I appreciate your consideration of this **important fix needed to protect the public benefits intended by the existing law.**

Your sincerely,
Craig P. Markham