

February 14, 2025

Dear Chair Prozanski, Vice-Chair Thatcher, and members of the Senate Judiciary Committee:

My name is Connie Soper, and I am writing in support of SB 179. This legislation would remove the sunset of the temporary recreational immunity statute adopted by the legislature last year, and make it a permanent solution.

For many years, I have taken advantage of recreational activities available throughout our beautiful state, including bicycling, skiing and hiking. Such access to nature provides many benefits to individuals and to local communities who support and sponsor trails or other facilities. However, recreating in constantly changing outdoor environments also carries possible risk of injury. Without recreational immunity, landowners fear the real risk of expensive lawsuits and cannot afford to keep their trails and lands open to the public.

As a citizen-volunteer, I worked for six years with the City of Manzanita to develop a trail to connect Neahkahnie Mountain to the City as a vital link to the Oregon Coast Trail. Previous to the development of this trail, hikers had been forced to walk along the shoulder of US Highway 101. This trail was built with the support of four separate landowners, including one private landowner. However, those owners closed their portion of the trail (therefore, denying access to the entire trail) because of concerns about recreational immunity. They have since reopened it pending permanent legislative action, but could close it again lacking such action. This scenario would be played out throughout the state, risking the closure of existing trails as well as the delay of constructing and opening new ones.

While I support the current bill, I would also urge you to consider amendments to strengthen its impact, including:

- Extend the increased level of immunity in Section 1 of the bill to private landowners who open their land to the public free of charge
- Clarify more strongly that trails that serve dual purpose as both recreation and transportation facilities are covered under the law; address the problem of subjective intent
- Include broader language like "conveyance" rather than the specific trail activities like walking, biking, and running currently spelled out in the "includes but is not limited to" recreational activities list

Thank you very much for your consideration.

Sincerely yours,

Connie Soper, Portland, OR