

Corvallis-to-the-Sea (C2C) Trail Partnership



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February 15, 2025

Senate Committee On Judiciary

Oregon State Capitol
Salem, Oregon 97301

Re: SB 179, Relating to landowner immunity.

Chair Prozanski, Vice-Chair Thatcher, Members of the Committee:

The Corvallis-to-the-Sea Trail Partnership strongly supports Senate Bill 179, which aims to make permanent the changes to landowner immunity laws enacted in 2024. This bill is crucial for the continued development and maintenance of recreational trails across Oregon, including the Corvallis-to-Sea Trail (C2C Trail).

The C2C Trail, a 60-mile route connecting Corvallis to the Pacific Ocean, exemplifies the type of recreational asset that SB 179 would protect and support. This trail crosses various types of land and jurisdictions, including landowner agreements for access, unimproved rights of way, and private property, making the proposed legislation particularly relevant.

SB 179 benefits the C2C Trail in several ways:

- 1. Enhanced Landowner Protection:** By making permanent the immunity provisions for landowners, the bill would encourage more private property owners along the C2C Trail route to allow trail access without an unreasonable fear of liability.
- 2. Support for Volunteer Organizations:** The bill explicitly protects nonprofit corporations and their volunteers involved in trail construction and maintenance. This provision is vital for organizations like the Corvallis-to-Sea Trail Partnership, which relies heavily on volunteer efforts to develop and maintain the trail.
- 3. Improved Trail Infrastructure:** SB 179 extends immunity to cover structures such as stairs and bridges that are accessible to trail users. This protection would allow for necessary improvements along the C2C Trail, enhancing safety and accessibility for hikers and cyclists.
- 4. Consistent Protection Across Jurisdictions:** The bill allows local governments to opt into liability limitations, ensuring consistent protection along the entire length of the C2C Trail as it passes through different counties and municipalities.

5. **Balanced Approach**: While providing important protections, the bill maintains accountability by not granting immunity for gross negligence, reckless conduct, or intentional misconduct. This balance ensures that trail managers and landowners maintain appropriate standards of care.

The passage of SB 179 would provide long-term stability for the C2C Trail and similar projects across Oregon. It would encourage landowner participation, support volunteer efforts, and ultimately enhance recreational opportunities for all Oregonians.

Finally, **regarding potential amendments that could strengthen and enhance the apparent intent of the bill**, please consider the following points.

- **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; to 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



All fifty states in the U.S. have enacted statutes that confer some degree of liability protection to landowners who allow the general public to use their land for recreational purposes.

The time to act is now and ensure that the Corvallis-to-the-Sea Trail, and other invaluable recreational resources throughout Oregon, remain vibrant, accessible, and a source of pride for generations to come. This bill helps us keep our trail alive for everyone.

Therefore, **we urge this committee to move this bill forward**, and all legislators to support it to help secure the future of Oregon's recreational trails for generations to come.

Thank you for your consideration.

Sincerely,

Louise Marquering

Louise Marquering
Acting President
Corvallis to the Sea Partnership