

Submitter: Gregg Kleiner
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure, Appointment or Topic: SB179

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

I am Gregg Kleiner, the Project Coordinator of the Joseph Branch Trail Consortium, a non-profit building a 63-mile, community trail-with-rail alongside existing railroad tracks in Union and Wallowa counties in northeast Oregon. This multi-use trail will bring people together, offer healthy outdoor exercise to local residents and a safe transportation alternative to the ever busier Oregon Highway 82, and bring economic benefits to the small, rural communities along the trail route, many of which are struggling economically.

It is critical that Oregon keep its trails open and protected from random civil lawsuits via our state's recreational immunity laws. As currently written, SB 179 importantly removes the sunset from the current law, which is critical. But the bill improved by doing the following:

- Extending the increased level of immunity in Section 1 of the bill to private landowners who open their land to the public free of charge;
- More strongly clarify that trails that serve dual purpose as both recreation and transportation facilities are covered under the law, and addressing the problem of subjective intent;
- Including 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 for your good work in helping Oregon's outdoor recreation opportunities be available to everyone,

Gregg Kleiner, Project Coordinator
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