

February 16, 2025  
House Committee on Economic Development, Small Business, and Trade  
900 Court Street NE  
Salem, Oregon 97301

**RE: Strong Support for HB 3140 – Protecting Oregon's Outdoor Recreation Industry**

Chair Nguyen, Vice Chairs Diehl and Isadore, and Members of the Committee,

I am writing in strong support of HB 3140. I own an Oregon based rafting and adventure travel company, I have been a guide for 30 years, and I am an avid skier, biker, and trail runner. I love the outdoors, I love Oregon's outdoors, and I love showing people Oregon's outdoors. However, recreation liability issues in Oregon are endangering a way of life and the ability to show a wide range of people the outdoors.

Recreation liability reform is a countrywide issue, but it is acute in Oregon and Oregon has become one of the most difficult places to operate an outdoor recreation business. In the rafting industry, incident rates have not increased, yet insurance premiums are rising at an unsustainable pace—far outpacing inflation. Small businesses like mine are struggling to even find viable insurance options.

It is making it harder and more expensive to provide outdoor activities, and in many cases, cool outdoor adventures are just not being offered (more high-adventure style trips, new trails, etc). It is particularly crippling to small businesses because we can't do things like self insure.

Outdoor recreation is a huge part of the Oregon economy and the reason why many people live here. There are inherent risks to doing outdoor things - we can mitigate those risks, but we can't make it perfectly 'safe'. Just like we can't make driving in a car 'safe'. And trying to do that will eventually take away one of the big reasons people love doing outdoor things. We do not want outdoor recreation to mean "Disneyland". And we do not want outdoor recreation as we know it to be only for the richest of people - those who can afford the prices we will have to charge to pay for fighting trial lawyers and insurance companies.

When we started our business, our liability form was barely over 1/2 page of normal size text (and our insurance was lower) - now it is over 2 pages. And honestly, it is not better at informing guests. It is too much for them to actually read and understand. These waivers are done to appease/fight lawyers at this point - not to actually inform the guest. And they are not in service of the guest or their safety.

As outfitters, we are also in the service business. This kind of culture and lack of good regulation is the kind of thing that can hurt the ability to create and keep doing outdoor experiences that a wide range of people love (and can afford). The 'transactions' of doing a bunch of legalese paperwork and lectures (and yes, the intense 'informing' talks can feel like lectures) start to ruin the feel of the trip. Things are not fun when you have to listen to a 45-minute checklist and sign 4 pages of forms before you do something that you paid for and

that is supposed to be fun (and, once again, all these forms and checklists have gone way past making things 'safer' or informing guests).

At this point the tail (lawyers and insurance companies) is wagging the dog when it comes to setting standards. The standards are being dictated by legal interests rather than by those who understand and operate outdoor recreation businesses, They are being set by and for insurance and lawyers for their profit, not for the enjoyment and safety of guests.

Besides affecting small outdoor recreation businesses like mine, I also see it affecting community trail building across city, state, and private land and the ability of small Oregon Ski areas to allow other winter sports on their mountains like other states are. It is really frustrating from a community standpoint.

We have seen recent changes to improve these recreational liability issues in neighboring states, like [Idaho](#), as well as at the national level with the passage of the [Explore Act](#), and with recent changes to liability waiver policies within the [National Park Service](#). But at this point, Oregon is one of the most difficult places to provide outdoor recreation.

We must strengthen liability protections in Oregon for small businesses (and cities and communities) offering outdoor recreation. If Oregon does not fix this outdoor recreation in the state is only going to be for very rich people, is only going to be provided by huge corporations, and is going to end up more Disneyland than an outdoor adventure.

The vast majority of Outfitters and guides are small businesses that can't afford massive lobbying efforts like trial lawyers can. But we are the backbone of a growing and sustainable Oregon outdoor recreation economy. Please pass this bill.

Thank you for your time and consideration.

Sincerely,

**Pete**

- Guide/Owner



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