

January 18th, 2025
Oregon State Legislature
900 Court St. NE
Salem, OR 97301



TRAILKEEPERS OF OREGON

Subject: Support for Senate Bill 179 – Ensuring Trail Access and Landowner Protection

Dear Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee,

Trailkeepers of Oregon (TKO) fully endorses Senate Bill 179, a critical piece of legislation that will help sustain, expand, and protect public access to Oregon's diverse trail systems. As a nonprofit committed to protecting and enhancing the hiking experience across the state, we recognize that SB 179 is essential for securing long-term recreational opportunities on both public and private lands.

This bill strengthens protections for landowners by solidifying liability immunity as specified in ORS 105.688. Such protections are necessary to encourage landowners to allow trail access without fear of legal repercussions. Without these safeguards, we risk losing crucial trail connections, forcing closures and limiting the outdoor experiences available to Oregonians and visitors alike.

SB 179 is vital because it supports both public access and conservation efforts. Trails play an integral role in fostering land stewardship and community well-being. By keeping lands accessible, we inspire a greater appreciation for Oregon's natural beauty and ensure that future generations can enjoy these outdoor spaces.

We echo the concerns of many in the outdoor community who emphasize the need for SB 179 to provide strong and lasting protections. With more than 80% of Oregonians using trails for recreation, commuting, and overall wellness, legal uncertainties surrounding recreational immunity have posed challenges to maintaining existing trails and advancing new projects. In some cases, these ambiguities have stalled much-needed developments that would create safer alternatives to high-traffic roadways.

To further improve the bill, we recommend the following considerations:

- Expanding immunity protections to private landowners who allow public access at no cost.
- Clarifying that trails serving both recreational and transportation purposes are explicitly covered under the law.
- Broadening the language to include a wider range of transportation methods beyond walking, biking, and running, ensuring flexibility for future recreational and mobility needs.
- Addressing concerns raised in cases like *Fields vs. Newport*, where unclear liability provisions have been cited as obstacles to community-driven trail initiatives.

The temporary recreational immunity protections established in 2024 were a crucial step in maintaining trail access. Now, it is time to make these protections permanent with the passage of SB 179. We urge you to support SB 179 and strengthen the future of our state's trail systems.

Sincerely,

TKO Executive Director

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