



**PROTECT OREGON  
RECREATION**

## HB 3140: Liability Waiver Reform for Oregon Recreation and Fitness

### PROBLEM

**State Court rulings have nullified liability waivers, raised costs, limited access to recreation and fitness opportunities, and made Oregon less safe.**

Oregon's recreation and fitness providers face skyrocketing liability insurance premiums, disruptions in coverage, and dwindling options. Multiple recreation insurers have already left Oregon due to the state's liability policies and litigious environment.

Providers have been forced to raise prices, limit opportunities, or close. Many recreation providers refuse to or can't afford to operate in Oregon.

Small businesses and underserved communities are most impacted. Without reform, Oregon risks losing the tremendous societal, economic, and public safety benefits that recreation and fitness providers offer.

### SOLUTION

HB 3140 restores the benefits of waivers by returning freedom of contract and judicial discretion to the courtroom in cases of ordinary negligence.



Does not impact cases involving gross or criminal negligence.



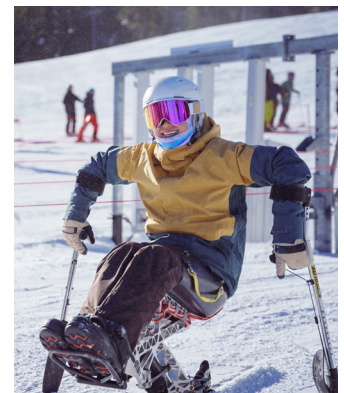
Ensures recreation and fitness providers remain accountable for ALL forms of negligence.



Applies only to adults 18 years or older.



Realigns Oregon with recreation liability policies of all other Western states, national standards for exculpatory agreements, the federal EXPLORE Act, and National Park Service policies.



*"Oregon's liability landscape discourages outfitters and guides from operating in the state. Passing HB 3140 would support guiding businesses and in turn help ensure that more trained public safety experts are present to educate, assist, and respond to emergencies."*

- Caleb Burns, mountain guide, search and rescue veteran, and avalanche educator

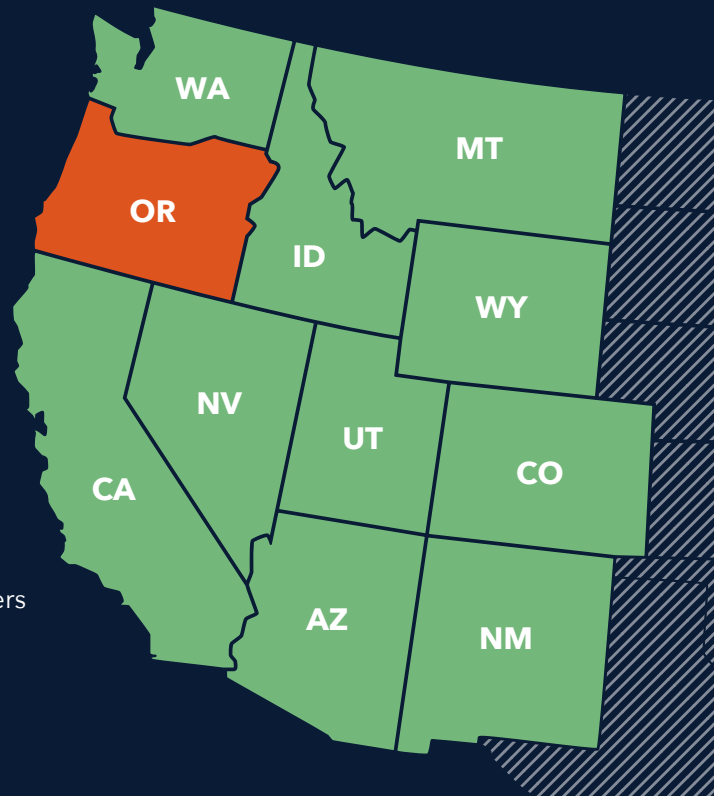
# Oregon's liability waiver standard is out of balance

To preserve recreational opportunities and prevent skyrocketing costs, Oregon needs to re-align with the same consumer protections that exists in every other Western state.

**2024**

Western States and Court Enforcement of Liability Waivers

## KEY



## Partners

Our supporters include recreation and fitness providers, hikers, bikers, paddlers, equestrians, skiers, hunters, snowmobilers, trail builders, safety providers, conservationists, BIPOC advocates, adaptive sports providers, outdoor camps, local governments, universities, chambers of commerce, and others.

We believe recreation and fitness are essential to the livelihood, physical and mental health of ALL Oregonians.

We need lawmakers' support to survive long-term. Waiver reform is an essential first step in protecting recreation and fitness opportunities for all Oregonians.

See our full list of partners at [www.protectoregonrec.org/partners](http://www.protectoregonrec.org/partners)



**PROTECT OREGON RECREATION**

Sources: Oregon Governor's Task Force on the Outdoors, Oregon Office of Outdoor Recreation; IHRSA Health Club Consumer Report Study, 2019; Outdoor Industry Association, Oregon Fact Sheet  
Contact: [erik@kanclerconsulting.com](mailto:erik@kanclerconsulting.com)