

# NATIONAL COAST TRAIL ASSOCIATION



***Keeping The Coast For Everyone!***  
*through advocacy, education and action*  
*for trails, public access and coastal preservation*



*Oregon Coast Trail on the beach south from our westernmost point, Cape Blanco!*

June 13<sup>th</sup>, 2025

*Senate Committee on Finance and Revenue*

The Capitol, Salem Oregon

**RE: Senate Bill 1196-1, Support for Proposed Amendments**

**Chair Meek, Vice-Chair McLane, Committee Members:**

**The National Coast Trail Association wants to express strong support for the proposed amendments to Senate Bill 1196,** since they effectively address the use and legal recognition of liability release waivers for nonprofit trail organizations working with volunteers. This legislation is vital to ensuring the continued creation, maintenance, and safe enjoyment of trails across Oregon, including the envisioned 400-mile Oregon Coast Trail, an official state "signature trail" that appreciates the value of volunteer-driven trail stewardship.

**Nonprofit trail organizations rely heavily on volunteers to build new trails, construct essential structures such as bridges, and maintain existing trails and infrastructure.** These activities inherently involve physical labor and exposure to risks of injury. To manage these risks, organizations use carefully drafted liability release waivers, which volunteers sign prior to undertaking trailwork. Such waivers serve to educate volunteers about the risks involved and secure their voluntary assumption of those risks, thereby **protecting the nonprofit from unreasonable legal claims that could otherwise jeopardize its financial stability and mission**<sup>[1]</sup>.



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**Legally valid and recognized waivers are crucial because they enable nonprofits to obtain liability insurance coverage at reasonable costs.** Without these waivers, insurance premiums could rise dramatically, potentially to levels that would force organizations to curtail or cease volunteer trailwork activities. This could have a devastating impact on trail availability and maintenance statewide. The proposed amendments to SB 1196 would effectively address these concerns by clarifying and strengthening the enforceability of such waivers, ensuring that volunteers can continue to contribute safely and that nonprofits can maintain affordable insurance coverage<sup>[1][2]</sup>.

**The Oregon Coast Trail's continued accessibility and quality depends on the ability of nonprofit organizations and volunteer groups to work without facing prohibitive liability risks.** This bill supports the sustainability of such efforts, preserving the trail's value for residents and visitors alike. Additional key points supporting SB 1196 include:

- **Volunteer protection through waivers encourages continued volunteer engagement** by clearly defining risk and liability, which benefits both volunteers and organizations<sup>[3]</sup>.
- **Properly managed waivers and insurance structures reduce the risk of litigation costs that could otherwise deplete nonprofit resources**, allowing more funds to be directed toward trail projects rather than legal defense<sup>[1][2]</sup>.
- **The bill aligns with recent legislative efforts in Oregon to protect recreational access and landowners from excessive liability, as seen in Senate Bill 1576, just recently being signed into law**, which addresses recreational immunity and trail closures due to liability concerns<sup>[4]</sup>.

In conclusion, **SB 1196 and its proposed amendments represent a critical step to safeguard the future of volunteer-driven trailwork in Oregon.**

**We urge the committee to advance this legislation swiftly so that trails such as the Oregon Coast Trail can continue to flourish**, supported by the generous efforts of volunteers who give their time and energy to maintain these treasured public resources.

**Respectfully,**



**Executive Director**

cc: Board of Directors

## References

<sup>[1]</sup> LawHelp.org, "Waivers of Liability for Volunteers of Nonprofits," Revised November 2017.

<sup>[2]</sup> William Henry, "Insuring volunteers . . . the wrong way and the right way" Volunteers Insurance Service Association, Inc., ", " March 5, 2025.

<sup>[3]</sup> Morgan, PhD Thesis, "Tort Law and the Voluntary Sector – Protecting Volunteers from Liability ," 2020.

<sup>[4]</sup> OPB, "Oregon lawmakers OK immunity protections aimed at keeping parks, trails open," March 5, 2024.