

Support SB 1196
Reasonable Limits of Liability

As a lifelong user of Oregon's outdoor recreation facilities such as ski areas, mountain bike trail systems, and river rafting guide services, I am aware of both sides of the risk/responsibility equation. The scenario involving SB 1196 reminds me of a legal equation, similar to equations in physics or chemistry, where imbalance requires reconciliation for the benefit of all parties.

I avidly participate, coach, and volunteer in outdoor services where the risks involved with my participation, and those in my charge, are apparent. Simply, untoward things can happen anytime we walk out our front doors. Risk is innate and it is the individual's responsibility to be aware of that risk, take personal responsibility, and accept the fact that not all things can be controlled at all times. On the other side of the equation, it is clearly the responsibility of an outdoor services provider such as a river rafting company or ski area to do everything within their scope to mitigate risk to users. Legally, a balanced risk/responsibility equation must be available to us as Oregonians. I believe that balance is represented in SB 1196.

I have learned over the years of legal decisions that were, from a citizen's perspective, imbalanced in favor of the risk taking individual and unfair to the service provider, setting the stage for Oregon's outdoor service providers to potentially lose insurance coverage for situations of neglect or potential neglect. I strongly feel the need for SB 1196 to establish a new legal framework for the risk/responsibility equation. Failing to establish a more balanced risk/responsibility equation will be detrimental to many positive aspects of life available to outdoor seeking Oregonians. Supporting SB 1196 will keep the doors open for Oregonians to enjoy our beautiful natural settings.

Please vote for SB 1196.

Thank you,

Randy Hewitt