



March 1, 2026

Testimony in Opposition of SB 1517A

Dear Chair Bowman, Vice-Chairs Elmer and Pham, and Members of the Committee,

As a National Historic Landmark and one of Oregon's most iconic recreation destinations, Timberline employs hundreds of Oregonians each year and supports countless local businesses. Outdoor recreation is not only our livelihood; it is central to Oregon's identity and economy. As a ski area operating on federal land, our Special Use Permit requires us to maintain liability insurance and indemnify the U.S. Forest Service. Without available and affordable insurance coverage, continued operation is simply not possible.

For that reason, we have consistently advocated for thoughtful liability waiver reform that aligns Oregon law with the majority of other states. Clear and predictable standards reduce insurance costs, provide certainty to small and nonprofit organizations, and ensure continued public access to recreation and stewardship activities.

Throughout this session, we have expressed support for the language in SB 1593 as a workable, balanced solution that meets these goals and has demonstrated bipartisan support.

Unfortunately, SB 1517A as passed by the Senate with the -7 amendments does not provide the clarity or certainty our organizations need. It does not extend meaningful protection to stewardship activities, and the numerous explicit exceptions limiting what may be included in waivers would leave providers facing greater legal uncertainty than under the current framework. In practical terms, it increases litigation exposure and insurance costs rather than reducing them.

That said, we remain committed to a constructive path forward. We could support advancing SB 1517A with the -A11 or -A15 amendments. The -A11 amendment reflects the core language we have sought throughout this process. Alternatively, we are willing to consider the broader applicability offered in the -A15 amendment if that represents the Legislature's preferred route to compromise.

We want to be clear about what we are, and are not, seeking. We do not ask for blanket immunity, nor do we seek to deny individuals access to the courts. We are asking for the

same balanced approach adopted by neighboring states: one that recognizes the inherent risks of recreational activities and respects personal responsibility.

For decades, Oregon operated under a standard that provided greater clarity around inherent risk. In its absence, injury claims increasingly result in prolonged and costly litigation. Many recreation providers, particularly small operators and nonprofits, cannot afford to defend meritless claims and are forced into settlement. This environment undermines access to recreation and threatens the sustainability of programs that Oregonians value.

We respectfully urge the Committee to amend SB 1517A to restore clarity, predictability, and balance to Oregon's liability framework. Thank you for your consideration.

Sincerely,

John Burton  
Director of Marketing & Public Affairs  
Timberline