



812 SW Washington St.  
Suite 900  
Portland, OR 97205

tel. 503-223-5587  
fax 503-223-4101  
www.oregontriallawyers.org

House Committee on Rules

March 2, 2026

In Opposition to SB 1517A Amendments

Chair Bowman, Vice Chair Elmer, and Members of the Committee,

Throughout our careers, each of us has represented Oregonians at the trial and appellate levels who have faced tragic circumstances due to negligent recreational operators. Our cases have ranged from injuries and deaths that occurred while skiing, rafting, and enjoying indoor activities such as trampoline parks and fitness gyms.

More recently, we have each participated in hours of work group conversations with lawmakers and recreational industry representatives on the topics of enforceable waivers, inherent risks, and negligence. In these conversations, we have been clear that we all have an obligation, in any solution, to make certain Oregonians' constitutional rights are protected if negligence caused their harm. We have participated in these conversations in good faith, proposing concepts and language that serve that collective goal. Nonetheless, when pressed, industry representatives have failed to offer anything beyond the reckless and irresponsible approach contained in SB 1593 and HB 4071.

In the face of an extremely hyperbolic public relations campaign by the recreation industry, the stories of victims have been lost. Somehow, policymakers now believe the falsehood that tragic consequences must always result from gross negligence. They are not.

While we appreciate the thought and care that lawmakers have brought to these conversations, we must voice our opposition to SB 1517A, and **vehement disapproval of the policy approaches included in the -8, -11, and -14 amendments.**

Briefly, the -11 amendment closely mirrors the text of HB 4071, a bill that failed to garner a hearing in the Oregon House this session. This bill is overly broad and, if enacted, would curtail access to justice for Oregonians forced to sign enforceable waivers for actions arising from ordinary negligence.

In the 250 years of the American experiment, we have perhaps never seen a time when our courts were a more essential protector of our constitutional rights. In this context, the -14 amendment would enact a policy repudiation of a unanimous Oregon Supreme Court decision in *Bagley v. Mt. Bachelor Inc.*, tipping the balance away from Oregon consumers and toward negligent actors who have inflicted real harm to Oregonians recreating in our state.

Thank you for the opportunity to provide our perspective.

Sincerely,

Nadia Dahab, Portland, OR  
Lara Johnson, Eugene, OR  
Joe Piucci, Portland, OR