



February 7, 2016

Committee on Consumer Protection and Government Effectiveness
Office of Legislative Administration
House of Representatives
Oregon State Legislature
900 Court St., NE, Rm 140A
Salem, Oregon 97301

Dear Committee Members,

The Snow Sport Safety Foundation is a charitable research and education organization dedicated to safety improvement at recreational ski areas. As its President, I am writing in opposition to HB4077 which proposes to classify acrobatic features in ski area terrain parks as “inherent risks” protected from liability without any required design or construction specifications.

Terrain parks are the cause of many of the most severe accidents and injuries at ski areas across the country. A number of people, mostly adolescents and young adults, have lost their lives or are paraplegic or quadriplegic as a result of terrain park accidents. Unlike the international snow sport competitions like the Olympic Games which inspire these young people to seek out terrain parks, ski areas do not adhere to any design or construction standards or specifications for the acrobatic features in their terrain parks. As pointed out by the Oregon State Supreme Court in its recent ruling on liability waivers, protecting the ski areas from liability without any reasonable accountability for safety in design, construction and operation is “unconscionable” and facilitates negligence.

We recognize the ski industry’s need for reasonable liability protections. However, we believe that public policy should be balanced between such ski area protections and public safety. This balance can be achieved by making those protections contingent on: (1) compliance with specified safety standards for the design, construction and operation of terrain parks as well as overall ski areas; and (2) publicly accessible ski area specific accident and injury statistics that would allow patrons to assess their risk of accident and injury and to consider safety in their choice of ski areas and the terrain parks within them.

Sincerely,

Daniel A Gregorie, M.D.
President