

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION of PARKS and RECREATION
BUREAU OF TRAILS

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856
PHONE: (603) 271-3254 FAX: (603) 271-3553 E-MAIL: nhtrails@dred.state.nh.us
WEB: www.nhtrails.org

February 4, 2014

The Honorable Shannon Chandley, Chairman
and the House Resources, Recreation and Development Committee
NH State House, Room 300
Concord, NH 03301

Re: HB 1248, an act relative to the acceptance of risk in outdoor recreational activities.

Dear Chairman Chandley and Members of the Committee,

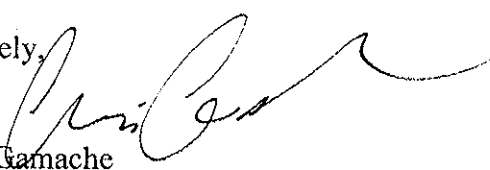
Please accept this testimony on behalf of the Department of Resources and Economic Development, Division of Parks & Recreation, Bureau of Trails in support of the House Bill 1248.

Currently RSA 212:34 Duty of Care and 508:14 Landowner Liability Limited provide exceptional protection for NH Landowners who allow public use of their lands. This bill will further clarify the protections that landowners in New Hampshire have by creating an assumption of risk statement for outdoor recreational users of lands. The language in this bill mirrors the existing language in RSA 215-A:5-c Inherent Dangers of OHRV Operation and RSA 215-C:55. These 2 statutes are statements of risk to motorized outdoor recreational users; however, more and more landowners are asking non-motorized recreational enthusiasts if these statements exist for equestrians, mountain bikers, mushers and others.

This bill will help all outdoor recreational users keep existing access to properties in NH and will further clarify NH's strong tradition of public use of private and other lands. HB 1248 is not another statement about how landowners are protected, but rather an acknowledgment by recreational users that they understand and accept the general risks that come with recreating in the great outdoors.

Thank you for considering this testimony in support of HB 1248. We are happy to be available to answer questions that you may have regarding our testimony.

Sincerely,


Chris Gamache
Chief

CG/mc