

To the Maryland General Assembly:

Passage of SB0452 would drastically restrict the freedom of Maryland residents and have a catastrophic effect on small businesses operating in the recreational sector without regard for activity-specific considerations. I write to the General Assembly with personal concern for our daughter's ability to continue pursuing her love of caring for and riding horses.

Equine sports are inherently expensive, but liability waivers make participating in them a realistic option for many Maryland residents. With passage of SB0452, our daughter's barn would shut down, the barn's staff would be unemployed, and the riders, including our daughter, would be left without a place to ride. Insurance companies would wield the sole power to set recreational liability policy premiums and significantly increase the cost of an already-expensive activity. Horseback riding would likely be out of our family's budget. Weighed in the broader context of all recreational activities, SB0452 would irreparably damage multiple sectors of our local economy, sectors that provide essential physical activity, social interaction, and employment to Maryland residents.

Further, application of SB0452 to all recreational activities is an inexcusable failure to take into account the reasonableness of liability waivers in a specific recreational activity. Horses are animals and unpredictable by nature. Liability waivers in this context are specific and function as an essential warning to the rider that they are participating in an activity involving handling of a live animal and the related risks. Removing liability waivers in this context would have the unintended consequence of increasing injuries and litigation because the responsibility for those risks would shift from rider to instructor. Equine instructors take tremendous care in teaching their riders how to safely care for and interact with their horses. In the broader context of all recreational activities, this shifting of the risk would welcome litigation where the deep pockets of quick-to-settle insurers would be accessible to potential plaintiffs and their attorneys.

Passage of SB0452 would restrict individual freedom and destroy small businesses. Maryland residents should be free to waive liability in the proper context, equine sports being an excellent example. In a time when we as a society interact in person less than ever before, the General Assembly should not pass such carelessly broad legislation that would limit opportunities to pursue healthy recreational activities. Please kill this bill; it is terrible for Maryland residents and small businesses.

Sincerely,

John D. Maxa