

Henningsen Equine Ventures, LLC, dba Urbana Riding Club
2700 Roderick Road
Urbana, MD 21704

March 24, 2024

Department of Legislative Services
Maryland General Assembly
90 State Circle
Annapolis, MD 21401

2024 Session: SB 452 - Courts - Prohibited Liability Agreements - Recreational Facilities
Position: Opposed

In Maryland, people who enter horse shows, take horseback riding lessons, attend equestrian summer camps, and/or rent horses for trail rides routinely sign forms with clauses that waive claims of ordinary negligence against the facility. SB 452 would make these clauses illegal. For situations involving horses, establishing negligence can be unclear; among other factors, a willful being is involved and it is impossible to entirely control or predict animal behavior. If waivers are deemed illegal, debate and contested negligence will result in amplified litigation and increased insurance costs. Since insurance rates are set in part by claims experience, passage of this bill will result in increased insurance premiums for horse stables, riding instructors, horse show venues, summer camps, horse rental stables, etc.

This in turn will result in increased costs to the consumer which will limit access to these sports and recreational activities. Average or entry level consumers simply cannot and will not pay significantly higher fees that will result from the passage of this bill into law; the greatest impact will be to lower income participants. The impact will be a barrier of participation, and business operation to all but the very wealthy owner/operators and clientele. This will result in more equestrian businesses deciding to shut down, unable to manage an additional financial blow along with soaring cost increases facing owners and operators offering these services.

As noted in the bill's Fiscal and Policy Note that there will be a *Small Business Effect of meaningful impact on small business recreational facilities whose contracts contain waiver provisions and will face the increased liability, insurance costs and/or litigation under the bill* - and this impact cannot be overstated. As a provider of horse sport and recreation services to a range of socioeconomic clients I urge you to consider the irreplaceable impact of physical sports, open space recreation and the soothing comfort of animals for our clientele. If SB 452 passes into law, I, and many in our industry, will need to evaluate the feasibility of maintaining operations here in Maryland. As a life-long Maryland resident and female agricultural small business owner, I urge you to consider the consequences of enacting this bill and vote *against* its passage into Maryland law.

Respectfully,
Sandra E. Henningsen
Owner/Operator
Henningsen Equine Ventures, LLC