

To whom it may concern,,

I have become aware of the above mentioned bill. While it might seem to hold a service provider more accountable and as we know Gross negligence can not be signed away, it will have a irreparable damage on a almost 3 Billion dollar Horse industry.

Lesson barns, trailers, instructors, equine trail riding clubs and organizations will be all but eliminated due being targets for lawsuits and crippling insurance premiums.

Maryland laws, established in colonial days, evaluate the liability for negligence on the contribution of both parties. Therefore, in Maryland, under contributory negligence, because A is partly at fault, and thus partly responsible for his injuries, A is precluded from recovering anything from B.

How does this translate into "horse language?" If A (either the owner or lessor of a horse) sustained a head injury while riding and decided to sue B (the stable owner), if the courts find in any way that A contributed to his own injuries, A will lose. For example, if the rider was required to wear a helmet while riding in the ring or anywhere on the property, and refused to wear a helmet, and while riding, the horse spooked at something (a tractor, another horse running down the aisle way, whatever), and consequently sues B (the stable owner) for negligence, claiming the stable owner's was negligent in allowing the tractor to rumble by or the other horse to escape, which consequently caused the horse to spook, the court will have to consider A's negligence in not wearing a helmet and how that also contributed towards A's injuries. As such, in Maryland, A is precluded from recovering anything from B.

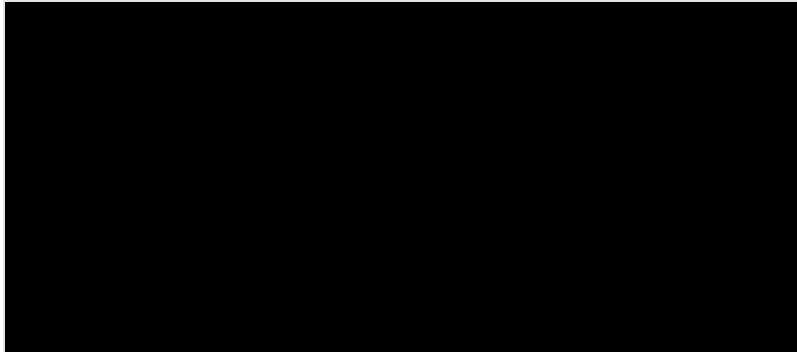
The decision and the summary of the lawsuit Garvine vs Maryland - (See attached) highlights how the impact of such attempts to misplaced responsibility/Liability can have a ripple effect - hurting so many. The family owned feed company that had raised so much money for Breast Cancer over the many years, will never conduct a benefit ride again and they took a almost fatal legal monetary hit.

Maryland case law (lawsuits that actually made it to court) shows the positive effect of such defenses on the horse industry. Current case law recognizes and acknowledges the nature of horses and the risks involved, and thus huge damage awards have not been common in the Maryland horse industry. **Maryland's contributory negligence law is beneficial to the horse industry and should be preserved. This bill directly contradicts the fact a horse is a living breathing animal to which we can not make contingences for every single scenarios.**

PLEASE do not cripple an industry that provides therapy for veterans, their families, disabled and at risk children and has had roughly 1000% increase in participation increase since COVID. An community that fiercely maintains and protects our public

lands. An industry that spans from Agricultural to entertainment. **Please do not allow this bill to pass.**

[Garvine v. Maryland, Civil Action No. JMC-17-01013 | Casetext Search + Citator](#)



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Thank you.

Carolann Sharpe