

## **Written Testimony in Support of Senate Bill 642**

### **Maryland General Assembly – Judicial Proceedings Committee**

**February 7, 2025**

Dear Chair and Members of the Judicial Proceedings Committee,

I am writing to express my strong support for Senate Bill 642, titled "Courts – Prohibited Liability Agreements – Indoor Trampoline Parks." This bill proposes to amend the current law by specifying that the unenforceability of liability waivers applies solely to contracts or agreements related to the use of indoor trampoline parks, rather than broadly encompassing all recreational facilities. This targeted amendment is crucial for the vitality and sustainability of Maryland's equine industry.

#### **Background:**

Under the existing statute, any provision in a contract or agreement related to the use of a recreational facility that seeks to limit the facility's liability for injury caused by its negligence is deemed void and unenforceable. The term "recreational facility" has been interpreted broadly, potentially encompassing equine facilities such as riding stables and training centers. This broad application places Maryland's equine industry at a distinct disadvantage compared to other states.

#### **Impact on the Equine Industry:**

Maryland is one of only two states that does not have an Equine Activity Liability Act (EALA) in place. EALAs are designed to protect equine professionals and facility operators from certain liabilities arising from the inherent risks associated with equine activities. In the absence of such protections, Maryland's equine businesses are compelled to acquire additional liability insurance, significantly increasing operational costs. This financial burden often necessitates higher fees for services such as riding lessons and boarding, making equine activities less accessible to the public and potentially discouraging participation in this historically significant industry.

#### **Support for Senate Bill 642:**

Senate Bill 642 seeks to narrow the scope of the current law by limiting the prohibition of liability waivers to indoor trampoline parks. This refinement acknowledges the unique risks associated with such facilities while allowing other recreational entities, including equine facilities, to utilize liability waivers as a means of managing risk. By passing this bill, the General Assembly would provide much-needed relief to the equine industry, enabling

operators to manage liability risks more effectively and reduce the financial burdens that currently threaten their viability.

**Conclusion:**

The equine industry is an integral part of Maryland's cultural heritage and economy. By supporting Senate Bill 642, the General Assembly can help ensure the continued prosperity of this industry by allowing equine facilities to implement reasonable measures to manage inherent risks. I respectfully urge the committee to issue a favorable report on Senate Bill 642.

Thank you for your consideration.

Sincerely,

Kasenia Coulson

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