Overview

Current section 604A.12 describes the liability of various nonprofit livestock activity sponsors for injury or death of participants in livestock activities. The bill removes equine activities from that statute and places them in a separate statute that is essentially identical except that it applies to both for profit and nonprofit equine activity sponsors.

1 Definitions. Removes equine animals from the current statute that limits liability for nonprofit livestock activities.

2 Equine activities; immunity from liability.

Subd. 1. Definitions. Defines "engages in an equine activity" to mean riding, training, assisting in medical treatment of, driving, or being a passenger upon a equine, or assisting a participant or show management. Excludes being a spectator unless the spectator is in an unauthorized area.

   Defines "equine" to mean horse, pony, mule, donkey, or hinny (offspring of a male horse and a female donkey).

   Defines "equine Activity sponsor" to mean various entities both nonprofit and for profit.

   Defines "equine activity professional" as one who instructs in riding animals or rents animals or equipment.

   Lists examples of the inherent risks of using equines, including the unpredictability of their reactions to sounds, movements, and objects; surface conditions; and the possibility of collisions; and the potential of participants to act negligently.

   Defines "participant" as an amateur or professional who, with or without paying a fee, engages in an equine activity.

Subd. 3. Immunity. Immunizes equine activity sponsors, professionals, and other persons from liability for injury or death to a participant resulting from inherent risks of equine activities, except as provided in subdivision 4.
**Subd. 4. Exceptions.** Imposes liability for (1) providing equipment knowing or with reason to know it is faulty, if the equipment caused injury or death; (2) providing an equine and not making reasonable efforts to determine the participant's ability to engage in the activity; (3) controlling premises on which a participant is injured by a human-made, dangerous, hidden condition known to the defendant and not posting warning signs; and (4) willful or wanton disregard for a participant's safety, and that act caused injury; or (5) intentional injury.

**Subd. 5. Posting notice.** Requires equine professionals to post notice on their premises of the liability limits in this section. Specifies the content and form of the notice. Requires the notice to be included in written contracts for equine services.

**Effective date; application.** August 1, 1999 for actions filed on or after that date.