
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 514 Session of
2007

INTRODUCED BY ORIE, FOLMER, BOSCOLA, RAFFERTY, O'PAKE, WOZNIAK,
EARLL AND WONDERLING, MARCH 19, 2007

REFERRED TO JUDICIARY, MARCH 19, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for immunity
3 from civil liability for certain persons who own, operate or
4 maintain extreme sports parks or recreation areas.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 8340.2. Immunity as to extreme sports parks and recreation
10 areas.

11 (a) General rule.--Except as provided in subsection (b), a
12 person is not liable for civil damages proximately caused by the
13 operation of a skateboard, roller skates, inline skates, a
14 freestyle bicycle, a mountain bicycle or any other apparatus
15 that is nonmotorized, wheeled, recreational or sporting in
16 nature, and powered solely by the physical efforts of the user,
17 at an extreme sports park or recreation area owned or operated
18 by the person if:

1 (1) the extreme sports park or recreation area is
2 designed and maintained for the purpose of extreme sports
3 use;

4 (2) a set of rules governing the use of the facility is
5 clearly posted at each entrance to the extreme sports park or
6 recreation area; and

7 (3) a warning concerning the hazards and dangers
8 associated with the use of the facility is clearly posted at
9 each entrance to the extreme sports park or recreation area.

10 (b) Exceptions.--Notwithstanding any other law, a person is
11 not liable for civil damages resulting from injuries that occur
12 at an extreme sports park or recreation area if:

13 (1) the extreme sports park or recreation area is closed
14 for use at the time a user is injured; and

15 (2) there is a sign clearly posted at each entrance to
16 the extreme sports park or recreation area providing a
17 warning not to use the extreme sports park or recreation area
18 when the park or area is closed.

19 (c) Definitions.--As used in this section, the following
20 words and phrases shall have the meanings given to them in this
21 subsection:

22 "Extreme sports park" or "recreation area." A location,
23 other than a roller rink, which is open to the public and which
24 can be used for the operation of:

25 (1) a skateboard;

26 (2) roller skates;

27 (3) inline skates;

28 (4) a freestyle bicycle;

29 (5) a mountain bicycle; or

30 (6) any other apparatus that is nonmotorized, wheeled,

1 recreational or sporting in nature, and powered solely by the
2 physical efforts of the user.

3 "Person." Any of the following:

4 (1) An individual.

5 (2) A corporation.

6 (3) A partnership.

7 (4) An unincorporated association.

8 (5) The Commonwealth.

9 (6) A political subdivision of this Commonwealth.

10 (7) Any other entity recognized by law.

11 Section 2. This act shall take effect in 60 days.