

The SCA Equestrian Marshal's Guide to Adult Equestrian Liability Waivers and Signage in the 50 States

by

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Over the last decade, the horse industry has heavily lobbied the legislatures of the various states to provide lawsuit protection to equine professionals, meaning those who rent or supply horses, tack, and other equipment, and equine activity sponsors, like the typical equestrian activities found at SCA event.

The legislatures of 45 states, including Pennsylvania in February 2006, responded to the lobbying efforts by passing laws that offer some lawsuit protection to equine activity sponsors and equine professionals. In order to protect the SCA, the Board of Directors asked for legal research to develop waivers that would sufficiently invoke the new statutes to provide more protection for the SCA from lawsuits arising out of injuries or death in equine activities.

This endeavor is not meant to burden the marshallate with more paperwork. In fact, using the new Roster-style waiver approved by the Board, these new forms actually can reduce typical event paperwork. For the five states that have no special protection laws like Alaska, California, Nevada, New York and Maryland, use the Standard Society Waiver and signage.

The only new addition to this new liability protection is the requirement in many of the 45 states for signs with specific language, size/typeset, and quantity to be posted. These signs can be easily made and only a few need to be posted at the required areas. Once the signs are made, with the addition of a weatherproof covering, these signs can be re-used many times through the years. The equestrian marshal in charge "EMIC" should sign each roster as acknowledgement of rider authorization and waiver submission. The law requires that participants in equestrian activities be fully informed of the inherent risks of equine activities before they can knowingly and intelligently surrender their right to sue for an injury or death resulting from an equine activity. These forms and signage language, one for every state including the 5 states that have no special liability protection, inform the potential participant of the inherent risks of equine activities and releases the activity sponsor from liability for harm, placing the risk upon the participant for accidents and other inherent risks of equine activity. No waiver can protect against intentional or reckless acts but the mere accidents can have protection of the new laws.

If you have any questions, please feel free to contact me regarding the usage of the form or the requirements of the signage for your SCA equestrian events.

Respectfully,
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cc:
SCA Board of Directors
President of the SCA

**WAIVER AND INFORMED CONSENT TO PARTICIPATE
IN S.C.A, Inc. EQUESTRIAN ACTIVITIES**

Society Standard Equine Activity Liability Form Rev 2007

NOTICE: Please read this document before signing. Signing this document affirms that you have read it and understand it in its entirety.

NOTICE OF INHERENT RISKS: Equines have the propensity to behave in ways that may result in injury, harm or death to persons on or around the equine; have unpredictable reactions to such things as sounds, sudden movement and unfamiliar objects, persons or other animals; are susceptible to certain hazards such as surface or subsurface conditions, collisions with other equines or objects; propensities include kicking, biting, stamping, stumbling, rearing, and others; tack equipment can fail resulting in falling or loss of control; and activities have the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the equine or not acting within the participant's ability. Equine activities are INHERENTLY DANGEROUS. YOU ASSUME THE RISK FOR INJURY OR DEATH.

Society for Creative Anachronism, Inc. ("SCA")

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WAIVER AND INFORMED CONSENT TO PARTICIPATE IN SCA EQUESTRIAN ACTIVITIES

I, the undersigned, having read and understood the content of this document, agree and consent to the provisions contained herein. It is my intention and desire to participate in SCA period equestrian-related activities including but not limited to, riding or authorization check rides, horse-handling, ground crew, mounted games and combat, marshalling, or being present at equestrian activities as an observer or other activity related, however slight, to equestrian activities at events held by the Society for Creative Anachronism, Incorporated. I hereby acknowledge that I am fully aware of the nature, purpose and risks of equine activities of the SCA, Inc.. I acknowledge that these activities are potentially dangerous and that I voluntarily accept any of the inherent risks involved. In consideration for my being permitted to take part in these activities, I agree to be bound by the rules of the SCA, Inc. and to obey the directions of the marshals and other governing officials of activities. In the event of any disagreements or disputes arising from my taking part in these activities, I agree to submit such disagreements or disputes to a board of arbitration appointed by the SCA, Inc. and abide by any decisions reached by such board. I agree to release, hold harmless, and keep indemnified the Society of Creative Anachronism, Inc., its organizers and agents, officials, servants, and representatives from and against all claims, actions, costs, expenses and demands in respect to death, injury, loss or damage to my person or property, howsoever caused, arising out of or in connection with my taking part in these events even if the same may have been contributed to or occasioned by the negligence of the said body or any of its agents, servants, or representatives. It is understood and agreed that this agreement is to be binding upon myself, my heirs, executors and assigns.

I UNDERSTAND THAT THIS IS A LEGAL DOCUMENT. I HAVE READ AND UNDERSTOOD THIS RELEASE AND I UNDERSTAND ALL ITS TERMS. I EXECUTE IT VOLUNTARILY AND WITH FULL KNOWLEDGE OF ITS MEANING AND SIGNIFICANCE. I HEREBY ASSUME ALL OF THE RISKS ASSOCIATED WITH EQUINE RELATED ACTIVITIES.

Legal Name (Please Print), Legal Signature, Date EMIC _____ EVENT _____

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____