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## HOUSE BILL NO. 1897

Offered January 9, 2019

Prefiled January 4, 2019

A BILL to amend and reenact § 3.2-6200 of the Code of Virginia, relating to equine activity liability; carriage rides.

Patrons—Ware and Kory

Referred to Committee on Agriculture, Chesapeake and Natural Resources

**Be it enacted by the General Assembly of Virginia:**

**1. That § 3.2-6200 of the Code of Virginia is amended and reenacted as follows:**

**§ 3.2-6200. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Engages Engage in an equine activity" means: ~~(i), with respect to any person, whether mounted or unmounted, who rides, handles, trains, drives, assists (i) to ride, handle, train, drive, assist in providing medical or therapeutic treatment of to, or is ride as a passenger upon an equine; (ii) any person who participates to participate in an equine activity but, even if the person does not necessarily ride, handle, train, drive, or ride as a passenger upon an equine; (iii) any person visiting, touring or utilizing to visit, tour, or utilize an equine facility as part of an event or activity; or (iv) any person who assists to assist a participant or equine activity sponsor or management in an equine activity. The term "engages~~ "Engage in an equine activity" does not include being a spectator at an equine activity, except in cases where the spectator places himself in an unauthorized area and in immediate proximity to an equine or equine activity.

"Equine" means a horse, pony, mule, donkey, or hinny.

"Equine activity" means: (i) ~~an equine shows, fairs, competitions, performances, or parades show, fair, competition, performance, or parade that involve involves any or all breeds of equines and any of the equine disciplines, including dressage, a hunter and jumper horse shows show, grand prix jumping, a three-day events event, combined training, rodeos a rodeo, driving, pulling, cutting, polo, steeple chasing, endurance trail riding and, western games, and or hunting; (ii) an equine training or teaching activities activity; (iii) the act of boarding equines an equine; (iv) the act of riding, inspecting, or evaluating an equine belonging to another, whether or not the owner has received some monetary consideration or any other thing of value for the use of the equine or is permitting a prospective purchaser of the equine to ride, inspect, or evaluate the equine; (v) rides, trips, hunts, or other equine activities the act of participating in a ride, trip, hunt, or other equine activity of any type, however informal or impromptu, that are is sponsored by an equine activity sponsor; (vi) the act of conducting general hoofcare, including placing or replacing horseshoes or hoof trimming, of an equine; and (vii) the act of providing or assisting in breeding or therapeutic veterinary treatment; or (viii) the act of riding in or driving a carriage or other equine-drawn vehicle.~~

"Equine activity sponsor" means (i) any person or his agent who, for profit or not for profit, sponsors, organizes, or provides the facilities for an equine activity, including a pony clubs, 4-H clubs, hunt clubs, riding clubs, school- and club, 4-H club, hunt club, riding club, school-sponsored or college-sponsored classes and programs, class or program, or therapeutic riding programs, and operators, instructors, and promoters program, or (ii) an operator, instructor, or promoter of an equine facilities facility, including stables, clubhouses a stable, clubhouse, ponyride strings, fairs, and arenas string, carriage ride, fair, or arena where the activity is held.

"Equine professional" means a person or his agent engaged for compensation in: (i) instructing a participant or renting to a participant an equine or equine-drawn vehicle for the purpose of riding, driving, or being a passenger upon an equine; ~~or or in an equine-drawn vehicle;~~ (ii) renting equipment or tack to a participant; or (iii) giving a carriage ride or driving a participant in an equine-drawn vehicle.

"Intrinsic dangers of equine activities" means those dangers or conditions that are an integral part of equine activities, including: (i) the propensity of equines an equine to behave in ways that may result in injury, harm, or death to persons a person on or around them it; (ii) the unpredictability of an equine's reaction to such things as sounds, sudden movement, and or unfamiliar objects, persons, or other animals; (iii) certain hazards such as surface and subsurface conditions; (iv) collisions with other animals or objects; and (v) the potential of a the participant acting 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.

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**59** "Participant" means any person, whether amateur or professional, who engages in an equine activity,  
**60** whether or not a fee is paid to participate in the equine activity.