VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 166

An Act to amend and reenact § 3.2-6402 of the Code of Virginia, relating to warning signs at agritourism locations.

Approved March 1, 2016

Be it enacted by the General Assembly of Virginia:
1. That § 3.2-6402 of the Code of Virginia is amended and reenacted as follows:
§ 3.2-6402. Notice required.

A. Every agritourism professional shall post and maintain signs that contain the ~~warning~~ notice specified in subsection B. The sign shall be placed in a clearly visible location at the entrance to the agritourism location and at the site of the agritourism activity. The ~~warning~~ notice shall consist of a sign in black letters, with each letter to be a minimum of one inch in height. Every written contract entered into by an agritourism professional for the providing of professional services, instruction, or the rental of equipment to a participant, whether or not the contract involves agritourism activities on or off the location or at the site of the agritourism activity, shall contain in clearly readable print the ~~warning~~ notice specified in subsection B.

B. The signs and contracts described in subsection A shall contain the following notice ~~of~~ ~~warning:~~

"~~WARNING~~ *ATTENTION*: *"WARNING" or "ATTENTION" followed by "*Under Virginia law, there is no liability for an injury to or death of a participant in an agritourism activity conducted at this agritourism location if such injury or death results from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to land, equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this agritourism activity."

C. Failure to comply with the requirements concerning ~~warning~~ signs and notices provided in this section shall prevent an agritourism professional from invoking the privileges of immunity provided by this chapter.