

HOUSE No. 1018

By Mr. DeFilippi of West Springfield, petition of Walter A. DeFilippi that landowners shall not be held liable for injuries or property damage by persons operating recreational facilities on such land. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT CONCERNING LANDOWNERS DUTY TO UNLAWFUL TRESPASS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 21 of the General Laws is hereby amended by adding
- 2 to section 17C the following language: —
- 3 No landowner may be held liable for any injury (including
- 4 death— or property damage sustained by any person operating
- 5 or riding a snowmobile, all terrain vehicle, motorcycle, minibike,
- 6 dirt bike, minicycle or any other recreational vehicle, whether or
- 7 not the landowner has given permission, written or oral, for the
- 8 operation upon his land, unless the landowner charged a fee for
- 9 such use or unless the injury or damage complained of was caused
- 10 by the willful and gross negligence of the landowner.

