



## New England Mountain Bike Association

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Dear Members of Environmental Committee,

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Philip Keyes  
Executive Director

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Thank you for allowing the New England Mountain Bike Association to present testimony in support of SB No. 831, an act concerning municipal liability for recreational activities on certain open space lands.

About 350,000 Connecticut residents mountain bike on natural surface, singletrack trails<sup>1</sup>, and the Connecticut Chapter of the New England Mountain Bike Association (NEMBA) represents their interests. We also have a wide range of programs designed to promote the stewardship of public trails and educate mountain bikers to ride responsibly and be an asset to the open spaces they enjoy.

NEMBA strongly urges the committee to support Bill No. 831; however, we also urge the committee to adopt the following change. We believe it important to specifically include "bicycling" and "mountain biking" in the enumerated definition of "Recreational purpose". We urge that the text read:

*(4) "Recreational purpose" includes, but is not limited to, any of the following, or any combination thereof: Hunting, fishing, swimming, boating, camping, picnicking, hiking, bicycling, mountain biking, pleasure driving, nature study, water skiing, snow skiing, ice skating, sledding, hang gliding, sport parachuting, hot air ballooning and viewing or enjoying historical, archaeological, scenic or scientific sites.*

Bicycling and mountain biking are common recreational pursuits on municipal properties and there is no reason to exclude them from being specified in the Bill.

Restoring the recreational use liability protections to municipalities is crucial in this modern era of dwindling open space, rampant obesity among old and young alike, and a widespread disconnect to the natural world, commonly referred to as nature deficit disorder. Municipal lands play an ever increasing role in providing recreational opportunities to our citizenry, and outdoor recreation such as mountain biking plays a significant role in combating these social problems.

Connecticut law is deficient in protecting municipalities from allowing healthy recreation on their properties as exhibited by the 2010 verdict made against the Metropolitan District Commission. We urged the Committee to support Bill 831 with our recommended change in language that includes bicycling and mountain biking as a specified recreational purpose.

Those who enjoy public lands need to take personal responsibility for their actions, and the legal system should not place any landowner and landowner at risk, municipal or otherwise.

Sincerely,

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<sup>1</sup> Outdoor Recreation Participation Study (Leisure Trends Group for the Outdoor Industry Foundation, 2004)