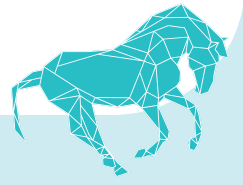


Equine Inherent Risk Signage



Inherent Risk Law went into effect on October 23, 2017

Marcia Jacobowitz, a partner with Jacobowitz and Gubits LLP, who concentrates in Equine Law and Real Estate would like to help the Equine community better understand the new Inherent Risk Law as part of the Safety in Agricultural Tourism Act that went into effect in October, 2017.

This new law protects owners and operators of equine activities (farms, barns, stables, etc.*) from liability for injuries or death that occur on their property, but **ONLY IF YOU HAVE POSTED THE APPROPRIATE SIGNAGE.**

*The Safety in Agricultural Tourism Act includes activities such as: production of maple sap and pure maple products, farm and winery tourism, equine activities (excluding equine therapy), U-pick Christmas Trees, hiking, and other forms of outdoor recreation which activities are conducted by a farmer, on the farm property, offered to farm visitors for their enjoyment or for education of the public.

GUIDELINES

The New York State Department of Agriculture and Markets released guidelines as to what these signs must look like:

OWNERS AND OPERATORS OF HORSE FARMS, BARN AND STABLES MUST POST A MINIMUM OF THESE FOUR SIGNS:

1. WARNING TO VISITORS SIGN

Notifying visitors of the inherent risks of equine or other farm activities.

- owners and operators need to conspicuously post a Warning to Visitors sign relative to the inherent risks of participating in activities on working farms at every point of sale or distribution of tickets, setting up rides, or excursions, whether on or off the farm.

2. VISITORS' RESPONSIBILITIES SIGN

Identifying the responsibilities of visitors while on the property.

- prominently post notice at every point of sale or place of ticket distribution stating that visitors to an agricultural tourism area have the responsibility to: exercise reasonable care regarding the disclosed risks of the agricultural activity and comply with posted directional signs; reasonably remain in areas designated for the agricultural tourism activity; reasonably follow all conspicuously posted rules of conduct.

3. RIGHT TO REFUND SIGN

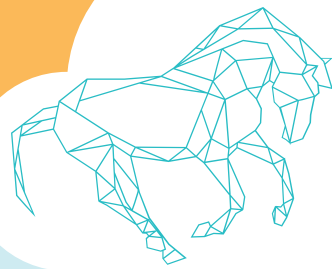
Informing visitors of their right to a refund if they are unwilling to accept the risks specified in the Warning to Visitors Sign.

- post conspicuous notice to visitors of the right to a refund of the amount paid for the purchase of tickets or activity. Refund is conditioned on the purchaser's declaration to the operator that he or she is unprepared or unwilling to accept the inherent risks of the activity or assume the duty of reasonable care.

4. DIRECTIONAL SIGNAGE

Must be placed to advise visitors of the Warning and Visitor Signs.

- Post and maintain way finding signage to delineate the paths, areas and buildings that are open to the public. Identify areas that are off limits to visitors.



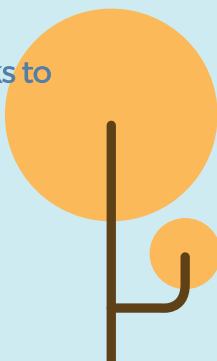
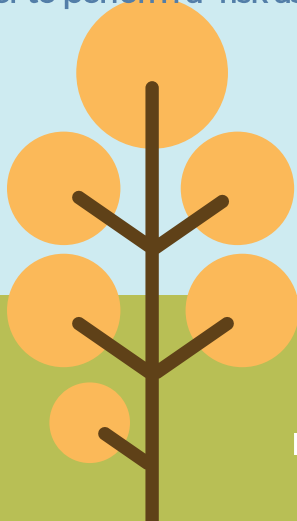
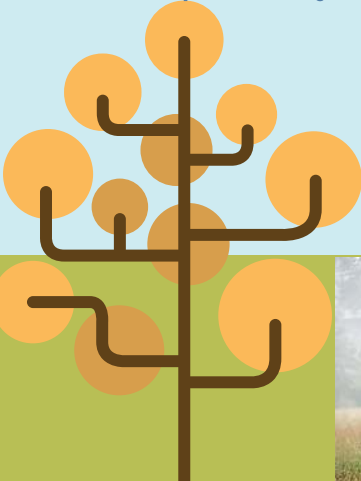
WRITTEN INFORMATION

Operators are required to provide written information that conspicuously directs the attention of all visitors to the Warning and Visitors signs. Signs can be purchased as www.anicesign.com/equine.

EMPLOYEE TRAINING

Furthermore, owners and operators should adequately train employees who are actively involved in agricultural tourism activities including proper information and skills that would help employees prevent visitors from being harmed by foreseeable and preventable risks.

The New York State Agriculture and Markets suggests farm operators work with their legal professional and insurance carrier to perform a "risk assessment" to identify the potential risks to visitors specific to your location.



FOR MORE INFORMATION
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