

To: New Jersey Law Revision Commission
From: Vito J. Petitti, Counsel
Re: Equine Activities Liability Act – Revised Tentative Report
Date: November 12, 2013

The Commission has before it a revised version of the Tentative Report on the Equine Activities Liability Act (“Equine Act”) originally issued on December 10, 2012. Upon further analysis, Staff determined that a revision was appropriate prior to conducting outreach to the equestrian activities community.

This document contains a new introduction and new comments, and a further revision to the definitions in Section 2, but the focus of our most recent work is on Sections 9 and 10, where we previously added affirmative duties for operators of equine facilities in accordance with the Commission’s guidance. Here, Staff has been chiefly concerned with limiting changes to substantive provisions so as to avoid inadvertently upsetting existing legal standards of liability.

Pending approval of this Revised Tentative Report, Staff intends to conduct outreach with equestrian organizations and experts in preparation for a Draft Final Report in 2014.