

PUBLIC CHAPTER NO. 968

HOUSE BILL NO. 3314

**By Representatives Ty Cobb, Hensley, Matlock, Evans, Carr, Bone,
Coleman**

Substituted for: Senate Bill No. 3011

By Senators Jackson, Ketron, Tracy, Faulk

AN ACT to amend Tennessee Code Annotated, Title 70, Chapter 7, relative to landowner liability for private airstrip and related activities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-7-102, is amended by designating the existing language as subsection (a), and further amend by adding the following language as a new subsection (b):

(b) The landowner, lessee, occupant, or any person in control of land or premises owes no duty of care to keep such land or premises safe for entry or use by others for recreational non-commercial aircraft operations or recreational non-commercial ultra light vehicle operations on private airstrips except as to known hazards or defects and except as provided in § 70-7-104.

SECTION 2. Tennessee Code Annotated, Section 70-7-103, is amended by adding the following language immediately after the language "ride off-road vehicles,":

recreational non-commercial aircraft operations or recreational non-commercial ultra light vehicle operations on private airstrips,

SECTION 3. Tennessee Code Annotated, Section 70-7-104(a)(2), is amended by adding the following language immediately after the language "cave,":

recreational non-commercial aircraft operations or recreational non-commercial ultra light vehicle operations on private airstrips,

SECTION 4. Tennessee Code Annotated, Section 70-7-105, is amended by deleting the section in its entirety and by substituting instead the following:

Any person eighteen (18) years of age or older entering the land of another for the purpose of camping, fishing, hunting, hiking, dog training, cutting or removing firewood, recreational non-commercial aircraft operations or recreational non-commercial ultra light vehicle operations on private airstrips, for such person's use for a consideration may waive, in writing, the landowner's duty of care to such person for injuries that arise from camping, fishing, hunting, hiking, dog training, cutting or removing firewood, recreational non-commercial aircraft operations or recreational non-commercial ultra light vehicle operations

on private airstrips for such person's use, if such waiver does not limit liability for gross negligence, or willful or wanton conduct, or for a failure to guard or warn against a dangerous condition, use, structure or activity.

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: May 6, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 26th day of May 2010



PHIL BREDEESEN, GOVERNOR