

Part 1 General Provisions

57-14-101 Title -- Purpose.

- (1) This chapter is known as "Limitations on Landowner Liability."
- (2) The purpose of this chapter is to limit the liability of public and private land owners toward a person entering the owner's land as a trespasser or for recreational purposes, whether by permission or by operation of Title 73, Chapter 29, Public Waters Access Act.

Renumbered and Amended by Chapter 212, 2013 General Session

57-14-102 Definitions.

As used in this chapter:

- (1) "Charge" means the admission price or fee asked in return for permission to enter or go upon the land.
- (2) "Child" means an individual who is 16 years old or younger.
- (3)
 - (a) "Land" means any land within the state boundaries.
 - (b) "Land" includes roads, railway corridors, water, water courses, private ways and buildings, structures, and machinery or equipment when attached to the realty.
- (4) "Owner" means the possessor of any interest in the land, whether public or private land, including a tenant, a lessor, a lessee, an occupant, or person in control of the land.
- (5) "Person" includes any person, regardless of age, maturity, or experience, who enters upon or uses land for recreational purposes.
- (6) "Recreational purpose" includes, but is not limited to, any of the following or any combination thereof:
 - (a) hunting;
 - (b) fishing;
 - (c) swimming;
 - (d) skiing;
 - (e) snowshoeing;
 - (f) camping;
 - (g) picnicking;
 - (h) hiking;
 - (i) studying nature;
 - (j) waterskiing;
 - (k) engaging in water sports;
 - (l) engaging in equestrian activities;
 - (m) using boats;
 - (n) mountain biking;
 - (o) riding narrow gauge rail cars on a narrow gauge track that does not exceed 24 inch gauge;
 - (p) using off-highway vehicles or recreational vehicles;
 - (q) viewing or enjoying historical, archaeological, scenic, or scientific sites;
 - (r) aircraft operations; and
 - (s) equestrian activity, skateboarding, skydiving, paragliding, hang gliding, roller skating, ice skating, walking, running, jogging, bike riding, or in-line skating.
- (7) "Serious physical injury" means any physical injury or set of physical injuries that:

- (a) seriously impairs a person's health;
 - (b) was caused by use of a dangerous weapon as defined in Section 76-1-101.5;
 - (c) involves physical torture or causes serious emotional harm to a person; or
 - (d) creates a reasonable risk of death.
- (8) "Trespasser" means a person who enters on the land of another without:
- (a) express or implied permission; or
 - (b) invitation.

Amended by Chapter 430, 2022 General Session