

House File 917 - Enrolled

House File 917

AN ACT

RELATING TO CIVIL LIABILITY ACTIONS AGAINST MOTOCROSS FACILITIES.

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

Section 1. NEW SECTION. **673B.1 Motocross facility — immunity.**

1. As used in this section, unless the context otherwise provides:

a. "Facility operator" means any individual, group, club, partnership, corporation, or business entity, whether or not operating for profit or not for profit, or any employee or agent, which sponsors, organizes, rents, or provides to the

general public the opportunity to use a motocross vehicle by a participant on a motocross facility. "Facility operator" includes a fair authority as defined in section 673.1.

b. "Inherent risks of motocross activities" means those dangers, hazards, or conditions that are an integral part of motocross activities, including all of the following:

(1) Operator error.

(2) Cold weather or heat-related injuries and illnesses, including hypothermia, frostbite, heat exhaustion, heat stroke, and dehydration.

(3) An act of nature which may include rock fall, inclement weather, thunder and lightning, severe or varied temperature, weather conditions, and winds including tornadoes.

(4) Attack or bite by animals.

(5) The aggravation of injuries or illnesses because they occurred in remote places where there are no available medical facilities.

c. "Motocross activity" means riding on, training in or on, using, or being a passenger on a motocross vehicle as follows:

(1) A competition, exercise, or undertaking that involves a motocross vehicle.

(2) Training or teaching activities regarding the operation of a motocross vehicle at a motocross facility.

d. "Motocross facility" means an area created and maintained for the operation of motocross vehicles on natural or man-made terrain.

e. "Motocross vehicle" means a motorized two-wheel or four-wheel vehicle being operated over terrain created and maintained for recreational use.

f. "Participant" means a person, whether amateur or professional, whether or not a fee is paid, which rents, leases, or uses a motocross vehicle or is a passenger on a rented, leased, or used motocross vehicle while participating in a motocross activity.

2. Except as provided in subsection 4, a motocross facility shall not be liable for any injury to or the death of a participant resulting from the inherent risks of motocross activities and, except as provided in subsection 4, a participant or a participant's representative shall not make any claim against, maintain any action against, or recover from a facility

operator, owner, or its agents, servants, or employees for injury, loss, damage, or death of the participant resulting from any of the inherent risks of motocross activities which injury, loss, damage, or death occurred at a motocross facility.

3. This section shall not apply to any employer and employee relationship governed by the provisions of chapter 87.

4. The provisions of subsection 2 shall not prevent or limit the liability of a facility operator of a motocross facility that does any of the following:

a. Intentionally injures the participant.

b. Commits an act or omission that constitutes negligence for the safety of a participant in a motocross activity and that negligence is a proximate cause of the injury or death of a participant.

c. Provides unsafe equipment to a participant and knew or should have known that use of the furnished equipment was unsafe.

d. Fails to use that degree of care that a reasonably prudent person would use under the same or similar circumstances.

5. Every facility operator shall post and maintain signs which contain the warning notice specified in this subsection. Such signs shall be placed in a clearly visible location on or near areas where the facility operator conducts motocross activities. The warning notice specified in this subsection shall appear on the sign in black letters on a white background with each letter to be a minimum of one inch in height. The signs described in this subsection shall contain the following warning notice:

WARNING

Under Iowa law, a facility operator is not liable for an injury to or the death of a participant in motocross activities resulting from the inherent risks of motocross activities pursuant to Iowa Code chapter 673B.

6. This section shall not be construed to affect, limit, or modify any claim or defense existing in statute or common law or to affect any claim against a motocross facility for any injury to or the death of a participant that occurred at a motocross facility prior to the effective date of this Act.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 917, Ninety-first General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2026

KIM REYNOLDS
Governor

unofficial