



RHODE ISLAND  
LAND AND WATER PARTNERSHIP

**Welcome to the 10<sup>th</sup> Anniversary  
Land & Water Conservation Summit**

***Managing Risk on Land Trust Trails and Properties***

**Saturday March 9, 2013  
University of Rhode Island Memorial Union**

# Today's Presenters

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# Today's Discussion 's Focus on Risk Management

- Risk Management does not mean the same thing as limiting legal liability. Today's focus is not on legal liability.
- There is a difference between what you are required to do and what you should do.
- With today's budget constraints it is difficult to strike a balance between making recreational areas safe and not making them available at all.

# Recreational Immunity

(RI Statute Title 32, Chapter 6)

- Rhode Island's Recreational Use Statute was created to encourage landowners to make their land available for public recreation purposes by limiting liability providing they do not charge an access fee.
- However, there are a number of exceptions to the general protections afforded by the Statute and courts have found their own exceptions that are not spelled out in the Statute.
- **If you take proper steps to prevent accidents - immunity is not an issue.**
- **Besides, it's the right thing to do!**

# What is Risk Management?

- A process by which local officials assess, monitor risks and selects and implements measures to address its risks.
- Trails that are properly designed and maintained go a long way to ward off any potential liability.
- Managing agency should develop comprehensive inspection/maintenance plan.
- Benefits of Risk Management are numerous!

# Risk Management continued...

- *Inspect* the property and facilities to discover hidden dangers;
- *Remove* hidden dangers or warn the user of their presence;
- *Maintain* the property and facilities in reasonable safe repair;
- *Anticipate* foreseeable activities by users and take precautions to protect users from foreseeable dangers

## Get To Know Your Trails

- Walk your trails - develop inventory of potential hazards that might exist;
- Gather maps and create a list of users that will be permitted on the trail;
- Document use patterns & demands & Identify all applicable laws (State/Municipal);
- Design and location of trail such that dangers are avoided; Install warning signs of potential hazards;
- Post and enforce trail regulations.

# Trailhead Kiosks Immediate Positive Impression!





# Important User Information



# Trail is open for use!

- Developing and disseminating detailed trail maps;
- Regular inspection of trail by a qualified person;
- Correct and document maintenance concerns;
- Develop procedures for handling emergencies;
- Maintain records of all inspections, what was found & what was done about it.
- By managing these steps it will show the agency has been acting in a responsible manner and will serve as a excellent defense in the event of a lawsuit.

# Managing Special Situations

- Hunting adjacent to trails; Are signs posted at trailheads to be aware of this?
- Motorized vehicles; cyclists; skiers;
- Animals (i.e.) horses;
- Unauthorized use (i.e.) camping, partying.



**HUNTING MAY  
OCCUR ALONG  
THIS TRAIL ON  
ABUTTING  
PROPERTY  
USE AT YOUR  
OWN RISK**



**WARNING**  
ABSOLUTELY  
**NO**  
**MOTORIZED**  
**VEHICLES**

# Signs !!

## Trailhead, Directional, Intersections

- Signs are probably the quickest and easiest way to leave the trail user with a positive impression.
- Good signage program is essential for effectively controlling risks.
- May not relieve liability? - but signs are excellent way of showing that measures are taken to assure safety.

# Signs, Signs, Everywhere Signs!



# Does A Hazard Exist?

