

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1605

By: Frix

AS INTRODUCED

An Act relating to torts; defining terms; abrogating liability for owners of private property for dirtbike use on private property; providing for exceptions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 115 of Title 76, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Dirtbike" means a motorcycle designed primarily for off-road use;

2. "Inherent risk of dirtbike use" means the dangers or conditions that are an integral part of dirtbike use on roads, paths, or other surfaces including, but not limited to:

- a. injury or death caused by a change or variation in the surface that may cause a participant to lose control, lose his or her balance, or crash the dirtbike,
- b. injury or death caused by a collision with a natural or man-made object,
- c. operator error, including equipment failure due to operator error, and
- d. aggravation of an injury, illness, or condition because the injury, illness, or condition occurred in a remote location where medical facilities are not available;

3. "Motorcycle" means a motor vehicle having a seat or saddle for use of the rider and designed to travel on no more than three wheels in contact with the ground;

4. "Owner of private property" means a person, group, club, partnership, corporation, business entity, whether or not operating for profit, employee, or organized agent, that sponsors, organizes, rents, or provides to a participant the use of private property for dirtbike use; and

5. "Participant" means a person who rents, leases, or uses a dirtbike on private property whether or not a fee is paid.

B. A participant assumes the inherent risk of dirtbike use by engaging in dirtbike use on private property. A participant or his or her representative shall not have a claim against, maintain an

1 action against, or recover from an owner of private property for
2 loss, damage, injury to, or the death of the participant resulting
3 from the inherent risk of dirtbike use. An owner of private
4 property shall not be liable for loss, damage, injury to, or the
5 death of a participant resulting from the inherent risk of dirtbike
6 use.

7 C. This section shall not:

8 1. Apply to a relationship between an employer and employee
9 pursuant to the Administrative Workers' Compensation Act; or

10 2. Prevent or limit the liability of an owner of private
11 property that:

12 a. intentionally injures a participant,

13 b. commits an act or omission of gross negligence
14 concerning the safety of a participant that
15 proximately causes loss, damage, injury to, or the
16 death of the participant,

17 c. provides an unsafe dirtbike to a participant and
18 reasonably knew or should have known that the dirtbike
19 was unsafe to the extent that it could cause injury,

20 d. fails to use the degree of care that a reasonably
21 prudent person would use under the same or similar
22 circumstances, or

23 e. commits other acts, errors, or omissions that
24 constitute willful or wanton misconduct, gross

1 negligence, or criminal conduct that proximately
2 causes loss, damage, injury to, or the death of the
3 participant.

4 SECTION 2. This act shall become effective November 1, 2026.

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