

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1605

By: Frix

6 AS INTRODUCED

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

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

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

16 A. As used in this section:

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

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

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

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

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

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

22                  B. A participant assumes the inherent risk of dirtbike use by  
23                  engaging in dirtbike use on private property. A participant or his  
24                  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

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

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

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