

WCIA Skateboard Information

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(Information Provided by Washington Cities Insurance Authority)

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Note: The following information was provided prior to the passage of State Senate Bill SSB 5254 [1997] which amended the recreational user statute, [RCW 4.24.210](#), which limited liability for cities under certain conditions. The WCIA still discourages the creation of skate parks but believes the following precautions will help cities in defense against liability claims.

Skateboard Facilities

Possible Exposures

Skateboarders riding in a city skateboard facility may suffer injuries ranging from scrapes and scratches to broken limbs to severe head injuries. Personal protective equipment, supervision and enforcement of safety rules, and routine maintenance of the facility may be lacking, which would increase the exposure to liability. Improperly designed spectator areas can lead to spectator injuries. There are no recognized protection systems (helmets) for skateboarders. ANSI or SNELL approved bicycle helmets seem to provide reasonable protection. The majority of riders in a city skateboard park will be minors who have until they are 21, three years after they reach the age of majority, to file a lawsuit. WCIA does not recommend that cities construct a skateboard facility.

Recommended Controls

WCIA encourages cities to limit their liability exposure by transferring the risk. For example, the city could provide the space or land for a skateboard facility, but have another entity own and operate the facility and provide the necessary insurance.

If the city does decide to construct a skateboard facility, the following risk controls are recommended:

Design/Planning - Product and Architect/Engineers Liability

1. Have skateboard facility designed by an architect, preferably, a landscape architect with experience in designing skateboard facilities.
2. Test ramps through qualified professional skaters and safety experts for degree of difficulty
3. Locate spectator areas at a safe distance away from the skaters
4. Provide protective netting or barrier around skateboard run to help impede flying boards or falls
5. Locate walkways at a safe distance from skaters, providing safe and easy access
6. Mark runs with signs or color for degree of difficulty
7. Provide easy accessibility for ambulance pick-up
8. Equip indoor parks with adequate lighting, panic hardware, properly marked exits (comply with National Fire Protection Association IO 1 standards)
9. Provide an adequate draining system to eliminate water from ramps
10. Post signs at entrances to facility requiring ANSI or SNELL approved bicycle helmets for use by all entrants.

Physical Facilities - Premises Liability

1. Conduct physical inspection of ramp, walkway, parking, and spectators area
2. Look for:
 - o adequate lighting
 - o condition of ramps (free of gaps, ridges, cracks, foreign material)
 - o trip, slip and fall hazards
3. Post safety rules/regulation for use

Management Supervision - Errors and Omissions Liability

1. Conduct equipment checks of all skateboards
2. Conduct periodic inspections of facilities documenting inspection, repairs, and maintenance
3. Employ/Contract only qualified technicians for maintenance and repair
4. Require safety instruction and education for all skaters
5. Require participants to wear personal protective gear at all times
6. Conduct inspections of personal protective equipment
7. Require first aid and CPR certification of all staff
8. Employ well trained, qualified staff members
9. Provide full-time supervision
10. Develop registration form and waiver for participation in skateboarding activities; require completion of this form prior to participation If participant is under 18 years of age, require parent or legal guardian to indemnify City for any damages suffered by participant. (See attached sample)

Participant Waiver and Release

I am fully aware of the fact that there are special dangers and risks inherent in the activity of skateboarding, including the risk of serious physical injury, death or other consequences that may arise or result directly or indirectly from skateboarding. Being fully informed as to these risks and in consideration of being allowed to participate in City skateboarding activities and/or use of City facilities, I hereby assume all risk of injury, damage and liability arising from such activities or use and hereby release the City of _____, its officials, employees and agents and waive any right of recovery that I might have to bring claim or a lawsuit against them for any personal injury, death or other consequences occurring to me arising out of my voluntary participation in the activity of skateboarding.

Participant Printed Name _____
 Participant Signature _____

I certify that I am the parent or legal guardian of the participant above-named; that I have read and understood the foregoing release and waiver; and that I in consideration of allowing the participant to participate in the City's skateboarding activities or on Cityowned facilities I join in the release and waiver without reservation and agree to release and waive any claim or legal cause of action that I might have arising out of any personal injury or death of the participant as against the City of _____, its official, employees and agents. I further grant my full consent and authorization for the abovenamed participant to engage in the activity described above.

Parent/Guardian Printed Name _____
 Parent/Guardian Signature _____
 Date _____
 Participant Address _____
 Phone _____

City of _____ Skateboard Park Medical Information Form

Skater's Name _____ Emergency _____
 Phone _____

Age _____ Sex: []M []F

Address _____ City _____ Zip _____

Hospital Preferred _____ Phone# _____

Physician to be called in case of emergency

Phone # _____

Allergies _____

Chronic Illnesses _____ Regular Medication _____

Medical Problems _____ Learning Difficulties _____

Recent Injuries (within last year) Contact Lenses Worn?

Past injuries, illnesses or sports limitations the city should be aware of:

PARENT RELEASE

As a parent or legal guardian, I authorize a licensed physician to examine the above named student and in the event of injury to render such emergency care as he or she deems necessary for the treatment of such injury, including consultation and treatment by a specialist, including a surgeon. As parent or legal guardian, I authorize the Parks Department to send the above-named student to the hospital or doctor most accessible.

Parent or Legal Guardian Signature Date

Must be signed in front of Parks Department Staff

STAFF: _____

Skateboard Parks

WCIA Member Cities with *Current* Skateboard Parks

- Anacortes
- Auburn
- Des Moines
- Issaquah -
- Kent
- Longview
- Mercer Island
- Montesano

- **Port Townsend**

For more information on currently open skate parks in Washington State, see the [MRSC SkatePark Directory](#).

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