



# Equine Liability Statute: Are You in compliance?

*The Educated Horseman: Management Series*



Many states have passed equine liability laws that protect against the inherent risks of equine activities, and Louisiana is one of those states.

California, Maryland, Nevada and New York are the only states that do not have such laws.

All of the laws are fairly similar but contain a few different characteristics. In Louisiana, the equine activity liability statute is divided into two sections – one related to "farm animal activity" and one specific to "equine activity sponsors."

Both sections of the Louisiana statutes have identical terms, except for the animal to which the statute pertains. Under both statutes, "engaging" in a farm animal activity or equine activity does not include being a spectator at a farm animal activity, except in cases where the spectator places himself or herself in an unauthorized area and in immediate proximity to the farm animal or equine activity. A farm or equine professional is **not** protected under this statute if he or she:

- Knowingly provided faulty tack or equipment.
- Failed to make reasonable and prudent efforts to determine the ability of the participant to engage safely in the activity.
- Owns or otherwise is in lawful possession of the land or facilities upon which the participant sustained injuries because of a known, dangerous latent condition.
- Commits an act or omission that constitutes willful or wanton disregard for the safety of the participant or intentionally injures the participant.
- The statute also requires the visible displaying of warning signs that alert participants to the limitation of liability by law, and any written contracts must include the statutory language provided.
- Every equine professional and every equine activity sponsor must post and maintain signs that clearly display the following notice to be covered by the protections of the statute:
  - **WARNING - Under Louisiana law, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to R.S. 9:2795.3.**
- Signs need to be posted in a clearly visible location where the equine professional or equine activity sponsor is conducting equine activities.
- The lettering needs to be in black print, with each letter to be a minimum of 1 inch tall.

## **WARNING**

**Under Louisiana law,  
a farm animal activity  
sponsor or farm  
animal professional  
is not liable for an  
injury to or the death  
of a participant in  
farm animal activities  
resulting from the  
inherent risks of farm  
animal activities,  
pursuant to  
R.S. 9:2795.1.**

- The above notice also needs to be included in every written contract entered into by an equine professional or an equine activity sponsor.

Failure to comply with the requirements concerning warning notices prevents a farm animal activity sponsor or equine activity sponsor from invoking the privilege of immunity provided by the statute.

***So what can you do to make sure you are in compliance?***

- **Be familiar with the language and requirements for the equine liability statute in your state.** Visit [www.animallaw.info/articles/armpequineliability.htm](http://www.animallaw.info/articles/armpequineliability.htm) for more information about each state’s specific requirements.
- **Develop safe practices.** Maintain your equipment and facilities in proper working order. Check all tack regularly for weak spots, loose connections and uneven wear. Check facilities for any hazards such as stray wires, loose fencing or uneven ground. Ensure all equipment has been returned to its proper location after use.
- **Use liability release forms.** Many free versions of equine liability release forms can be found on the Internet. Just be sure to include the specific

language required by your state on any release forms you use. Although release forms will not protect you from all lawsuits and there is no guarantee a court would uphold such forms, you can never take too many precautions when it comes to protecting yourself and your assets.

- **Post Signs.** “Ride at your own risk” is **not** adequate in the state of Louisiana. Signs that meet Louisiana’s requirements can be purchased at the majority of local feed stores for approximately \$5.
- **Carry additional equine insurance.** While this may not be feasible for every horse owner, there are insurance companies that will provide additional coverage, which protects you in case of an accident. Many major breed associations offer such policies to their members at a reduced rate. The Louisiana Equine Council also offers such a policy to its members for approximately \$20 per year. For more information, visit [www.laequine-council.com/](http://www.laequine-council.com/).

Horses and horse activities can bring joy and enrichment into our lives but they also have the potential to cause major catastrophes. It is prudent to ensure you are applying measures that will protect you in the case of an accident.

**Visit our website: [www.LSUAgCenter.com](http://www.LSUAgCenter.com)**

**Author**

Neely Walker, Ph.D.  
Assistant Professor (Equine Specialist)  
School of Animal Sciences

**References**

EALA LA R.S. 9:2795.1-9:2795.3  
<https://www.animallaw.info/statute/la-equine-activity-liability-%C2%A7-27951-limitation-liability-farm-animal-activity-sponsor-or>

William B. Richardson, LSU Vice President for Agriculture  
Louisiana State University Agricultural Center  
Louisiana Agricultural Experiment Station  
Louisiana Cooperative Extension Service  
LSU College of Agriculture

Pub. 3413 (online only) 4/15  
The LSU AgCenter and LSU provide equal opportunities in programs and employment.