



Stuart Farnham

Frazer Insurance Agency

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- ACT 31 and Agritourism
- ADA , The Americans with Disabilities Act and your farm
- General Liability



ACT 31

- Act 31 (H.89), An Act Relating to Limiting Liability for Agritourism, went into effect July 1, 2021.
- The Agritourism Collaborative page has more information.
<https://www.uvm.edu/extension/vtagritourism/act-31>



ACT 31

- Act 31 acknowledges that there are “inherent risks” in participating in agritourism activities and shifts those risks to properly warned consumers. To qualify for the limitation on liability, an agritourism host must post the required warning notice in a clearly visible location at or near the main entrance to each agritourism activity and include the same warning notice language in every written contract between the agritourism host and a participant.



ACT 31-According to this bill, you must have clear signage that says:
WARNING: Under Vermont law, an agritourism host is not liable for the injury or death of a participant in an agritourism activity resulting from the inherent risk of the agritourism activity. Inherent risks include the risk of animals, weather, land conditions, and the potential for you as a participant to act in a negligent way that may contribute to your own injury or death. You are assuming the risk of participating in this agritourism activity.



ACT 31

- This signage must be clearly visible at the entrance of each “agritourism activity.” It must be printed in black letters that are at least one inch in height.
- UVM Extension is distributing a limited supply of printed signs at no cost to farms. Contact vtagritourism@uvm.edu if you would like a sign. For more information about Act 31, visit www.uvm.edu/extension/vtagritourism/safety-liability-and-regulations.
- To read the full act or act summary, go to legislature.vermont.gov/bill/status/2022/H.89.



Americans with Disabilities

- Does your farm have to comply with the ADA rules?
 - Per the ADAAG, the ADA Accessibly Guidelines for Recreation Facilities. “The ADA is a comprehensive civil rights law that prohibits discrimination on the basis of disability. The ADA requires that newly constructed and altered state and local government facilities, places of public accommodation, and commercial facilities be readily accessible to, and usable by, individuals with disabilities.”
- As part of the ADAAG, page 6 states it is required for the following facilities.
 - Animal Containment Areas for public use such as petting zoos and passageways along animal pens at fairs.
 - It is not required for animal containment areas not for public use.



General Liability

- What is General Liability? What does it cover?
 - Third-party bodily injury
 - Slip fall, illness from product, choke on package
 - Third-party property damage
 - Reputational harm
 - Advertising injury



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