

NEW JERSEY STATUTES ANNOTATED

2a:42a-2 Et Seq.

Chapter 42A Landowners Liability

Sec.

2A:42A-2. Sport and recreational activities; definition

As used in this act "sport and recreational activities" means and includes: hunting, fishing, trapping, horseback riding, training of dogs, hiking, camping, picnicking, swimming, skating, skiing, sledding, tobogganing and any other outdoor sport, game and recreational activity including practice and instruction in any thereof.

2A:42A-3. Duty to keep premises safe for entry or use of others

Except as provided in section 3 of this act:

- a. An owner, lessee or occupant of premises, whether or not posted as provided in section 23:7-7 of the Revised Statutes, owes no duty to keep the premises safe for entry or use by others for sport and recreational activities, or to give warning of any hazardous condition of the land or in connection with the use of any structure or by reason of any activity on such premises to persons entering for such purposes;
- b. An owner, lessee or occupant of premises who gives permission to another to enter upon such premises for a sport or recreational activity or purpose does not thereby (1) extend any assurance that the premises are safe for such purpose, or (2) constitute the person to whom permission is granted an invitee to whom a duty of care is owed, or (3) assume responsibility for or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted.

2A:42A-4. Liability towards persons injured on premises

This act shall not limit the liability which would otherwise exist:

- a. For willful or malicious failure to guard, or to warn against, a dangerous condition, use, structure or activity; or
- b. For injury suffered in any case where permission to engage in sport or recreational activity on the premises was granted for consideration other than the consideration, if any, paid to said landowner by the State: or
- c. For injury caused, by acts of persons to whom permission to engage in sport or recreational activity was granted, to other persons as to whom the person to keep the premises safe or to warn of danger.

2A: 42A-5. Damages for death or injury to person or property

Nothing in this act shall create a duty of care or ground of liability for damages for the death or injury to person or property.