Appendix 13.7

Aquatic Trail Technical Data

13.7.1 Complete Text of Nevada Revised Statute 41.510

LIABILITY OF OWNERS, LESSEES AND OCCUPANTS OF PREMISES TO PERSONS USING PREMISES FOR RECREATIONAL PURPOSES

NRS 41.510 Limitation of liability; exceptions for malicious acts if consideration is given or other duty exists.

1. Except as otherwise provided in subsection 3, an owner of any estate or interest in any premises, or a lessee or an occupant of any premises, owes no duty to keep the premises safe for entry or use by others for participating in any recreational activity, or to give warning of any hazardous condition, activity or use of any structure on the premises to persons entering for those purposes.
2. Except as otherwise provided in subsection 3, if an owner, lessee or occupant of premises gives permission to another person to participate in recreational activities, upon his premises:
   (a) He does not thereby extend any assurance that the premises are safe for that purpose or 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.
   (b) That person does not thereby acquire any property rights in or rights of easement to the premises.
3. This section does not:
   (a) Limit the liability which would otherwise exist for:
      (1) Willful or malicious failure to guard, or to warn against, a dangerous condition, use, structure or activity.
      (2) Injury suffered in any case where permission to participate in recreational activities, was granted for a consideration other than the consideration, if any, paid to the landowner by the State or any subdivision thereof. For the purposes of this subparagraph, the price paid for a game tag sold pursuant to NRS 502.145 by an owner, lessee or manager of the premises shall not be deemed consideration given for permission to hunt on the premises.
      (3) Injury caused by acts of persons to whom permission to participate in recreational activities was granted, to other persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.
   (b) Create a duty of care or ground of liability for injury to person or property.
4. As used in this section, "recreational activity" includes, but is not limited to:
   (a) Hunting, fishing or trapping;
   (b) Camping, hiking or picnicking;
   (c) Sightseeing or viewing or enjoying archaeological, scenic, natural or scientific sites;
   (d) Hang gliding or para-gliding;
   (e) Spelunking;
   (f) Collecting rocks;
   (g) Participation in winter sports, including riding a snowmobile, or water sports;
   (h) Riding animals or in vehicles;
   (i) Studying nature; (j) Gleaning;
   (k) Recreational gardening; and
   (l) Crossing over to public land or land dedicated for public use.

(Added to NRS by 1963, 799; A 1971, 192; 1973, 898; 1981, 157; 1991, 185, 2156; 1993, 1191; 1995, 54, 790)