

247.4027 Warning signs and notices -- Waiver -- Effect of noncompliance -- Exclusions.

- (1) Every farm animal activity sponsor and every farm animal professional shall post and maintain signs which contain the warning notice specified in subsection (3) of this section. Signs shall be placed in a clearly visible location on or near stables, corrals, or areas where the farm animal professional or the farm animal activity sponsor conducts farm animal activities. The warning notice specified in subsection (3) of this section shall appear on the sign in black letters, with each letter to be a minimum of one (1) inch in height.
- (2) Every written contract entered into by a farm animal professional or by a farm animal activity sponsor for the providing of professional services, instruction, or the rental of equipment or tack or a farm animal to a participant, whether the contract involves farm animal activities on or off the location or site of the farm animal professional's or the farm animal activity sponsor's business, shall contain in clearly readable print the warning notice specified in subsection (3) of this section.
 - (a) If a participant or parent or guardian of a minor prior to participation in a farm animal activity knowingly signs a contract containing the warning set forth in subsection (3) of this section, the contract shall be deemed a waiver of the right to bring an action against the farm animal professional or farm animal activity sponsor for any injury, damage, loss, or death arising out of any farm animal activity. The waiver shall be binding upon the participant, except as regards acts of negligence by a farm animal professional, a farm animal activity sponsor, or any other person covered in KRS 247.402(2).
 - (b) The waiver shall remain valid unless expressly revoked in writing by the participant or parent or guardian of a minor. In the case of school and college sponsored classes and programs, waivers executed by a participant or parent or guardian of a participant shall apply to all farm animal activities in which the participant is involved in the next succeeding twelve (12) month period unless earlier expressly revoked in writing.
- (3) The signs and contracts described in subsections (1) and (2) of this section shall contain the following warning notice:

"WARNING

Under Kentucky law, a farm animal activity sponsor, farm animal professional, or other person does not have the duty to eliminate all risks of injury of participation in farm animal activities. There are inherent risks of injury that you voluntarily accept if you participate in farm animal activities."

- (4) Failure to comply with the requirements concerning warning signs and notices provided in this section shall prevent a farm animal activity sponsor or farm animal professional from invoking the provisions of KRS 247.401 to 247.4029.
- (5) Nothing in KRS 247.401 to 247.4029 shall create a duty for a farm animal activity sponsor, farm animal professional, or other person to give a warning to a participant engaged in a farm animal activity with his own farm animal, or to a participant whom the farm animal activity sponsor, farm animal professional, or other person

knows to possess reasonable knowledge of or experience with the inherent risk of farm animal activities, or who has represented to the farm animal activity sponsor, farm animal professional, or other person that he possesses reasonable knowledge or experience with the inherent risks of farm animal activities.

Effective: July 15, 1996

History: Created 1996 Ky. Acts ch. 78, sec. 7, effective July 15, 1996.