

SUMMARY STATEMENT
Vaughan v. Gateway Parks, LLC
Docket No. 50674-2023

This permissive appeal concerns the effect of a liability waiver. Gateway Parks, LLC, operates a winter tubing and skiing/snowboarding terrain park at Eagle Island State Park. Elanore Vaughan purchased a ticket and signed an online liability waiver to go tubing at Eagle Island. The next day, Vaughan went tubing at Eagle Island and was injured after the tube she was on went over an embankment and crashed into a flatbed trailer on which snowmaking equipment was housed.

Vaughan sued Gateway and asserted claims for negligence and premises liability. Gateway filed a motion to dismiss the complaint, arguing that Vaughan's claims were foreclosed by: (1) the online liability waiver she signed when she purchased her tubing ticket; and (2) the Responsibilities and Liabilities of Skiers and Ski Area Operators Act, set forth in Idaho Code sections 6-1101 through 6-1109 ("Ski Area Liability Act"). The district court denied Gateway's motion. Gateway thereafter filed a motion for permission to appeal the denial to this Court, which was granted. On appeal, Gateway argued the district court erred in denying its motion on both arguments.

The Idaho Supreme Court reversed the district court's decision and directed the district court to grant summary judgment in favor of Gateway. The Court held that Vaughan's claims were barred by the electronic liability waiver that she signed because the unambiguous language of the waiver precluded Vaughan from recovering for any harm resulting from the snowmaking equipment or the flatbed trailer on which it sat. Because Vaughan's claims were precluded by the liability waiver, the Court did not address the parties' arguments regarding the applicability of the Ski Area Liability Act.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.