

Missouri Revised Statutes

Chapter 258
Outdoor Recreation

[←258.083 \(/mostatutes/stathtml/25800000831.html\)](#)

Section 258.100.1

[258.200→ \(/mostatutes/stathtml/25800002001.html\)](#)

August 28, 2016

Trail, definition--immunity from civil liability for adjoining landowners, when.

258.100. 1. As used in this section, the word "trail" means any land which was acquired or utilized by the state for use as a public hiking, biking or recreational trail or any land or interest therein acquired or utilized hereafter by a political subdivision for use as a public hiking, biking or recreational trail. However, a trail not acquired by the state must be designated by the governing body of the political subdivision as a greenway system of trails or part of a dedicated system of trails, the acquisition conveyance whether by deed, easement agreement, grant, assignment, or reservation of rights to the political subdivision must state the interest in the land is being granted for such purposes, the greenway system or dedicated system of trails must be designed exclusively for the purposes herein designated, and shall not include roads or streets, nor sidewalks, walkways or paths which are intended to connect neighborhoods for pedestrian traffic, such as common sidewalks or walkways.

2. Any person owning land adjoining the trail shall be immune from civil liability for injuries to person or property of persons trespassing or entering on such person's land without implied or expressed permission, invitation, or consent where:

- (1) The person who was injured entered the land by way of the trail; and
 - (2) Such person was subsequently injured on lands adjoining the trail.
3. The immunity created by this section does not apply if the injuries were caused by:
- (1) The intentional or unlawful act of the owner or possessor of such land; or
 - (2) The willful or wanton act of the owner or possessor of such land.

(L. 1990 H.B. 1669 § 1, A.L. 1993 S.B. 221, A.L. 1994 H.B. 1115, A.L. 2004 S.B. 810)

1994

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Missouri General Assembly

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