WEST VIRGINIA CODE: §20-19-4

§20-19-4. Duties of motorsport participants.

- (a) All participants:
- (1) Shall comply with the rules or regulations established for use by the motorsport operator;
- (2) Shall wear all safety equipment as recommended by the motorsport operator, or which might otherwise be required by law;
- (3) Shall obey all rules or instructions announced by the motorsport operator with regard to the safe operation of the motorized vehicle he or she is operating;
- (4) Shall, as to the motorsport operator, expressly assume the risk of and legal responsibility for any injury, loss, or damage to person or property which results from participation in operating a motorized vehicle, and caused by any of the following:
- (A) Variations in terrain, slope, or angle of terrain including elevation changes;
- (B) Surface or subsurface conditions including, but not limited to, rocks or debris;
- (C) Turns in the racetrack; and
- (D) Collisions with retaining walls, tire walls, trees, fences, other vehicles, or any property provided by the motorsport operator.
- (b) Each participant shall have the sole individual responsibility for:
- (1) Knowing the range of his or her ability to negotiate the course of the motorsport facility;
- (2) Operating the motorized vehicle within the limits of the participant's own ability;
- (3) Heeding all posted warnings;
- (4) Operating only within the designated area and designated times as provided by the motorsport operator; and
- (5) Refraining from acting in a manner which a reasonable person would believe to be likely to cause or contribute to the injury of any person.