



North American Horsemen's Association

FOR A STRONGER, SAFER, MORE INSURABLE HORSE INDUSTRY

The Unique Relationship Between Horse and Man

For six thousand years the horse has been the transportation, friend, and burden bearer of man. The horse has been romanced for his nobility, spirit, strength, speed and beauty in poetry, art, and legend. Man's relationship with the horse is truly unique and it is quite amazing that the horse with its prey animal mentality has become a willing partner in life with man – his once predator. The relationship is not without its problems, as horse and man are not always functioning together in sync and harmony. Therefore, because the horse is so powerful and judiciously cautious for its own safety, accidents do happen and people and property are sometimes hurt or damaged when coming in contact with horses.

Historical Look at the Nature of the Horse

Historically, the horse has been considered a *domesticated farm animal*, not a *pet* or *companion animal* to humans. Therefore the horse has not been considered a “dangerous” animal according to civil law. A lesser standard for liability is generally applied to the horse than for accidents involving wild animals, such as a tiger or bear, which might be kept by people in confinement for some purpose. This has been advantageous to the horse and horse owner when it comes to legal matters involving humans injured by horses. Due to their nature, size, and how horses are used, the term “*inherent risk*” is often applied to describe the hazards involved in the horse-human relationship. While this relationship has generally proven to be beneficial to both, bodily injury and prop-

erty damages involving horses have resulted in a considerable amount of civil case law in the United States. Both civil case law and legislated laws generally carry a common thread of acknowledgement about the nature of the horse, his *domestic* animal status, and the *inherent risks* of the horse-human relationship. In spite of this, there remains concern today about the horse's place in our hyper-safety-conscious society.

Equine Activity Liability Limitation Laws and Their Value

Due to increased litigiousness in the U.S., in 1989 horse enthusiasts began to understand the potential threat to the very survival of the horse industry and the American citizen's right to participate in moderate, medium, and high risk adventure rugged-sport and recreation. Horse liability insurance by quality insurers was frequently unavailable, and this was a threat to horse owners and business operators. To its credit, since 1989, the horse industry in 46 states has been successful at passing some form of an Equine Activity Liability Law. These laws vary from state to state, but the intent of each is to acknowledge the inherent risks associated with horse activities and to limit liabilities for those who own, control or use horses, may own and operate horse businesses, or sponsor horse activities for the public. In many ways, the passing of these laws has been helpful, but it remains no guarantee that one will not be sued over an incident involving a horse. Even if a liability limitation law exists in a state, such a law does not prevent a horse owner, horse business operator, or benevolent horse association from being sued, from having to pay for defending themselves in such a case, and being responsible for paying of a claim.





Any Horse Owner, Business Operator and Horse Association Can Be Sued and Can Be Liable

Any horse owner, business operator, and horse association can be sued and potentially held liable in relation to any horse related damage or injury with which they are associated. Sometimes the law is quirky in its application, and one can be held liable even though he or she had little or no direct responsibility in an accident.

Where the legal lines are drawn on horse related claims will continue to be worked out with each new law suit that is filed and each that goes to trial. The fact remains that lawsuits are expensive to defend, and with the legal system being what it is, there is no guarantee that a claim will not have to be paid. The struggle to protect the industry from inherent risk liabilities and to keep high quality liability insurance available will continue to be a challenge as the legal system becomes more sophisticated and worldly-wise.

Formal Risk Reduction Programs and Better Contracts and Agreements for the Horse Industry

How NAHA Can Assist

To meet the more sophisticated requirements of the legal system, safety expectation by the public, and to maintain insurability, horse owners, business operators, and benevolent horse associations are finding it necessary to operate with a formal risk reduction program. A good risk reduction program includes the use of well-written industry contracts and agreements. Such programs assist in management of an operation or club, while helping to prove the safety consciousness of operators, managers, directors and officers. Safety consciousness translates into improved horse related accident rates and usually into less stressful day to day

operations. In turn, this allows for better availability of liability insurance for the horse industry through the best insurance companies at competitive but adequate rates.

NAHA has been the forerunner in the development of Risk Reduction Programs and Contract Models for the horse industry since 1987. Through NAHA membership services, those with horse interests can better evaluate their procedures for risk reduction in the management of their operations while functioning to maintain a stronger, safer, more insurable horse industry.

NAHA's PURPOSES AND MISSION

1. To promote the horse in the U.S. and to preserve the rich diversity of horse breeds and uses.
2. To give commercial horse operations, benevolent clubs, and private horse owners a much needed, stronger voice to the insurance industry.
3. To research, develop, and promote reasonable risk reduction standards for the horse industry; standards that are based upon common accident and injury situations and allow for input from the industry. The intent of the standards is to reduce frequency of and severity of claims and accidents. The standards take into consideration that horse operations are similar to farming operations, are not high-tech, are often moderately profitable, and hobby interests are sometimes part of the operations.
4. To show the insurance industry that the members of NAHA are willing to meet it part-way by promoting safety in their horse operations. The formal emphasis on safety, in turn, makes it easier to attract the best insurance companies to the more safety conscious group of horsemen and women, thus helping to stabilize markets for liability and other classes of insurance.



5. To collect and maintain the association's statistics and case histories on injuries for future reference by NAHA and insurance companies.
6. To provide a group liability insurance program for NAHA members from the best available insurance companies at competitive, but adequate rates.

NAHA MEMBER BENEFITS

Equine Safety and Risk Reduction Information:

- Highly researched risk reduction programs for most types of horse activities and business operations. The standards are updated approximately every three to five years.
- Frequently updated Equine related Contract and Agreement models that may be used at the member's discretion for activities such as personal horse ownership, boarding, breeding, training, leasing of horses, horse rental & guides and outfitters, therapeutic services for horses and people that involve use of the horse, clubs and associations and more. Members may purchase and use the contracts as are, or may modify and print their own using NAHA's as a model for development.
- Stable sign packets are provided to members. If more are required, additional signs may be purchased for cost and handling.
- Web site information about horse business management and operations.

Awards Programs:

- Annual Safety Awards for all member insureds who qualify and are claim free during each policy period.
- Life Achievement Awards are sometimes granted by the association.

Insurance Programs through A-Rated Insurance

Companies:

- Equine liability insurance to specifically meet the needs of horse operations, clubs and associations, and personal horse owners. Available for nearly all types of horse related activities in 49 states. [Lines are limited in New York and New Jersey; not available in Montana]
- Personal Accident Insurance
- Horse Mortality Insurance, Surgical and Major Medical Insurance
- Farm, Ranch, Country Estate, and Hobby Farm Package Policies
- Miscellaneous Lines: Professional Liability, Directors & Officers Liability

Equine Management Consulting Division:

- Stable Management Evaluations
- Equine Appraisals
- Minimum Standard Risk Reduction Evaluations
- Litigation Consultant
- Equine Insurance and / or Risk Reduction Related Periodical Articles
- Insurance Company Program Consultant

The North American Horsemen's Association Administrative Office:

Ark Agency
Animal Insurance Services
PO Box 223
310 Washburne Ave.
Paynesville, MN 56362
Telephone: 1-320-243-7250
Toll Free: 1-800-328-8894
Fax: 1-320-243-7224
e-mail: insurance@arkagency.com
Web Address: www.arkagency-naha.com



NORTH AMERICAN HORSEMEN'S ASSOCIATION CODE OF ETHICS

Dedicated Members of the
North American Horsemen's Association
Strive to:

- Appreciate and promote the natural splendor of the horse, all equine species and breeds;
- Regard and promote harmony and balance between horse, mankind and the natural world;
- Promote human experience, enjoyment, and need for the horse;
- Safeguard the welfare and humane treatment of horses;
- Respect the welfare, safety and property of other people;
- Support and subscribe to the risk reduction standards of the North American Horsemen's Association.

North American HORSEMEN'S ASSOCIATION



Toll Free: 1-800-328-8894 • www.arkagency-naha.com

MEMBERSHIP APPLICATION

Name: _____

DBA/Farm Name: _____

Address: _____

Telephone: Stable _____ Home _____

Work _____ Cell _____

E-mail address _____ WEB address _____

Specific Equine Business or Interest? *(check boxes that apply)*

- ☐ Personal Horse Owner ☐ Horse Club ☐ Horse Boarding or Training ☐ Riding Instruction
☐ Equine Assisted Growth & Development ☐ Horse Camp ☐ Horse Drawn Vehicle Rides
☐ Horse Rentals / Pack & Trail ☐ Farrier ☐ Other _____

☐ Annual Full Membership: \$100

☐ Associate Membership: \$50

(Only for non-profit horse clubs, single day event sponsors and personal horse owners who have no commercial horse activities. Receive limited benefits.)

☐ Lifetime Membership: \$600

Signature _____ Date: _____

Submit check and completed coupon to:

North American Horsemen's Association
P. O. Box 223 • 310 Washburne Ave.
Paynesville, MN 56362