



Vermont Shared Use Legislation, Bill H.122
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The term livable community is broad and means many things to many people. So I want you to understand AARP's definition. A **livable community** is one that has affordable and appropriate housing, supportive community services, and adequate mobility options, which together facilitate *personal independence* and the *engagement* of residents in civic and social life. The second half of this statement is most important because it is what we all aspire to as we get older and is why we support bill, H.122, which will improve the livability of communities in Vermont by increasing access to physical activity options while also promoting social life for many seniors by reducing isolation. Wendell Berry said: "Community is the smallest unit of health."

AARP has been working in Vermont to build awareness about the infrastructure, the community design needed to maintain a high quality of life - reduce isolation, foster connection, and increase active living – even in the face of diminished physical or mental capacity. Shared Use legislation will improve the overall livability of communities across the state by changing the built environment to utilize an existing resource that will provide a safe, affordable and accessible place to engage in physical activity and social life.

Newport Example:

- Lack of access to a gym after IROC closed
- Harsh winter conditions make for unsafe conditions
- Seniors have no place to walk indoors, local grocery store was approached
- Concerns around liability

Liability Language: A school district shall be immune from civil liability for any loss or injury suffered by a person as a result of the person's use of school property outside the school day for any non-school recreational purpose by any entity or individual unless the damage or injury is the result of the intentional or reckless misconduct of the district.

- We understand the Trial Lawyers earn their livelihood through litigation and it is not the intention of this legislation to harm their livelihood since the immunity provision in the bill

still leaves an option for recourse for Vermonters. As stated earlier it is not unusual for states to limit liability in certain circumstances (Good Samaritan Law and the Recreational Use Statute) for the public good.

- This bill is intended to support behavior change by leveraging an existing resource for improving access to physical activity for people of all ages.