

Information and Agreement to Write a Release for you.

Print Legibly Please! Cross Out the Sections that Do Not Apply to You.

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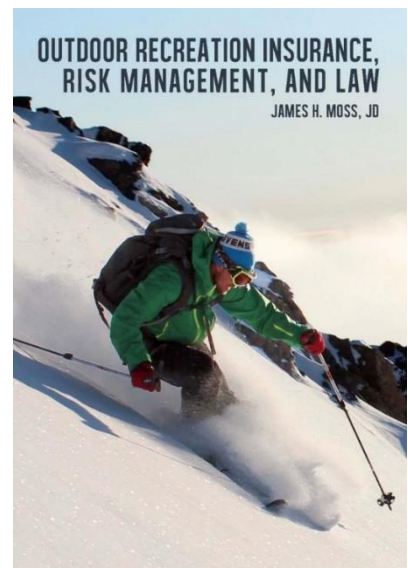
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My Book

Outdoor Recreation Insurance, Risk Management and Law

<http://summitmagicpublishing.com/book/>

Free Shipping if Purchased with legal services.



For Other Types of Releases



<http://summitmagicpublishing.com/legal-documents/>

Zip Line Release	\$499.00
Challenge or Ropes Course Release with a Zip Line	\$499.00
Release for use by Personal Trainers Training for Outdoor Pursuits	\$499.00
Release for Use by Personal Trainer	\$499.00
Guided Class I & II Paddlesports Release	\$499.00
Guided Whitewater Rafting – Multi-Day Trips Release	\$499.00
Guided Whitewater Rafting Release Class III and Above	\$499.00
Mountain Bike Rental or Demo Release	\$499.00
Bicycle Rental Release	\$499.00
Nature Walks or Day Hikes with Staff	\$499.00
Calm Water Canoe, Inflatable, Sit Upon Boat Rentals (Livery) Release	\$499.00
Indoor Climbing Wall Release	\$495.00
US Based Scuba Diving Release	\$495.00
Bicycle Demo Release	\$495.00
Class I & II Paddlesports Release	\$495.00

Terms and Terminology

Not all of these terms may apply to your situation, program or business

- Commercial Campground:** a location where you allow camping for a fee. You are in charge of the land or have a lease to operate the campground, including from the US Forest Service or National Park Service.
- Concession:** a permit, agreement or contract to sell items at a fixed location to the public. This may also include a place in a campground or other location to sell food and sundries.
- Concessionaire:** Someone (or a business) who has been issued a Concession Contract to engage in commercial activities on National Park Service land
- EMS:** Emergency Medical Services, the response system when you call 911
- Guest:** A guest is someone paying you to take them on a trip or to experience your activity.
- Guide:** a guide is a volunteer or an employee (including you) who will be leading or identified by the guest as a leader of the group
- International:** Operating outside of the United States. You are international if you are based in Canada, Mexico, Europe, etc.
- Manager:** person delegated with the responsibility to make decisions and run a limited liability company.
- Member:** is someone who is an investor in a limited liability company. They may or may not have the power to make decisions
- Minor:** someone under the age of 18 or 19 if you are operating in Alabama or Nebraska, or 21 in Mississippi)
- NPS:** National Park Service
- Officer:** a person with the authority to make decisions about concerning the corporation, business, LLC, etc.
- Participant:** A participant is someone paying you to take them on a trip or to experience your activity.
- Partner:** is someone who is a manager, boss, officer and equally liable as all other partners for any liability of the business
- Permittee:** Someone (or a business) who has been issued a Permit or Special Use Permit to engage in commercial activities on US Forest Service land. The Bureau of Land Management uses similar terms.
- Renter:** someone who is renting the gear, equipment or transportation (that they control) from you. Similar to Guest or Participant
- Rep:** independent contractor paid by commission to sell products of a manufacturer
- Retailer:** A retailer establishment, licensed to do business in the city, state and county where they are located in the business of selling, renting, repairing and/or servicing equipment, gear or rental products.
- Shareholder:** is an investor with no responsibilities or duties in your business
- USFS:** United States Forest Service

Volunteer: someone not being paid to work for you but provides volunteer time and work for something other than a paycheck. This might be a lift ticket, ability to go along for the trip, etc.

Please review every section of this form and complete any section that the title may not apply to you, but that is a service, business, or program you may offer. Color blocks indicate sections that are part of the main section.

Upon Receipt of your information a draft release will be sent to you within 2 weeks. If you need your release faster, please let me know when you return this form. Normal processing from receipt of this form to a completed document is thirty (30) days or less.

Please Write Legibly
General Information

Your Name: _____

Title: _____

Phone Number: _____ Email Address: _____

Legal Name of Business: _____

Name the Business does business as: _____

Address & County of the business: _____

Legal address of the business _____

Address & County of other Locations: _____

How long has the business been operating (doing business)? _____

Type of Business: Sole Proprietorship Partnership LLC Corporation

State Entity/Business is registered in: _____

Countries you do Business in: _____

Website: _____

Do you plan to use this Release Online? _____

Will you need to use paper copies of the release? _____

Identify all Shareholders, Partners, Members, or other owners of the business

Use Additional Sheets of Paper if Necessary. Please Print

Name	Title	Email	Phone	Authority to Work with me.

Identify all Officers of the Business

Name	Title	Email	Phone	Authority to Work with me.

Identify all Mangers, Vice Presidents, etc.

Name	Title	Email	Phone	Authority to Work with me.

How will the Release be Used?

Are you planning on using this release as an online release, never needing to print a copy?

Yes No

Are you only planning on using this release on paper?

Yes No

You will need both an online version and a paper copy of the release?

Yes No

Insurance Information

What is the name of your current Insurance Company? _____

What is the name of your insurance agent? _____

What is your insurance agent's contract info? Agency Name: _____

Email: _____ Phone: _____

Address: _____

Professional Associations

Do you belong to any professional Associations or Trade Associations for your business? If so, please list them.

Non-Profit Insurance Information

Do you carry Officers & Directors Insurance on your board of directors? _____

Is your organization membership based or solely controlled by a board of directors? _____

International/Foreign based Operations

Are you and your spouse US Citizens? Yes No

Do you own land or other property or have bank accounts in the US? Yes No

Do you own land or other property or have bank accounts in the other countries? Yes No

How often and for how long do you come back to the US? ____ days/year.

How often and for how long do you spend outside of the US? ____ days/year.

Do you expect to return to the US permanently at some time in the future? Yes No
Will you have guides that speak the languages of all your guests fluently? _____

Volunteers/Staff/Employees First Aid Training

Are your volunteers/staff/employees or independent contractors? _____

Do you require any first aid training for your staff/volunteers/employees? _____

Is there a state law/regulation that requires your staff/volunteers/employees to have first aid training? _____

What is the highest level of first aid training your volunteers/staff/employees has? _____

What is the average level of first aid training your volunteers/staff/employees has? _____

How far to the nearest physician from your average location? _____

How far is the nearest hospital to your location? _____

On average, how long have your guides/tour companies been working with you? _____

Will you be using celebrity or professional guides on part/part/all your trips? _____

Independent Sales Representative (Rep)

Please identify the general area of recreation where your products are sold.

Cycling	Paddlesports	Mountaineering	Rock Climbing
Ice Climbing	Scuba Diving	Events/Racing	Skiing

List all the states where work as an Independent Rep

What lines to you rep?

Please describe all of the types of demos, events, contests or other activities you attend with products or in your duties as a Rep?

- Road Bike Events/Demos Mtn Bike Events/Demos BMX Events/Demos
 Road Bike Races Mountain Bike Races Downhill Bike Races Bike Contests
 Ski Events/Demos Ski Races Snowboarding Events/Demos
 Snowboard Races Freestyle events Tele Events/Demos
 Paddlesports Events/Demos Whitewater Events/Demos Lake Events/Demos
 Oceans Events/Demos Ropes/Challenge Course Events/Demos
 Zip Line Events/Demos Ultra-Distance Events/Demos
 Obstacle Course Events/Demos Adventure Races Events/Demos
 Do you Prepare Food for Customers or Clients at any Events?

Do you have any of the following Activities?

Product Demos to Retailers: Yes No

Product Demos to Consumers: Yes No

Do you do any work on the product after it arrives in the US? Yes No

Do you mount bindings on skis? Are your employees who mount the binding's part of the binding indemnification training program? Yes No

Do you Sponsor Athletes? Yes No

Do you describe your products as: Safety Devices Safety Equipment?

Rescue Equipment Medical or First Aid Equipment or kits

General Activities

Do you sell your products online to consumers? Yes No

Are your customers ever under the age of 18 Yes No?

You put on or sponsor events:

Festivals Races Triathlons Races are Sanctioned by some association

Contests Participate in X-Games

Concessionaires & Permittees General Activities

Do you operate on an NPS Concession Agreement? US Forest Service Permit? BLM? If so, please provide the name of the District, Park or area where your permit is issued and the address of the agency issuing the permit: _____

Do you operate under any State, County or Municipal permit or agreement? Are there any requirements or restrictions on the permit or agreement I should now about? If so, please provide the name of the District, Park or area where your permit is issued and the address of the agency issuing the permit: _____

Are your customers ever under the age of 18 (19 Alabama & Nebraska, 21 Mississippi)?

Outfitters & Guides: Do you have any of the following Activities?

Paddlesports: Whitewater Lakes Oceans Ropes/Challenge Course

Zip Line Multi Day Trips (Camping) Food is cooked by volunteers/staff/employees

Food is cooked by Guests International trips: South America Africa Asia

Latin America Antarctica Arctic

Volunteers/staff/employees required to have first aid training _____ Distance in Miles from Nearest Hospital

Do you operate above 8000' Above 17,500' Above 20,000'

Do you Sponsor Athletes? Yes No

For each trip please provide the following information?

Trip Name	# of Days	Total Trip Length	Longest Day of Trip	Highest Altitude Gain in 1 day

Use additional Sheets of Paper if Necessary

Please provide the following additional information for each trip.

Trip Name	# Guests	# of Guides	Farthest Point from a Road/EMS	

Use additional Sheets of Paper if Necessary

Will you be crossing any rivers, streams or waterways by hiking through the water? Yes No

Will you be preparing the menu or the guests? Me Guests

Will you require prior hiking or backpacking experience from a guest? Yes No

How will you find out about that experience? _____

Do you intend to verify that experience? Yes No

If so how? _____

Will you be carrying a Satellite Phone? Yes No

How do you intend to communicate if you have an emergency? _____

Whitewater Rafting/Duckies/Paddleboards/Hard Shell Kayaks

What Rivers do you have permits for or offer trips on?

River Name	Section	Class
-------------------	----------------	--------------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Do any of these rivers have any dams or spillways on them? Yes No

Please describe: _____

Are any of these rivers prone to have strainers on them? Yes No

Are you allowed to clear them out? _____

Do you?

Yes No

Use additional sheets of Paper if Necessary

What size Rafts do you use? _____

Do you offer Duckie trips? Yes No

Do you offer SUP trips? Yes No

Do you offer Hard shell kayak trips? Yes No

Describe the Training you require guides to have? Yes No

First Aid? _____

CPR? _____

Advanced First Aid? _____

WFR? _____

EMT? _____

How do you train your guides? _____

How many river hours do your guides need before they are allowed to guide? _____

Do you offer guided raft trips where guides are **not** in every boat? Yes No

Do you allow guests to jump off rocks or heights into the river? Yes No

How high do you allow the guests to jump? _____

Is jumping covered by your insurance policy? Yes No

Do you carry a first aid kit on every trip? Yes No

Do you carry spare PFDs on every trip? Yes No

Do you carry a raft repair kit on every trip? Yes No

Do you carry a pump on every trip? Yes No

Have you ever been cited by any government agency? Yes No

Please explain what the citation was? _____

Please explain what the citation was based upon? _____

Please explain the outcome or disposition of the citation? _____

Please Provide a copy of any brochure you use for your Raft Company

Event

Do you put on events: Yes No?

Festivals

Races

Triathlons

Races are sanctioned?

Contests

Participate in X-Games (or similar)

Weddings

Birthday Parties or other such Events

Are your events, contests or races "sanctioned" by any organization? _____

If so what organization? _____

Are you required to provide certain equipment or run the event in a specific way if the event is "sanctioned?" _____

Do you do/have?

Ultra-Distance Events/Activities

Obstacle Course Events/Activities

Youth/Summer Camp

ATV's Off-Road

Safari (Classic Definition)

Work with Equestrians

Work with Other Animals

Winter Sports

Ocean Sports

Cycling

Equipment Rental

Fishing

Retailers

Road Bike Demos

Mountain Bike Demos

BMX Demos

Cross Race Demos

Electric Bike Demos

Electric Mountain Bike Demos

Bike Races Road

Mountain Bike Races

Downhill Races

Cross Races

Bike Contests

Rentals

Overnight Rentals

Group or Shop Rides

Riding Classes

Retailers General Activities

Do you sell your products online to consumers? Yes No

Are your customers ever under the age of 18 (19 Alabama & Nebraska, 21 Mississippi) Yes No?

Retailers Do you have any of the following Activities?

Product Demos to Retailers: Yes No

- Product Demos to Consumers: Yes No
- Do you do any work on the product after it arrives in the US? Yes No
- Do you mount bindings on skis? Are your employees who mount the binding's part of the binding indemnification training program? Yes No
- Do you Sponsor Athletes? Yes No

Retailers You put on or sponsor events

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Festivals <input type="checkbox"/> Races <input type="checkbox"/> Triathlons | <ul style="list-style-type: none"> <input type="checkbox"/> Races are sanctioned by some association <input type="checkbox"/> Contests <input type="checkbox"/> Participate in X-Games |
|---|---|

Personal Training/Coaching

Do you work with individuals or groups? _____

Do you travel outside of your home state to train? _____

Do you have clients outside of your home state? _____

Do you have your clients see a physician before working with them? _____

Do you collect medical information before working with clients? _____

What areas do you train in: General Fitness Running Cycling Swimming?

Mountain Biking Mountaineering Rock Climbing Triathlons Professional Athletes

Other Areas you train in: _____

Do you work with injured clients? _____

Please list any degrees, certificate, or other training you have received? _____

What makes your personal training program stand out from the competition? _____

In General, please describe your clientele: Their age, what their goals are, where they are from? _____

How do people find you to train with you? _____

Are you associated with a gym or fitness center? _____

Name: _____

Location: _____

Manager: _____

Does the gym or fitness center use a release also? _____

If so, please attach a copy. (See [Too many contracts can void each other out; two releases signed at different times can render both releases void: http://rec-law.us/2h6aURf](http://rec-law.us/2h6aURf))

Does the gym or fitness center pay you for your work? _____

Do you pay the gym or fitness center for the space? _____

Do you have an office at the gym or fitness center? _____

Do your clients believe you work for the gym or fitness center? _____

Do you have any first aid training? Yes No Please describe your level of training? _____

Are you current with your first aid training? _____

Do you have access to an AED where you train? Yes No

Do you advertise the fact you have access to an AED where you train? Yes No

How far are you from EMS? _____

Do you provide dietary coaching? _____

Do you recommend supplements? _____

Are you paid a commission or in other ways for recommending any products? Yes No

Please describe. _____

Winter Sports

Do you work in Cold Temperatures? _____

Do you work with or at a Ski Area or Ski Resort? _____

Name of the Ski Area or Resort? _____

Do you work with kids? _____ Age range of the youth? _____

If you do not work at a resort, how far are you from the EMS system? _____

Cycling Tours

Do you require prior riding experience? _____

Will you be riding with cars on roads? _____

Will you be making bike repairs? _____

Will you require all riders to have a tail light? _____

Will you require the last rider to carry a flag or other visible warning for drivers? _____

Will you have a "sweep" or last rider who is an employee or contractor of yours?

Will you be in communication with the sweep? _____

Will you require the riders to ride together or to arrive at locations at certain times? _____

Will you require your guests to obey all traffic laws? _____

Will you be riding off road? _____ Are your tours ___ multi-day or ___ single day tours? If Multi-day tours, average length of tour? _____

Will participants ride their own bikes or bikes provided by you? _____ Own bikes _____ Rent Bikes

Will you be providing tune up or repairs during the tours? _____

Will your bike mechanics have experience working on the bikes being used and the conditions being ridden? _____

Longest day in miles/kilometers? _____ Longest climb in miles/kilometers? _____

Longest climb in altitude gain? _____ longest descent in miles/kilometers? _____

Do you have a program for vehicle maintenance/conditions? _____

Do you have a program for your drivers to not scare Americans/customers? _____

Will your vehicles be towing trailers? _____

Will you/clients be staying in hotels/motels/indoors at night or camping? _____

What state(s) will you be leading the tours in? _____

Will you be preparing any food for the participants of the tour? _____

Will you have a SAG wagon/vehicle? _____

What is the minimum number of tour leaders/guides you will have on each trip? _____

What is the guide to participant ration you maintain? _____

Will the guides be in communication contact with each other? _____

Will you provide maps or GPS coordinates to the participants? _____

What is the maximum number of participants you will have on a tour? _____

What is the minimum age for participants? _____

Camping

Will you be camping at commercial (established) campgrounds? _____

Will you be camping at state or federal campgrounds with limited services? _____

Will you be camping in areas not normally considered campgrounds? _____

Will you be supplying Tents? _____

Will you be supplying Sleeping Bags? (and complying with state health codes?) _____

What other personal items will you be supplying to your participants? _____

If You Are a Dive Operator/Use Dive Operations

Answer the following if the dive operation is yours or your use a third-party dive operation.

What is the maximum depth that you dive with clients _____ ?

Do you do mixed gas dives Yes No

Are **all** instructors certified by a dive training program: NAUI PADI SSI SDI TDI?

Are **all** dive masters certified by a dive training program: NAUI PADI SSI SDI TDI?

Do you do wreck diving? Yes No Do you do Cave Diving? Yes No

Do you do drift boat diving? Yes No

How many boats do you operate? _____ Are they live aboard boats? _____

How far to the nearest recompression chamber? _____

How many hours is the trip to the chamber? _____

If you are using third-party dive operations, are they insured with a US Based insurance company or a foreign company that will offer US insurance? _____

Are you listed as an additional insured on their insurance policy? _____

First Aid Instructors/Educators

Will you be teaching an America Red Cross Course with your other classes? Yes No

Will you be teaching a Paramedic, EMT-I or IV or EMT intermediate course? Yes No

Will you be teaching any course where you will be offering a license by the state or your students can take tests to be licensed by the state? Yes No

Will any of your students be under the age of 18? Yes No

Will your practicals be outside of a local EMS area? Yes No

Will you be using an established curriculum such as WMS? Yes No NPS/OEC? Yes No

BSA? Yes No National Safety Council? Yes No

Will you be teaching American Red Cross or American Heart Association CPR classes? _____

Will your classes be part of a curriculum at a school, college/university or other program? Yes No

Will you be providing first aid services for events?

Festivals

Contests

Races

Participate in X-Games (or similar)

Triathlons

Races are sanctioned?

Livery Operations

What is the name of the river/ocean you will be operating on? _____

What is the river rating of the river you will be operating on? Class _____

Will you be allowed to clear strainers, debris and other hazards from the river? _____

Does the river have a flood stage? _____

Have you identified different river levels to restrict rentals/trips? Yes No

Have you worked with the local EMS and law enforcement on rescue issues? Yes No

Do you own the land for your put in? Yes No Take Out? Yes No

Do you lease the land for your put in? Yes No Take Out? Yes No

Will you be transporting customers to and from your put in or take out? Yes No

Will you have any issues with land owners your customers will be canoeing past? Yes No

Do you have access to the river for emergencies all along the canoe livery route? Yes No

How long are the trips you will offer? _____ Miles or _____ Hours

Trip 2 _____ Miles or _____ Hours

Trip 3 _____ Miles or _____ Hours

What is the speed of the current on the river you will be operating on? _____

What type of boats do you offer guests to rent or use?

Wind Surfers SUP (Stand Up Paddleboats) Surf Boards Sit on top Boats

Sailboats Motorboats Canoes Other

Challenge Course/Ropes Course/Zip Line/Aerial Course

How many stations do you have in use at one time? _____

How many volunteers/staff/employees do you have no hand with the minimum number of people on your course? _____

What is your volunteers/staff/employees to participant ratio generally? _____

How high, in the air, is your course? _____

How long is your course? _____

What type of belay system do you use? _____

How often do participants unclip when they are in the air? _____

Have you had any injuries other than minor injuries? _____

Have you had any litigation concerning the use of your course? _____

Who Manufacturer's your harnesses? _____

Do you require full body harnesses for minors? _____

Climbing Gym: Indoor/Outdoor

How many routes do you have in use at one time? _____

How many volunteers/staff/employees do you have no hand with the minimum number of people on your course? _____

What is your volunteers/staff/employees to participant ratio generally? _____

How high, is your wall? _____

How high is the lead section of your wall? _____

What type of belay system do you use? _____

Will you be using the Petzl GriGri? _____

Do you use any auto belay devices? _____

What type? _____

How often do you check your auto belay devices? _____

Will your staff be able to watch the area were the auto belay devices are used? _____

Have you had any injuries other than minor injuries? _____

Have you had any litigation concerning the use of your course? _____

Who Manufacturer's your harnesses? _____

Do you require full body harnesses for minors? _____

Do you have a Bouldering Area? _____

How high do you allow people Bouldering to climb? _____

Is that height marked on the wall, so Climbers can see it while climbing? _____

Are all employees, janitors, front desk people, etc., trained in how your system works, harness, tie in, auto belay? _____

Disabled Guests

Do you hold yourself out as an organization specializing in working with disabled guests? _____

Do you provide services for other businesses or programs by dealing with their disabled guests? _____

What business or programs do you provide this service for? _____

Ocean Events

Do you have a minimum age? _____

Do you have required safety equipment? _____

Do you notify the Coast Guard or other agency in advance of the event? _____

Hiking/Birding/Exploring

On average how far are any hikes from your location/lodge/resort? _____

How long are the hikes/trips you offer? 1 km 2 km 3 km 4 km

5 km 7.5 km 10 km 15 km 20 km Greater than 25 km

What is the elevation gain during one of your hikes? 100 m 300 m > 1000 m

On these hikes does any volunteers/staff/employees member carry communication equipment? _____

On these hikes does any volunteers/staff/employees carry first aid kits? _____

Are your guests told to bring specific clothing or equipment or wear specific clothing or equipment?

What? _____

If the guests do not bring the required clothing or equipment do you provide the required items?

What are the chances of your guests encountering plants or animals that can cause problems for them? _____

What are the chances your guests could die from encountering a dangerous plant or animal?

Caving or Underground Tours

How long are the cave tours? _____

How far underground do the tours go? _____

Do the tours have ladders to ascend or descend? _____

Do the tours require wearing of hard hats/helmets or other protective gear? _____

If so, what? _____

Are the guests provided with lights or headlamps for the tours? _____

If the tour is lit, is there emergency lighting available? _____

If there were a medical issue, how difficult will the evacuation be? _____

Sports Activities/Leagues

Sports Offered

Basketball Baseball Softball Volleyball Football Flag Football Tackle Football

Soccer Dodgeball Lacrosse Field Hockey Capture the Flag Frisbee Golf

What other sports do you offer? _____

Do you offer Cheerleading training or instruction? _____

How high do you allow your cheerleaders to perform? _____

Do you allow your cheerleaders to do aerials? _____

Do you provide spotters for cheerleader instruction? _____

Summer/Day or Kids Camps

Kids Sleep in Tents Kids Sleep in Tents on Platforms Kids Sleep in Tents on Ground

Kids Sleep on Beds Kids Sleep on cots Kids Sleep on Pads Day Camp

Meals Prepared in Dining Hall Meals Prepared by Campers Combination of both

Kids bring their own meals

Camp is how far from EMS _____

Camp is how far from closest hospital _____

Do you have a Camp Nurse? _____

What is the highest level of First Aid training on your staff? _____

Working with Kids/Minors

Are your customers ever under the age of 18 (19 Alabama & Nebraska, 21 Mississippi)

Please check the Age Group if you work with minors

1-5 5-8 8-10 10-12 12-14 14-16 16-18

What is the ratio of campers to staff for each age group?

1-5 _____ 5-8 _____ 8-10 _____ 10-12 _____

12-14 _____ 14-16 _____ 16-18 _____

Do you offer Field Trips from your site?

Do the locations of the field trips require your customers to sign their release? _____

Do you transport your guests or does a third party provide transportation? _____

Yoga Instructions

Will you be leading Yoga indoors or outdoors? _____

Will you be doing Yoga outdoors and not on Yoga mats? _____

Will you have people with different levels of Yoga experience in one class? _____

Do you practice "Hot Yoga"? _____

Do you practice Yoga on surfaces other than floors such as SUP, etc.? Yes No

Please Describe: _____

Commercial Campgrounds

What type of Hook-Ups do you offer and how many do you have?

Tents Sites _____ Hookups with water _____ Hookups with Electric _____ Hookups with electric & sewer _____

Do you have management on site 24 hours a day? Yes No

How far is the closet Fire Department? _____

How far is the closet fire hydrant? _____

How far is EMS (ambulance service)? _____

Do you provide any of the following facilities?

Restrooms Showers Meeting Room(s) Game Rooms Swimming Swimming Pool

Lifeguards Boating Playgrounds Water Parks Miniature Golf Zip Lines Ropes

- Courses Canoeing Whitewater Rafting Hot tub(s) Convenience Store Laundry
 Go-Karts Vehicle Tours Walking Tours Hiking Paths Water Slides Restaurant(s)
 Fishing on a Pond Fishing on river River access Dog Park Boat Rentals
 Bike Rentals inflatable kid's structures

What did I miss in the above list? _____

Do you offer entertainment, shows, etc.?

Is your Campground part of a larger amusement park or resort? _____

Do you offer Cabins, Tents, or other permanent or semi-permanent structures for rent? _____

Do you have a group camping site or offer group camping to youth groups? _____

Horseback rides or stables? If so, please complete the equestrian section above

What sets your Campground Apart from your competitors? _____

Do you book trips or make reservations for third party tours, amusements, etc.? _____

If so who? _____

Motorized Rental

Winter

Summer

Year Round

Do you rent vehicles/automobiles?

Yes No

4WD?

Yes No

Do you expect the vehicles to be driven off road?

Yes No

Do you rent off road vehicles/automobiles that are not street legal?

Yes No

Do you rent Motorcycles?

Yes No

Off Road?

Yes No

Are your off-road bikes street legal?

Yes No

Do you rent scooters (under 50 cc engine size)? Yes No

Do you rent motorized scooters, Segways™, skateboards, etc. Yes No

 Battery Powered Yes No

 Gasoline (or other petroleum fuel powered) Yes No

Do you rent bicycles Yes No

Do you rent electric (eBikes) bicycles? Yes No

Do you rent electric (eBikes) mountain bicycles? Yes No

If you are renting Battery Powered equipment are the recharging stations safe & not a fire hazard? Yes No

Do you check if the renter has a driver's license? Yes No

 A motorcycle endorsement? Yes No

Do you rent snowmobiles? Yes No

Do you rent motorized snow bikes? Yes No

Do you rent ATV's? Yes No

 One Passenger Yes No

 Two Passenger Yes No

 Four Passenger Yes No

 Six Passenger Yes No

Do you have an age minimum? Yes No What is it? _____

Do you have a maximum distance or boundary? Yes No

Are helmets included with the rental? Yes No

Do you test their riding skills? Yes No

Do you require proof of riding experience? Yes No

Do you have rules for operating the machines? Yes No

Do the renters understand the rules or are they provided with a set of the rules? Yes No

Do the Rules cover who is allowed to operate the machine? Yes No

Do the Rules cover where the machine is allowed to be operated? Yes No

Do those rules include:

 # of people on a machine? Yes No

 Helmet use? Yes No

 Who can drive? Yes No

 Age of Driver? Yes No

Do you provider renters with maps or other information on where to ride? Yes No

Do you provide renters with information or maps on where not to ride? Yes No

Please attach all information you provide to renters.

Do you inspect the equipment when it is returned to you? Yes No

- Do you maintain logs of your inspections? Yes No
- Do you make repairs to equipment yourself/employee? Yes No
- Do you provide trailers to the person renting the equipment? Yes No
- Do you assist the renter in loading the equipment in their vehicle/Trailer? Yes No
- Do you have a maintenance log for the trailers? Yes No
- Are the trailers licensed (street legal)? Yes No
- Do you inspect the vehicles that will be pulling the trailers? Yes No
- Do you have a photograph/write down the license plate of the vehicle pulling your trailer? Yes No
- Do you require a deposit on your rentals? _____
- How do you take that deposit? Credit card Cash
- Do you have a separate written agreement for the deposit? Yes No

Please list and describe all equipment you rent?

Name	Description	Horsepower
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Use Additional Sheets of Paper if Necessary

- Do you have an employee on site to make sure the equipment is maintained and used properly? ____
- Do you provide all required safety equipment with the rental? _____
- Do you identify to the renter all safety issues? _____
- Please identify all equipment you will be renting? _____
- Do you own the land where the vehicles are to be operated? Yes No
- Did you make/repair/change any of the features on the land? Yes No
- Please describe what you changed? _____
- _____
- _____

- Do you operate on private land? Yes No
- Do you have a written agreement for the use of the land? Yes No

Please attach a copy of that agreement

Do you operate on state land? Yes No

Do you have a written agreement for the use of the land? Yes No

Please attach a copy of that agreement

Do you have a permit/concession agreement to operate on federal land? Yes No

Please attach a copy of that agreement/permit

Are your rentals for more than one day? _____

Do you allow the rentals to be taken out of state? Yes No

Motorized Trips or Tours

How long is your average ride (miles & time)? _____

How many guides go on a ride? _____

How are the number of guides determined to go on a ride? _____

How long is your longest ride (miles & time)? _____

Do you have phone service for the rides? _____

What is the farthest the ride is from an extraction point? _____

Do you offer riding lessons? _____

Do you do overnight trips? _____

Hunting/Shooting Clubs/Indoor & Outdoor Ranges

Do you require any training before people can use your facilities? _____

If so, what training? _____

Do you have any restrictions on the weapons allowed at your facility? _____

Do you have instructors at your facility? _____

What Qualifications must your instructors have? _____

Do you employ a Range Master during events or instruction? _____

Do you require persons using your facility to follow any special protocol or procedure before, during or after using your facility? _____

How far is your facility located from EMS? _____

Do you have a trauma first aid kit at your facility? _____

Do you have staff or volunteers at the facility trained to use the trauma kit? _____

Is your facility associated with any firearms or shooting organizations that offer training, instruction or provide advice on operating your facility? _____

Landowners offering that Land to Hunters

How many acres are available for hunting? _____

Do you subdivide your acreage for different hunters on different parcels at the same time? _____

What game do you allow to be hunted on your land? _____

Do you check to see if the people using your land are licensed? _____

Do you charge to hunt on your land? _____

Do you lease your land for the: _____ Day _____ Week _____ Season?

Do you provide any services to the people using your land? _____

Do you provide parking? _____

Is your land posted with "No Hunting" or "No Trespassing" signs? _____

Do you have a limit on the size of the parties using your land? _____

If so, how large is the maximum number of hunters and non-hunters you allow? _____

Do you allow hunters and non-hunters to bring dogs with them? _____

How do people here about hunting on your property? _____

Do you have a mortgage on the property? _____

Is there a conservation easement on the property? _____

Are there waterways, pools, ponds, rivers or streams on the property? _____

Any caves, holes, hidden dangers on the property? _____

Do you allow the hunters to camp on the property? _____

Do you allow the hunters to bring their horses on to the property? _____

Do you allow hunters to bring their own ATV or other motorized vehicles on the property? _____

Do you provide any services to the hunters? Such as use of your ATV, horses, guns, etc. _____

Pools/Aqua Parks/Water Parks/Non-Natural Water Areas

What is your average attendance per day? _____

How many lifeguards will you have on hand for these days? _____

What is your maximum attendance per day? _____

How many lifeguards will you have on hand for these days? _____

What type of training do you require for your lifeguards?

American Red Cross American Red Cross, WSI Boy Scouts of America YMCA

Guard for Life American Lifeguard Association International Lifeguard Training

How long are the lifeguard shifts? _____

How long are the breaks for lifeguards between shifts? _____

Do your lifeguards carry floatation, rescue devices, etc.? _____

What? _____

Do you lifeguards have a way to signal a problem? Whistles, radios, etc.? _____

What and How? _____

Do you provide sun protection or sunscreen for your lifeguards? _____

How often do you rotate lifeguard positions? _____

Are throwables or other rescue devices available for guests to use if they see someone in trouble? _____

Do you have AED's onsite? _____

Do ALL or some of your employees have training in using the AEDs? All Other # _____

Are AED's available for use by non-employees? _____

Do you advertise that you have AED/s onsite? _____

Do you have recitation masks on site? _____

Do you have airways on site? _____

Do you require PFD's (life jackets) to be worn by any group of people? _____

Do you allow patrons to provide their own PFD's? _____

Does your facility include moving water? _____

Does your facility provide floatation devices/tubes/toys? _____

Do you allow patrons to bring their own floatation devices/tubes/toys? _____

Do you have a wave/surf machine/pool? _____

Do you have restrictions on any of your pools/rides/areas? _____

Pool/Ride/Area	Restriction

Does the leader have first aid training? No Yes What Type: _____

Is the course or route the same or different each time? Different Same Varies

Is there a sweep? (Person charged with bringing up the rear?) Yes No

Are the courses within EMS range? Meaning does someone have a way to call 911 and can an ambulance get to the scene? Yes No

Are participants part of the program because of medical necessity or the orders of a physician, that you are away of? Yes No

Are Social Events or Activities part of the program? If so, please describe: _____

Resorts/Ranches/Lodges

How many rooms do you have available? _____

How many cabins do you have available? _____

Do you offer food service/meals? _____

Can/Do guests cook in their rooms/cabins? _____

Do you offer swimming? Pool _____ Lake _____ Do you have Lifeguards? _____

How many months a year do you have Guests on the property? _____

Do you have International Guests? _____

Animals/Horses/Stables/Trail Rides

How many horses? _____

Do you offer trail rides? _____

How long is your average trail ride? _____

How long is your longest trail ride? _____

Are you in phone service for the trail rides? _____

What is the farthest the trail ride is from an extraction point? _____

Do you offer horseback lessons? _____

Do you do overnight trips with horses? _____

Do you have ponies? _____ Donkeys _____ Mules _____ Other animals? _____

Do you have any required warning signs posted as per your state law? _____

(Most state equine protection acts are 100% perfect. Since passed no horse has been sued.)

Winter Rental Operations

Please identify all equipment you will be renting?

- Alpine Skis with Bindings Snowboards with Bindings Ski Boots Snowboard Boots
- Helmets Winter Clothing Cross Country Equipment AT Equipment
- Split-boards Skins Ski Crampons Beacons Shovels Probes
- Snow Saws Airbags Spot or other Emergency Devices GPS Devices
- Satellite Phones Ski/Board/Binding Repair Kits

Will you be providing tuning services? _____

Will you be providing repair services? _____

Will you be delivering equipment to the customer? _____

Will you be accepting rentals online? _____

Will your employees be registered/certified as technicians by any binding manufacturers? _____

Will your operation be covered by the Alpine Ski Indemnification Program? _____

Will you provide leashes if any binding, ski or snowboard does not have brakes? _____

Will you have alpine binding test equipment? _____

For all rescue equipment will you be providing the manufacturer's information on care and use of the equipment? _____

Will manufacturer's information on care and use of the equipment be available on your website? _____

Will you have any pre-requisites required by your customers before renting equipment? _____

Will you have damage insurance? _____

Will you require a deposit for the return of the equipment? _____

Rental Operations

Please identify all equipment you will be renting? _____

Use additional sheets of paper if necessary!

Do you deliver and set up the equipment? _____

Do you have an employee on site to make sure the equipment is maintained and used properly? _____

Do you check weather before renting equipment? _____

Do you provide all required safety equipment with the rental? _____

Do you identify to the renter all safety issues? _____

Does your Website Terms and Conditions explain that? Yes No

Do you have agreements with your third-party rental sites (Retailers)? Yes No

Are you providing insurance or indemnification to the third-party rental sites/Retailers? Yes No

Please Attach Copies of your Insurance Program and Agreements with Third Party Renters/Retailers

Rental Operation Insurance

Do you offer insurance for equipment rentals? Yes No

Is the insurance through a third party or are you self-insured: Yes No

Does your rental "policy" have limitations Yes No

 Theft is excluded Yes No

 Intentional Damage Yes No

Is the rental value of the insurance for the replacement of the damages or lost equipment or is it solely to replace or repair damaged equipment? _____

Is your insurance program explained on your website? Yes No

Travel Agency

Have you been every place or experienced every activity you are booking your clients to do? Yes No

If you have not, why not? _____

Are you going to be creating your own marketing or advertising for destinations, activities, etc. Yes No

If so, please describe what you intend to do? _____

Use Additional Sheets of Paper if Necessary

Are you booking travel outside of North America Yes No

Are you going to be selling travel insurance? Yes No

Will travel insurance be offered to all of your clients? Yes No

Are you going to be charging a fee for your services? Yes No

Are you going to be booking airline flights? Yes No
Are you prepared to deal with issues caused by "stuck" travelers Yes No
Are you offering anything different than the average travel agency? Yes No
If so, please explain: _____

Outdoor Recreation Travel Agency

Have you researched all third parties you are sending clients too? Yes No
Have you researched their claims history? Yes No
Have taken a trip, done an excursion, used their services? Yes No
Have you talked to their customers about their business? Yes No
Have you sent in undercover testers to check their operations? Yes No
Do you have a written agreement outlining the responsibilities between you? Yes No
Does the agreement have a liability provision? Yes No
Does the agreement provide for you to receive a Certificate of Insurance? Yes No
Does the agreement hold you harmless or indemnify you? Yes No
Do you have a copy of their declaration page for their insurance policy? Yes No
Does the agreement specific you will be paid? Yes No
Does the agreement set forth a time frame for payment? Yes No
If you are collecting money from clients, have you established a trust fund for their payments?
Yes No
Are you a member of any Travel Agency Trade Associations? Yes No
If so please identify them: _____

Do you provide any services that are other than commission or flat fee based? Yes No

What have I missed?

If you have some unique feature or activity at your program/business I have not covered or that is not found at any other facility like yours, please describe it here.

Remember, courts can change their mind on any day about the validity of a release in their state. If you really do something bad or become someone the court dislikes you can still lose. If you really are a jerk or worse the judge and/or jury will figure out a way to make you pay.

Your release should be checked each year to make sure it still meets your needs and the changes in the law.

End



Agreement

1. I understand that I have hired James H. Moss to create a release for your business based on the information I have supplied above. I understand the fee for this work is **\$2950.00**. The work will include the following:
 - Review of your present release (Please attach)
 - Creation of a Release(s) for your business
 - Information on using the release
 - Information on making the release electronic for use online
 - Your questions answered concerning the release created
 - Any updates needed for one year
 - Review your website for conflicts or problems that may void your release.

Marketing Makes Promises that Risk Management Must Pay For

- a. I understand that if I am in a state other than one that James H. Moss is licensed to practice law, I am advised that I should have an attorney licensed in your state review the document.
- b. I understand releases do not work in all states and may not work if the claim is identified as a product liability claim (skiing is an occasional exception). However, the release is written to work as an assumption of risk document also.
- c. I understand the legal work being done will be based on the information I have supplied above.
- d. Email may not be a secure way to communicate and cause a waiver of the Attorney Client Privilege. If you wish not to communicate by email, please let me know. Attorney has a right to keep a copy of all information and documents I provide to him.
- e. This is a flat fee agreement. Client will pay or Firm \$2950.00 for or Firm's performance of the Services described above, plus costs as described below. Client understands that Client is NOT entering into an hourly fee arrangement. This means I will devote such time to the representation as is necessary, but my fee will NOT be increased or decreased based upon the number of hours spent.
- f. Once the first draft of the Release is forwarded to you the fee will be earned. This fee includes communications between you and the attorneys in advance of this agreement, work to stay current with the laws concerning this area of law, updating and keeping drafts of your documents current and educational information supplied to you with this agreement.
- g. Client shall pay Firm in advance. Fees paid in advance shall be placed in Lawyer's or Firm's trust account and shall remain the property of Client until they are earned. When the fee or part of the fee is earned pursuant to this Agreement, it becomes the property of Firm.
- h. Client has the right to terminate the representation at any time and for any reason, and Firm may terminate the representation in accordance with Rule 1.16 of the Colorado Rules of Professional Conduct. In the event that Client terminates the representation without wrongful conduct by Firm that would cause Firm to forfeit any fee, or Firm justifiably withdraws in

accordance with Rule 1.16 from representing Client, Client shall pay, and Firm shall be entitled to, the fee or part of the fee earned by Firm as described above, up to the time of termination. However, such fees shall not exceed the amount that would have been earned had the representation continued until the completion of the increment, and in any event all fees shall be reasonable. Firm normally charges \$415.00 per hour in 1/10th of an hour increments for work.

2. Client is liable to Firm for reasonable expenses and disbursements. Examples of such expenses and disbursements are fees payable to the Court and expenses involved in preparing exhibits. Such expenses and disbursements are estimated to be Zero in this matter

I understand the legal work being done will be based on the information I have supplied above. Attorney has a right to keep a copy of all information and documents I provide to him.

Work will commence on receipt of the payment.

- Include a copy of *Outdoor Recreation Insurance, Risk Management and Law* for \$99.00

Date: _____

Company: _____

Signature

Title

Printed Name

Payment Options

Make Check Payable to:

James H. Moss
PO Box 16743
Golden, CO 80402

TransferWise

Account Holder: James Moss
Account number: 822000039085

You can also use PayPal

jhmoss@gmail.com:

Wire Transfers

DOMESTIC WIRES

Chase Bank's ABA Routing/Transit Number 021000021

INTERNATIONAL WIRES

Chase Bank's SWIFT Code: CHASUS33

Your Chase Account 372290087

Your Name as it Appears on the Account to be credited:

JAMES H. MOSS, PC
COLTAF TRUST ACCOUNT

Amount of the Wire: Receiving Bank Name: ChaSG

Receiving Branch Address:

1125 17th. Street
Denver, CO 80202

Please email me and notify me how you are making payment, so I can watch for the payment.

Thank You