

## 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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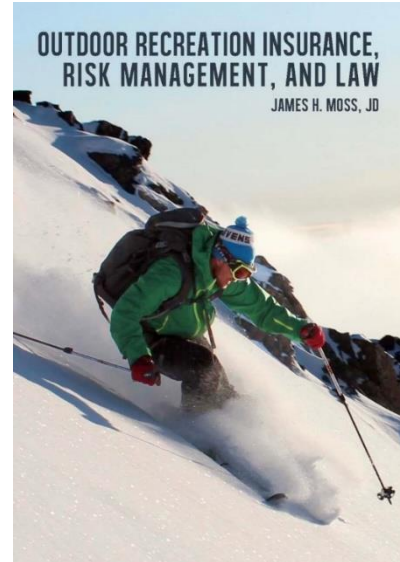
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**My Book**

# **Outdoor Recreation Insurance, Risk Management and Law**

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

**Free Shipping if Purchased with legal services.**



## **For Other Types of Stock Releases**

The releases below are stock, they are not customized to your business and do not come with any legal advice.



<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*

**Agent:** an agent is someone who is working on behalf of another person or business. Their authority comes from the principal and is defined by the Principle.

**Booking Agency/Agent:** a booking agent is someone who arranges meals or activities for their guests. An example you run a commercial campground or resort, and you set up trips for your guests to go whitewater rafting or sailing; you are a booking agent. It does not matter if you are receiving money or a commission from the third-parties.

**Club or Social Club:** A group of people who get together to enjoy a sport or activity. No one person is benefitting from the group. Individuals receive value by being members of the group and having others to enjoy the sport or activity with, education from more experienced members or other benefits.

**Commercial Campground:** a location where you allow camping for a fee. You are responsible for the land or have a lease to operate the campground, including from the US Forest Service or National Park Service.

**Commercial Use:** All Federal Land managers, (NPS, USFS, BLM, USFWS, etc.) require any user to have a commercial permit if they are operating on federal land (or water), and any person in the group is receiving any compensation for the activity or trip. Many State, Local, City and/or County parks and open space require permits now days for commercial use. Commercial use is defined differently by each land manager; however, in most cases; the use is simply is someone being paid to be on the land.

**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.

**Consumer:** a person coming to you to buy your product or to hire you to perform a service. Consumers are protected by State and Federal Consumer protection laws. Elderly consumes, over age 65 in general have more laws providing them with protection.

Guests, Participants, Minors are Consumers.

**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.

**Land Owner:** the person holding legal title to the land, whether an individual, couple, family, or corporate entity

**Manager:** person(s) 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 or Corporate 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

**Permit:** authorization by the US Forest Service, and/or some State and/or Local parks or open spaces to use the space commercially. Without the permit for use, you are trespassing.

**Recreational Use Statute:** Statute (law) enacted in all fifty states, to different degrees that prevents a landowner from paying for the injuries or losses of someone who comes upon their land and is injured on the land. To be effective the landowner cannot charge for the recreational use of the land.

**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

**Third Party:** someone who is not you or your guest/client/customer. A third party is someone you send your guest to for entertainment or who provides services to your guests, such as transporting them somewhere. You need to make sure your guests always understand that you are not responsible for the third party.

**Travel Agent:** A specialized agent who sells travel to consumers. Their authority is defined by the airlines, hotels, resorts, etc.; they are selling and is very limited.

**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. You have the same liability for a volunteer that you have for an employee. Volunteers are some protection from State and Federal Volunteer protection acts.

Please review every section of this form and complete any section that the title may apply to you, or that is a service, business, or program you may offer. Color blocks differentiate a section. So, if a second applies, complete the information in the colored block. If a section does not apply cross it out or write N/A on that section..

Complete the information for the services or program you offer now or are planning to offer in the future, next three years.

Upon Receipt of your information and payment 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. You may be contacted to answer additional questions.

Also, use this form to review what risks you may or may not have.

When completed follow the instructions on page [46 Payment Options](#) on how to provide for payment. Sign the form agreeing to the terms of the [Agreement](#) on page [44](#) and email this form to: [Jim@Rec-Law.US](mailto:Jim@Rec-Law.US)

The purpose of this form is to collect information, NOT to make a judgement on what you do or have. Don't worry about your answers, answer honestly and if you have questions about an answer please let me know. We want to find, identify and protect you from the risks to your guest and to you. This form is not meant to imply that you are doing anything right or wrong!

## **Please Write Legibly**

### **Business 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

Are you a Non-Profit  Yes  No

If you are a non-profit have you been recognized as such by the IRS?  Yes  No

Have you been recognized by your state tax entity as a non-profit?  Yes  No

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? \_\_\_\_\_

## Operations

### 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? \_\_\_\_\_

### Where do you Operate

Mostly in a City/Suburbs:  Yes  No

Mostly in Outdoor Spaces in or near cities such as Parks, Open Space, etc.:  Yes  No

Mostly in the Outdoors:  Yes  No

Mostly in Wilderness:  Yes  No

Combination  City  City Parks  Outdoors  Wilderness

How far in miles is your land/business/operation from the nearest hospital? \_\_\_\_\_

### Types of Groups

You're your clients operate individually:  Yes  No

As part of small groups (less than 12 people):  Yes  No

In Organized Groups such as Boy Scouts, Girl Scouts, Military:  Yes  No

Unorganized groups such as religious groups, travel agency groups, tour groups:  Yes  No

### Movement/Travel to your Operation

Working in Cities  Yes  No

- Will your clients be walking  Yes  No
- Will your clients be cycling  Yes  No
- Will you participants  Yes  No
- Taking Public Transportation  Yes  No

### **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? \_\_\_\_\_

### **Non-Profits/Clubs/Social Groups Herein "Club"**

Describe how your Club was created? \_\_\_\_\_  
\_\_\_\_\_

Describe the purpose of your Club? \_\_\_\_\_  
\_\_\_\_\_

Does your Club have meetings?  Yes  No

How often are your meetings? \_\_\_\_\_

Where are your meetings held? \_\_\_\_\_

Does the Club have leaders?  Yes  No

How are those leaders determined? \_\_\_\_\_

If a new member of the Club was asked who was in charge, who would they name? \_\_\_\_\_

Does the Club collect any money for any reason?

Yes  No

How much? \_\_\_\_\_

For what? \_\_\_\_\_

Does the Club have a bank account?

Yes  No

Is the Tax ID Number or Social Security Number on the bank account from a person or is it a number received from the IRS for the group? \_\_\_\_\_

Does the Club own any Real Property? \_\_\_\_\_

How is the property titled? \_\_\_\_\_

What state is the property located? \_\_\_\_\_

What is the purpose of the real property? \_\_\_\_\_

Describe any buildings on the real property including the square footage? \_\_\_\_\_

Can more than one family or group occupy the property at the same time?

Yes  No

Do people sleep or stay overnight in any of the structures?

Yes  No

Is the real property up to code?

Yes  No

Do your structures have fire extinguishers in your structures?

Yes  No

Do your structures have fire alarms or smoke detectors?

Yes  No

Do your structures have carbon monoxide detectors?

Yes  No

Do you have night lights or lighted exit signs (usually only needed if you have multiple rooms in your structure)?

Yes  No

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? \_\_\_\_\_

Is the property fenced and/or gated?

Yes  No

*Please attach a copy of the deed.*

Does the club have articles, bylaws, organizational documents?  Yes  No  
If so, please attach a copy of all organizational and operational documents \_\_\_\_\_

Are any of your organizational documents filed with a state  Yes  No  
What state? \_\_\_\_\_

Does the club have assets that are not real estate  Yes  No  
Please describe those assets? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is any training required to use the assets?  Yes  No

### Independent Sales Representative (Rep)

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

- |                                       |                                       |   |  |
|---------------------------------------|---------------------------------------|---|--|
| <input type="checkbox"/> Cycling      | <input type="checkbox"/> Paddlesports | <input type="checkbox"/> Mountaineering | <input type="checkbox"/> Rock Climbing |
| <input type="checkbox"/> Ice Climbing | <input type="checkbox"/> Scuba Diving | <input type="checkbox"/> Events/Racing  | <input type="checkbox"/> 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)?

## Landowner

Are you going to charge for recreating on your land?      Yes       No

What types of recreation will be available?

Hiking, Bird Watching, Exploring Nature?      Yes       No

Cycling?      Yes       No

Mountain, Cross, Gravel Biking?      Yes       No

Running, Cross Country?      Yes       No

Will the land be used as a working farm?      Yes       No

Farm Animals: Horses, Cows, Sheep, etc.?      Yes       No

Trail Rides, Roping, Horse Jumping etc.?      Yes       No

Farm Animals: Ducks, Chickens, Rabbits?      Yes       No

Tractors, Hay Rides, Farm Work?      Yes       No

Are there any Pools, Creeks, Ponds, Rivers, etc., on the property?      Yes       No

Swimming?      Yes       No

Boating?      Yes       No

Fishing?      Yes       No

Winter Activities: Sledding, X-Country Skiing, Tubing?      Yes       No

Camping, Sleeping Outdoors?      Yes       No

RV,'s Motorhomes, Tent Campers?      Yes       No

Fire pits, BBQ's, Fire Rings, Bonfires?      Yes       No

Games: Badminton, Volleyball, Softball, etc.      Yes       No

Use of the land by outside groups such a Boy Scouts, Girl Scouts, 4H, Church Groups?  
Yes       No

Any organized sports such as baseball, football leagues?      Yes       No

Are you going to allow hunting on your land?      Yes       No

What else do you expect to have visitors to your land do? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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

## Events

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?

- |  |  |
|--|--|
| <input type="checkbox"/> Ultra-Distance Events/Activities        | <input type="checkbox"/> Work with Other Animals |
| <input type="checkbox"/> Obstacle Course Events/Activities       | <input type="checkbox"/> Winter Sports           |
| <input type="checkbox"/> Youth/Summer Camp                       | <input type="checkbox"/> Ocean Sports            |
| <input type="checkbox"/> ATV's <input type="checkbox"/> Off-Road | <input type="checkbox"/> Cycling                 |
| <input type="checkbox"/> Safari (Classic Definition)             | <input type="checkbox"/> Equipment Rental        |
| <input type="checkbox"/> Work with Equestrians                   | <input type="checkbox"/> Fishing                 |

### Retailers

- |   |  |
|---|--|
| <input type="checkbox"/> Road Bike Demos              | <input type="checkbox"/> Downhill Races      |
| <input type="checkbox"/> Mountain Bike Demos          | <input type="checkbox"/> Cross Races         |
| <input type="checkbox"/> BMX Demos                    | <input type="checkbox"/> Bike Contests       |
| <input type="checkbox"/> Cross Race Demos             | <input type="checkbox"/> Rentals             |
| <input type="checkbox"/> Electric Bike Demos          | <input type="checkbox"/> Overnight Rentals   |
| <input type="checkbox"/> Electric Mountain Bike Demos | <input type="checkbox"/> Group or Shop Rides |
| <input type="checkbox"/> Bike Races Road              | <input type="checkbox"/> Riding Classes      |
| <input type="checkbox"/> Mountain Bike Races          |  |

### 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

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/> Festivals  | <input type="checkbox"/> Races are sanctioned by some association |
| <input type="checkbox"/> Races      | <input type="checkbox"/> Contests                                 |
| <input type="checkbox"/> Triathlons | <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?  Yes  No

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 practical's 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 are 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 are 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 where 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 offer Glamping?  Yes  No

How many Glamping units do you have? \_\_\_\_\_

How many cabins do you have for rent? \_\_\_\_\_

Do you have buildings/cabins for rent?  Yes  No

Do your structures (buildings, tents, etc.) have electricity?  Yes  No

Do your structures have a master on/off switch or circuit breaker?  Yes  No

Are the cabins heated? \_\_\_\_\_

Are the cabins air conditioned? \_\_\_\_\_

Do the cabins require exit signs under state law? \_\_\_\_\_

Do you have exit signs in the cabins? \_\_\_\_\_

Does state law require:

Fire/Smoke Alarms/Detectors  Carbon Monoxide Detectors

Other Safety Alarms/Warnings  Exit Signs  \_\_\_\_\_

Do your structures have smoke alarms?  Yes  No

Do your structures have fire extinguishers in your structures?  Yes  No

Do you have night lights or lighted exit signs (usually only needed if you have multiple rooms in your structure)?  Yes  No

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)     Ponds/Lakes  
 Fishing on a Pond     Fishing on river     River access     Dog Park     Boat Rentals  
 Bike Rentals     Inflatable Structures     Fire Pits     Propane barbeques

What did I miss in the above list? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you offer entertainment, shows, movies, etc.?  Yes  No

Do you offer these to people who are not guests?  Yes  No

Is your Campground part of a larger amusement park or resort?  Yes  No

Do you have a group camping site or offer group camping to youth groups?  Yes  No

Horseback rides or stables?  Yes  No 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? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do your guests come to your campground to see wildlife?  Yes  No

Is wildlife an issue for your campground?  Yes  No

Do you use third party companies to book your guests?  Yes  No

Who do you use? \_\_\_\_\_

Do you rent out all or part of your campground for weddings, reunions, events, festivals, retreats, etc.  Yes  No

What restrictions or requirements do you have when you rent your facility? \_\_\_\_\_

Do you require them to provide you with a Certificate of Insurance?  Yes  No

Does your insurance agent/broker know you offer your facility for rent to outside parties?  Yes  No

### 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 Golf Carts  Yes  No

Electric  Yes  No

Gas  Yes  No

Are they allowed on your roads?  Yes  No

Are they allowed on your walkways, trails?  Yes  No

Do you rent bicycles?  Yes  No

- Do you rent electric (E-Bikes) bicycles?  Yes  No
- Do you rent electric (E-bikes) 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 trainers?  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 their 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? \_\_\_\_\_

Are your pool or aquatic areas fenced?  Yes  No

Are the entrances such that a child could not open the gate?  Yes  No

Do your pool/aquatic areas have hours of operation?  Yes  No

Are these hours of operation posted?  Yes  No

Do you allow glass at your pool/aquatic areas?  Yes  No

Do you allow alcohol at your pool/aquatic area?  Yes  No

Does your state of operation have specific requirements for pool/aquatic area operation?  Yes  No

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. on them? \_\_\_\_\_

What? \_\_\_\_\_

Do your 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


Do you require infants to wear swim diapers? \_\_\_\_\_

### Sites with No Lifeguards on Duty

Do your guests know there are no lifeguards on duty?  Yes  No

How are your guests informed there are no lifeguards?

At Check In     With signs at the pools     Other \_\_\_\_\_

Are there safety devices that guests can use to rescue people?

Throw rings     Throw ropes     Reach Poles

Are their ways for the guests to notify you that someone is in trouble?

Whistles     Alarm     Phone

Is your phone number displayed so guests can call you for help?

Is the number for EMS displayed so they can call (if not 911)?

Is there anything that would prevent or intimidate the guests from calling 911? \_\_\_\_\_

Are there signs or information to tell guests to call 911 if there is an emergency  Yes  No

Are there signs telling parents they must be with their children if they are swimming?  Yes  No

Do you have age requirements (minimum or maximum) for some of your features

Yes  No

What are they? \_\_\_\_\_

### Concession Stands

Do you sell food? \_\_\_\_\_

Do you prepare food or is all food sold pre-packaged? \_\_\_\_\_

Do you heat food? \_\_\_\_\_

### Playgrounds

Do you offer a playground area? \_\_\_\_\_

Does your playground meet current ASTM/ANSI playground requirements? \_\_\_\_\_

Is your playground inspected  Daily     Weekly     Seasonally?

## Shuttle Vehicles/Services

Do you provide shuttle or ride services as part of your program/business? Examples would be shuttling people back from a take out, shuttling people from their cars to the entrance, etc.?

Are your shuttles on any city, county, state or federal road or highway? \_\_\_\_\_

Are your shuttle vehicles licensed by the state? \_\_\_\_\_

Do your shuttle drivers have driver's licenses? \_\_\_\_\_

Do your shuttle drivers have commercial driver's licenses? \_\_\_\_\_

Do you provide access to your shuttles for disabled guests? \_\_\_\_\_

Do you charge for your shuttle services? \_\_\_\_\_

## Fitness Walking/Hiking//Running/Rollerblading/Wheeled Skiing/Long Boarding with Push Pole

Is the Activity done:  Indoors  Outdoors  Both  Seasonal

Are hiking/ski poles used?  Yes  No

Is there a leader? \_\_\_\_\_  Yes  No

Volunteer  Yes  No

Paid  Yes  No

Does the leader have first aid training?  Yes  No

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 aware of?  Yes  No

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

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## 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? \_\_\_\_\_

Are your rentals for more than one day? \_\_\_\_\_

Are your rentals removed or taken down at the end of the day? \_\_\_\_\_

Do you inspect the equipment when it is returned to you? \_\_\_\_\_

Do you maintain logs of your inspections? \_\_\_\_\_

Do you make repairs to equipment yourself? \_\_\_\_\_

If the rental equipment is rented and removed by the renter, do you have requirements on where the equipment can be used or not used? \_\_\_\_\_

Do you assist the renter in loading the equipment in their vehicle? \_\_\_\_\_

Do you require a deposit on your rentals? \_\_\_\_\_

Please list and describe all equipment you rent?

**Name**

**Description**

\_\_\_\_\_



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**Use additional sheets of paper if necessary!**

- Does your website explain your terms and conditions for your rentals?  Yes  No
- Do you rent through third parties such as Retailers?  Yes  No
- 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 or Booking 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:

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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.

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**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.**



## Agreement

1. I understand that I have hired James H. Moss to create a release for my 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) or Assumption of the Risk Agreement 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 of 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 my 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 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. You will 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 1/10<sup>th</sup> 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 \$125.00 (Normally a \$130.00 value.)

Date: \_\_\_\_\_

Company: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name

I hereby give Jim Moss, James H. Moss, PC., permission to use statements I have made for marketing purposes after the conclusion of this work.

\_\_\_\_\_  
Signature

**Payment Options**  
**Make Check Payable to:**

James H. Moss  
PO Box 16743  
Golden, CO 80402

**TransferWise**

Account Holder: James Moss  
Account number: 822000039085

**PayPal**

jhmoss@gmail.com

**Venmo**

jim@jim-moss.com

**Wire Transfers North America**

**Incoming Wires:**

TIB – The Independent Bankers Bank  
SWIFT Code: TIBBUS44  
350 Phelps Drive  
Irving Tx 75038

**For further credit to:**

Fortis Private Bank  
ABA (Routing #): 107006428  
13013 W Alameda Parkway, Lakewood, CO 80228

**Beneficiary Information**

Name: James H. Moss  
Address: PO Box 16743  
Golden, CO 80402  
Phone: 720 334 8529  
**Account Number: 30000963**

**Wire Transfers: Trust Account or International**

**DOMESTIC WIRES**

Chase Bank's ABA Routing/Transit Number 021000021

**INTERNATIONAL WIRES**

Chase Bank's SWIFT Code: CHASUS33  
My Chase Account 372290087

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: Jim@Rec-Law.US***

**Thank You**