

Information and Agreement to Write a Release for You.

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

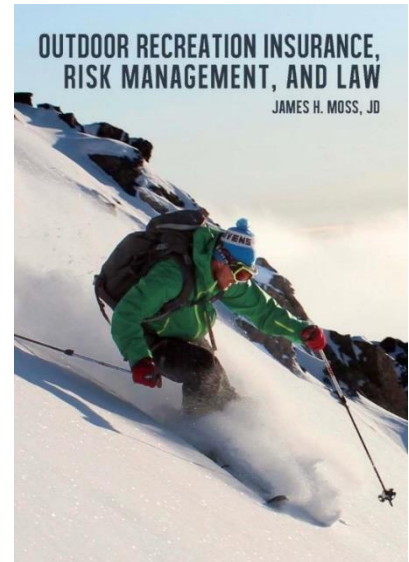
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Outdoor Recreation Insurance, Risk Management and Law

Free Shipping if Purchased with legal services.



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.

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 spaces require permits nowadays for commercial use. Commercial use is defined differently by each land manager; however, in most cases; the use is simply 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 consumers, over age 65 in general have more laws providing them with protection.

Guests, Participants, and Minors are Consumers.

Corporation: the older type of business entity. Corporations have shareholders and officers. Corporations are required to have an annual shareholder meeting and at least quarterly board meetings. Failure to follow all corporate formalities can result in piercing the corporate veil or the loss of the legal protection provided by the corporation.

EMS: Emergency Medical Services, the response system when you call 911.

Foreign Business: an operation based in another country that does enough business with US clients, has a business or office in the US, or has enough contacts in the US to be brought into a US court to be sued.

Foreign operation: Business based in the US doing business in other countries.

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

Limited Liability Company (LLC): This type of entity is more effective in stopping lawsuits. LLCs are easier to set up and do not require all of the formalities of a regular corporation. LLCs do not have shareholders or officers. They have Members and Manager(s).

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. Members are NOT shareholders and do not have the same rights as shareholders.

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.

Outfitter; company in the business of taking guests out into the wilds, wilderness, backcountry or down rivers, across lakes, etc. Taking guests places, they normally do Not visit or are different from the area where they live. An Example of an outfitter is a rafting company taking guests down a river with whitewater, a mountaineering company guiding guests up to the tops of mountains, or a trekking company leading guests to areas they might never have been before.

Participant: A participant is someone paying you to take them on a trip or to experience your activity.

Partner: someone who is a manager, boss, officer and equally liable as all other partners for any liability of the business. You do NOT want to operate your outdoor industry business as a partnership.

Partnership: An organized group of people doing business as a partnership. Partners are equally liable for the debts and liabilities of other partners. A partnership is the worst form of entity for operating an outdoor recreation business. You do NOT want to operate your outdoor industry business as a partnership.

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: A statute (law) enacted in all fifty states, to different degrees, 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. The effectiveness of Recreational Use Statutes varies from state to state.

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 guests 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 are 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, the ability to go along for the trip, etc. You have the same liability for a volunteer that you have for an employee. Volunteers have some protection from State and Federal Volunteer Protection Acts.

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.

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

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.

The purpose of this form is to collect information, NOT to make a judgment 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 guests and 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: _____

The 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? _____

Do you have a Deadline for this job? _____ ☐ **Yes** ☐ **No**

What is that deadline? _____

Why? _____

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 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 Scouting America, Girl Scouts, and Military: ☐ Yes ☐ No

Unorganized groups such as religious groups, travel agency groups, and 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 participate ☐ 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 have? _____

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

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 do 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 know 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 <input type="checkbox"/>	No <input type="checkbox"/>
Swimming?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Boating?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fishing?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Winter Activities: Sledding, X-Country Skiing, Tubing?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Camping, Sleeping Outdoors?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
RV,'s Motorhomes, Tent Campers?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fire pits, BBQs, Fire Rings, Bonfires?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Games: Badminton, Volleyball, Softball, etc.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Use of the land by outside groups such as Scouting America, Girl Scouts, 4H, Church Groups?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Any organized sports such as baseball, or football leagues?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you going to allow hunting on your land?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
What else do you expect to have visitors to your land to 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? _____

Therapy and/or Counseling Services or Programs

What is the minimum Qualifications needed for any Counselor or Therapist in your program? _____

How many Counselors or Therapist do you have per client/patient on each trip? _____

Do you provide Counseling or Therapy before and after the program or trip? ☐ Yes ☐ No

Describe the issues you provide services for?

☐ Drug Abuse ☐ Alcohol Abuse ☐ Sexual Identity ☐ Personality Disorders

How long do your trips or programs last in days? _____

Describe the Medical Qualifications of the Senior Medical Provider on your program or trips? _____

Describe the level of medical or first aid training of the guides, counselors or therapists on your trips _____

Besides the Counselors or Therapists how many other adults are provided per patient on your trips _____

What is the ratio of Counselors or Therapists to participant? _____

What is the ratio of Adults (over age 21) to participants? _____

What is the ratio of Adults (between 18 and 21) to participants? _____

Do you operate out of a base area returning to this area every night? ☐ Yes ☐ No

Does the base area have running water? ☐ Yes ☐ No

Does the base area have hot showers for participants? ☐ Yes ☐ No

Does the base area provide meals for participants? ☐ Yes ☐ No

Is your program accredited by any organization? If so please list all organizations who have accredited your programs and the accreditation received? _____

Do your participants volunteer to attend your program or is that determination made by their parents alone? _____

Whitewater Rafting/Duckies/Paddleboards/Hard Shell Kayaks/Pack rafts, etc.

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

River/Body of Water 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 Boats do you use? _____

Do you offer Duckie trips? ☐ Yes ☐ No

Do you offer SUP trips? ☐ Yes ☐ No

Do you offer Hardshell 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?

- ☐ 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 the ones who mount the binding, part of the binding indemnification training program? ☐ Yes ☐ No

Do you Sponsor Athletes? ☐ Yes ☐ No

Retailers You put on or sponsor events

- ☐ Festivals
- ☐ Races
- ☐ Triathlons

- ☐ Races are sanctioned by some association
- ☐ Contests
- ☐ 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 if you 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 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

Scouting America? ☐ 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/body of water 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 manufactures 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? _____

Gym 1 _____

Gym 2 _____

Gym 3 _____

Gym 4 _____

Gym 5 _____

Use other sheets of paper if necessary

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(s) 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 wall? _____

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? _____

Do you sponsor climbing teams? _____

Do you have climbing teams that are for climbers under age 18? _____

Do your climbing teams compete at other locations or gyms out of state? _____

How do your climbing teams get to the other climbing locations? _____

Do you provide transportation for the team members? _____

Do you pay for team member's transportation? _____

Do you arrange the team transportation? _____

If the climbing team is minors do you require parents to attend? _____

Must each minor be accompanied by a parent? _____

If parents are not required to attend, how many adults are in attendance based on the number of minors in attendance? _____

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 the 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 Ownership or Operations

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 to 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

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 provide 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 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 ☐ Scouting 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 AEDs 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:

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 explain how the rental equipment works to the guest? _____

How long on average does your pre-trip education take in minutes? _____

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

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

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 specify 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.

Have you included all of the documents that need to be included in the release?



Fee 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) or Assumption of the Risk Agreement for your business
 - Information on using the release including 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. The attorney has a right to keep a copy of all information and documents I provide to him.
- e. This is a flat fee agreement. The 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 on 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 the Lawyer's or Firm's trust account and shall remain the property of the Client until they are earned. When the fee or part of the fee is earned pursuant to this Agreement, it becomes the property of the 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. The firm normally charges \$415.00 per hour in 1/10th of an hour increments for work.

2. The client is liable to the 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. The 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
\$130.00

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

Incoming Wires: Chase Bank

Swift Code: **CHASUS33**
Routing Number: **021000021**

Receiving Branch Address: 1125 17th. Street
Denver, CO 80202

My Bank Account Number: **372290087**

Beneficiary Information

Name: **James H. Moss PC Coltaf Trust Account**
Address: PO Box 621088
Littleton, CO 80162-1088
Phone: 720 334 8529

Make Check Payable to: James H. Moss
Mailing Address PO Box 621088
Littleton, CO 80162-1088

PayPal or

PayPal QR Code



James Moss
@RecreationLaw



venmo

Scan this code to pay

Venmo

jhmoss@gmail.com
@RecreationLaw

www.venmo.com/u/RecreationLaw

Thank You