

**Big Daddy's Pontoon Rentals LLC and other affiliates**



**Personal Watercraft Rental Operators  
Release of Liability,  
Waiver of Claims, Express Assumption  
of Risk and Indemnity Agreement**

Please read and be certain you understand the implications of signing. Express Assumption of Risk Associated with use of Boating and other Related Activities

I, \_\_\_\_\_, do hereby affirm and acknowledge that I have been fully informed of the inherent hazards and risks associated with motorized (e.g. Waverunner, rental boat) or non-motorized (e.g. Kayak, Paddle Boards) and related water sport activities to which I am about to engage, including but not limited to:

- 1) changing water flow, tides, currents, wave action and a ship's wakes;
- 2) collision with any of the following:
  - a) other participants, b) the watercraft, c) other watercraft, d) man made or natural objects, e) shuttle boat;
- 3) wind shear, inclement weather, lightning, variances and extremes of wind, weather and temperature;
- 4) my sense of balance, physical condition, ability to operate equipment, swim and/or follow directions;
- 5) collision, capsizing, sinking, or other hazard that may result in wetness, injury, exposure to the elements, hypothermia, impact of the body upon the water, injection of water into my body orifices, and/or drowning
- 6) the presence of insects and marine life forms;
- 7) equipment failure or operator error;
- 8) heat or sun related injuries or illnesses, including sunburn, sun stroke or dehydration;
- 9) fatigue, chill and/or reaction time and increased risk of an accident

I specifically acknowledge that I agree to abide by the Personal Watercraft Operational and Boat Safety Instructions at all times and I am physically/mentally able to participate in the water sport activities to which I am about to engage.

**I specifically waive any defense insofar as this contract is concerned that may arise as a result of any state or local law and/or regulation or policy that may impact its enforceability.**

I completely understand and agree to fully accept all responsibility on behalf of myself and all parties aboard, including minor children: any injuries, death or loss of personal property are cause in whole or in part by the negligence of the releases named below.

Employees, volunteers, their insurers, and each and every landowner, municipal and or governmental agency upon whose property which in an activity is conducted, as well as their insurers, from any and all liability of nature to include; all injury or damage (including death) to all parties involved with activities. This includes minors, as a result of my/our participation in this activity, even if caused by my negligence or by the negligence of the renter's name above or any other persons.

**Release of Liability, Waiver of Claims and Indemnity Agreement**

In consideration of being allowed to participate in the above-described activities, as well as the use of any of the facilities and the use of equipment of the below releases, I hereby agree as follows:

- 1) To waive and release any and all claims based upon negligence, active or passive, with the exception of intentional, wanton, or willful misconduct that I may have in the future against all of the following named persons or entities herein referred to as releases.
- 2) To release the releases, their officers, directors, employees, representatives, agents, and volunteers, and vessels from liability and responsibility whatsoever and for any claims or causes of action that I, my estate, heirs, executors, or assigns may have for personal injury, property damage, or wrongful death arising from the above activities whether caused by active or passive negligence of the releases or otherwise, with the exception of gross negligence. By executing this document, I agree to hold the releases harmless and indemnify them in conjunction with any injury or loss of life that may occur as a result of engaging in the above activities.
- 3) I agree to pay for all damages or loss of equipment that may occur during my rental. I acknowledge that charges will be automatically charged at the end of rental. My security deposit will not be refunded if charges accumulate more than damages owed. I may also be required to pay more than security deposit. I also agree to pay for loss of time/rentals if boat or waverunner is not able to be rented due to damage
- 4) I agree that all participants are physically fit and are medically cleared to participate in all activities
- 5) By entering into this Agreement, I am not relying on any oral or written representation or statements made by the releases, other than what is set forth in this Agreement.

I hereby declare that I am of legal age and am competent to sign this Agreement or, if not, that my parent or legal guardian shall sign on my behalf and that my parent or legal guardian is in complete understanding and concurrence with this Agreement.

**I have read this Agreement, understand it, and agree to be bound by it.**

**I understand and agree that all operators of equipment born after January 1, 1988 must possess proof of boater's safety education and valid photo identification: \_\_\_\_\_ (INITIAL)**

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Signature of Primary Adult Participant	Name Printed-Neatly Please	DOB	Date
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Driver's License Number	Address
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Please list all Minor Participants

**Additional Participant Signatures: All additional participants have read this Agreement, understand it, and agree to be bound by it**

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Participants Signature: \_\_\_\_\_ Participants Name (Printed): \_\_\_\_\_ Date: \_\_\_\_\_


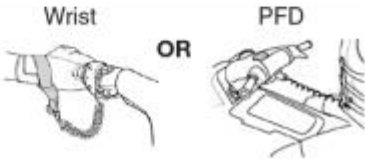
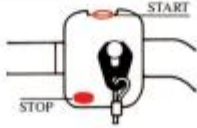
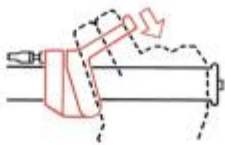
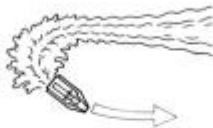


Phone Number: \_\_\_\_\_



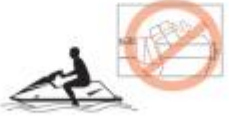
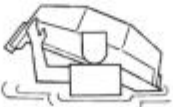



FOR STAFF TO COMPLETE

Paid: _____	Boat #: _____	Time: _____
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# PWC Renter Orientation Checklist

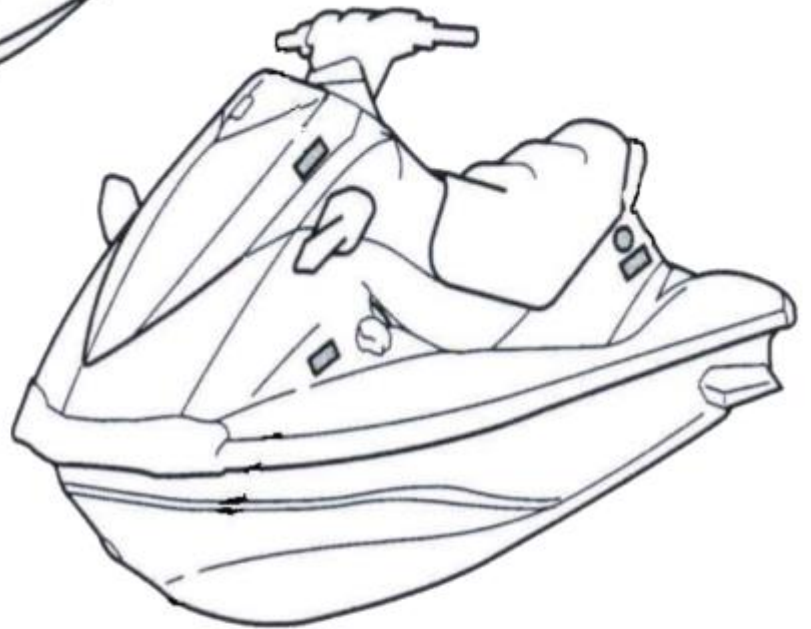
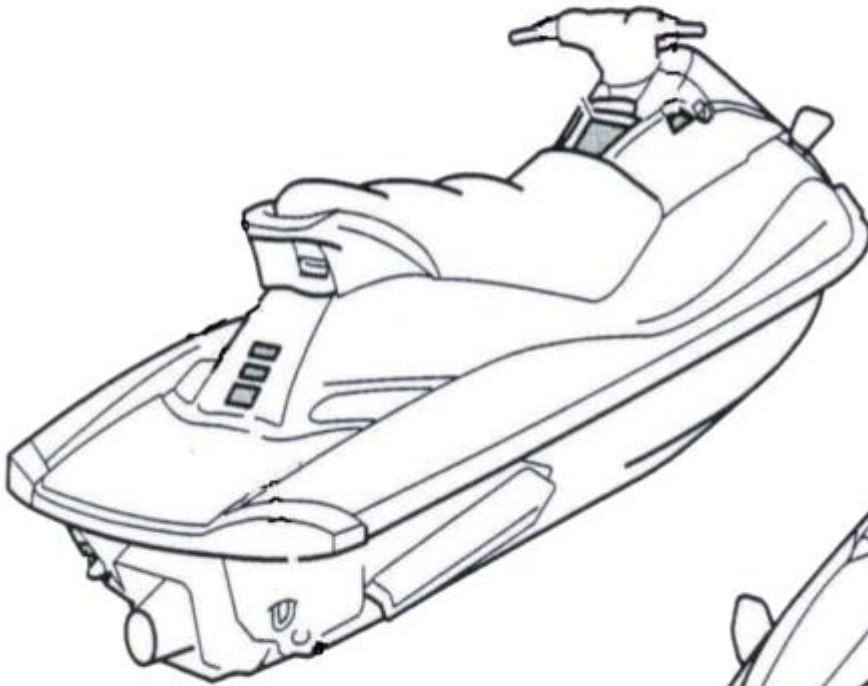
Protective Clothing/Equipment for Operators and Passengers	
<p>Renter Initials _____</p>	<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><b>Wear PFD and Other Protective Clothing/Equipment</b></p> <ul style="list-style-type: none"> <li>You must wear an appropriate personal flotation device (PFD) at all times.</li> <li>Wear a wet-suit (or wet suit bottom) while operating the PWC. Normal swimwear does not adequately protect against forceful water entry into the lower body opening(s) of both male and females. Severe internal injuries can occur if water is forced into body cavities as a result of falling into water or being near jet thrust nozzle.</li> <li>Additional protective equipment (such as footwear, eyewear) may be needed.</li> </ul> </div> </div>
PWC Controls	
<p>Renter Initials _____</p>	<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><b>Keep Lanyard Attached</b></p> <ul style="list-style-type: none"> <li>Securely attach engine shut-off cord (lanyard) to your wrist or PFD (as directed) and wear it at all times. Then if you fall off the PWC, the engine will stop.</li> </ul> </div> </div>
<p>Renter Initials _____</p>	<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><b>Know How to Start and Stop the Engine</b></p> <ul style="list-style-type: none"> <li>To start the engine, be sure that the lanyard is attached and push the start button.</li> <li>To stop the engine, push the stop button. Stopping the engine <b>will not</b> stop the forward motion of the PWC and <b>will</b> result in loss of steering.</li> </ul> </div> </div>
<p>Renter Initials _____</p>	<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><b>Know Operational Controls</b></p> <ul style="list-style-type: none"> <li>The throttle controls your speed. Apply the throttle lever on the handle to accelerate and release it to slow down.</li> <li>The handlebars move the jet thrust nozzle directing thrust in different directions to steer the PWC. <b>Without thrust you cannot steer the PWC.</b></li> </ul> </div> </div>
Avoid Collisions — Most PWC Injuries and Deaths Result from Collisions	
<p>Renter Initials _____</p>	<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><b>Do Not Release Throttle when trying to Steer</b></p> <ul style="list-style-type: none"> <li><u>You need throttle to steer.</u></li> </ul> <p><b>Take Early Action to Avoid Collisions</b></p> <ul style="list-style-type: none"> <li>Remember, PWC's and other boats <b>do not have brakes.</b></li> </ul> </div> </div>
<p>Renter Initials _____</p>	<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><b>Scan Constantly</b></p> <ul style="list-style-type: none"> <li>Scan constantly for people, objects and other boats (including PWCs).</li> <li>Be alert for conditions that limit your visibility or block your vision of others.</li> </ul> </div> </div>
<p>Renter Initials _____</p>	<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p><b>Operate Defensively</b></p> <ul style="list-style-type: none"> <li>Operate at safe speeds.</li> <li>Keep a safe distance away from people, objects and other boats (including PWCs).</li> <li>Do not follow directly behind PWCs or other boats.</li> <li>Do not go near others to spray or splash them with water.</li> <li>Avoid sharp turns and other maneuvers that make it difficult for others to avoid colliding with you or that make it difficult for others to understand where you are going.</li> </ul> </div> </div>

Other Hazards	
Renter Initials	 <p><b>Avoid Aggressive Maneuvers</b></p> <ul style="list-style-type: none"> <li>• This is a high-performance boat—it is not a toy.</li> <li>• Ride within your limits and avoid aggressive maneuvers to reduce the risk of loss of control, ejection, and collision.</li> <li>• Sharp turns or jumping wakes or waves can increase the risk of back/spinal injury (paralysis), facial injuries, and broken legs, ankles or other bones.</li> <li>• Do not jump wakes or waves.</li> </ul>
Renter Initials	 <p><b>Do Not Apply Throttle when Anyone is at the Rear of the PWC</b></p> <ul style="list-style-type: none"> <li>• Items such as long hair, loose clothing, or PFD straps can become entangled in moving parts resulting in severe injury or drowning.</li> </ul>
Renter Initials	 <p><b>Do Not Apply Throttle when Anyone is at the Rear of the PWC</b></p> <ul style="list-style-type: none"> <li>• Do not apply the throttle when anyone is standing or swimming toward the rear of the PWC. Water and/or debris exiting jet thrust nozzle can cause serious injury.</li> </ul>
Renter Initials	 <p><b>Know How to Right the PWC in Open Water</b></p> <ul style="list-style-type: none"> <li>• If you capsize in open water, swim to the rear of the PWC and turn it upright — be sure to turn it in the proper direction. Then board it from the rear.</li> </ul>
Other Rules and Safety Information that May Apply to Your Situation	
Renter Initials	 <p><b>Follow Rental Agency Rules and Boating Laws</b></p> <ul style="list-style-type: none"> <li>• Review all rental agency rules and applicable boating laws.</li> <li>• Do not overload PWC. Do not tow unless the PWC is designed and equipped for towing. Know and follow all State requirements related to towing.</li> </ul>
Renter Initials	 <p><b>Know the Waters</b></p> <ul style="list-style-type: none"> <li>• Know the area in which you will be operating and observe all navigational markers and signs.</li> </ul>
Renter Initials	 <p><b>Follow the Additional PWC Warnings and Instructions that May Apply</b></p> <ul style="list-style-type: none"> <li>• Depending on the circumstances, the Owner's Manual and product labels may have relevant information not covered in this basic orientation.</li> </ul>
Final Check	
Renter Initials	<p><b>READY AND ABLE ?</b></p> <ul style="list-style-type: none"> <li>• Do you understand that you should scan constantly, operate defensively and avoid aggressive maneuvers?</li> <li>• Do you understand that PWCs do not have brakes?</li> <li>• Do you understand that you should <b>not</b> release the throttle when you are trying to steer away from people, objects, other boats (including PWCs)?</li> <li>• Do you have any question about the PWC or its operation?</li> </ul>

I have been instructed on and understand the rules and information provided in this orientation.

\_\_\_\_\_  
Signature of PWC Renter

\_\_\_\_\_  
Signature of PWC Rental Agency Employee



**TO BE FILLED OUT BY STAFF AND RESPONSIBLE PARTY FOR RENTAL PRIOR TO DEPARTURE**

**I CERTIFY THAT AT THE TIME OF RENTAL ALL SIGNIFICANT BODY DAMAGE TO PWC # \_\_\_\_\_ IS NOTED ABOVE**

**CREDIT CARD NUMBER:** \_\_\_\_\_

**EXPERATION DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

A VALID CREDIT OR DEBIT CARD IS REQUIRED TO BE PUT ON FILE PRIOR TO THE RENTING OF ANY PWC. UPON RETURN, THE STAFF WILL INSPECT THE VESSEL. IF NO DAMAGES ARE FOUND THEN THIS FORM WILL BE RETURNED UPON REQUEST