

## ACKNOWLEDGEMENT OF RISK and WAIVER AND RELEASE OF LIABILITY

**Introduction:** Riding with East Tennessee Motorcycle Tours covers a wide range of riding conditions including winding mountain roads, high elevations, temperature changes, possibility of rain, fog, thunder storms, and hail. We may also encounter debris on roads such as sand, gravel, tree limbs, uneven pavement, and pot holes. Tour participants must be in reasonably good physical health, and be able to spend all day riding a motorcycle.

**AGREEMENT:** I (We) understand that riding a motorcycle is subject to both foreseeable and unforeseeable risks and dangers. I (We) further understand that operating a motorcycle is an activity that contains considerable risk of serious personal injury, dismemberment, paralysis, loss, property damage, and possible death. I (We) hereby knowingly and freely accept the risks of all personal injury and property damage to both myself, my passenger, and to others arising from my (our) participation in all East Tennessee Motorcycle Tours rides and activities.

**I (We) DO HEREBY RELEASE, DISCHARGE, WAIVE, HOLD HARMLESS AND AGREE THAT MY (OUR) DEPENDENTS, SUCCESSORS, HEIRS, EXECUTORS AND ASSIGNS DO RELEASE, DISCHARGE, WAIVE, HOLD HARMLESS AGAINST, AND INDEMNIFY EAST TENNESSEE MOTORCYCLE TOURS, ITS OWNERS, EMPLOYEES, OFFICERS, AGENTS, AFFILIATES, DIRECTORS, AND ASSIGNS (COLLECTIVELY, "RELEASED PARTIES") FROM ANY AND ALL CLAIMS, WHETHER CIVIL OR CRIMINAL, INCLUDING CLAIMS OF DEATH, BODILY INJURY, ILLNESS, LOSS OR PROPERTY DAMAGE, HOWEVER CAUSED, ARISING FROM OR RELATED TO AN EAST TENNESSEE MOTORCYCLE TOURS ACTIVITY OR RIDE, EVEN IF ARISING FROM THE FAILURE TO ACT OR NEGLIGENCE OF THE RELEASEES OR OTHERS.**

I (We) fully understand that I (We) may encounter riding conditions and roads that I (We) have not traveled before, have no prior knowledge of, and therefore will ride within a manner that is considered safe for those riding conditions. I (We) agree to ride within my (our) riding ability and agree to not be influenced by any group to ride faster than is within my (our) ability, or what is considered safe riding conditions. Nor will I (We) be influenced by riding displays by my (our) fellow tour participants nor tour guides that could be considered unsafe. I (We) certify that I (We) am/are in good health and have no mental or physical impairments that may affect my (our) safety or the safety of the group. I further certify (operator only) that I am a licensed motorcycle operator and that I hold a currently valid, state issued motorcycle license or endorsement to my driver's license. I (We) understand that I (We) will wear a helmet in the states where it is required by state law, and when in those states where helmet use is optional, I (We) understand the choice of wearing a helmet or not, is solely my (our) own. (The state of Tennessee requires all riders and passengers wear a D.O.T approved helmet.)

Initials: \_\_\_\_\_