

**Buffalo Pedal Tours Passenger Release of Liability Waiver and Behavior Agreement**

I understand that participating on the Buffalo Pedal Tours pedal bus/boat is a potentially dangerous activity. I assume the risk that I may be injured and/or injure someone else while using the Buffalo Pedal Tours pedal bus/boat. I assume all risks associated with my use of the Buffalo Pedal Tours pedal bus/boat, as well as all risk of loss, theft or damage of personal property while using or present on the Buffalo Pedal Tours pedal bus/boat or at the establishments/locations where the tour may visit or at any other time and any other location before, during and after the tour. I will not bring any action against Bavista LLC, DBA Buffalo Pedal Tours, it's employees, successors and/or assigns, for personal injury, property loss, or property damage, including any action for negligence, breach of warranty, products liability or strict liability, and hereby forever waive, on my own behalf and on behalf of my successors and/or assigns, the right to bring such action. I affirm that I am at least 21 years of age and of sound and sober mind and capable of making this Release. Further, I agree that I understand all the language in this document and what I am doing and agreeing not to do by signing it. If I did not fully understand what this document means, I would not sign this document or use a Buffalo Pedal Tours pedal bus/boat until I had been advised regarding it by my own attorney. I further agree to release, indemnify and hold harmless the owners and manufacturers of the Buffalo Pedal Tours pedal bus/boat from any liability against any and all claims, including damages or demands of third parties, including but not limited to, successors and assigns, as a result of my use of the Buffalo Pedal Tours pedal bus/boat. 1. All riders must be 21 years of age or older. 2. Renters of the pedal bus may bring two 12 ounce cans of beer or two 6 ounce plastic bottles of wine on board when allowable by the city or town traveled. Renters of the pedal boat may bring three 12 ounce cans of beer or three 6 ounce plastic bottles of wine on board. New York State open container regulations must be followed in the city or town traveled. 4. Any person arriving in an intoxicated condition shall not be allowed to board the Buffalo Pedal Tours pedal bus/boat. 5. The Buffalo Pedal Tour driver/captain is responsible for the Buffalo Pedal Tours pedal bus/boat and his/her decisions are final. 6. All laws and rules regarding alcohol and behavior apply to all passengers before, during and after Buffalo Pedal Tours Pedal Bus/boat tours. Inappropriate behavior will result in the offending passenger(s) being asked to disembark immediately. No refund will be issued to passengers(s) asked to disembark. Passengers will be responsible for their own transportation from point of disembarking. Inappropriate behavior includes but is not limited to: • Extreme intoxication • Giving alcohol to non-passengers • Foul Language or Gestures • Public urination /vomiting • Loitering more than 5 minutes after tour • Excessive noise/screaming 7. Any transgressions of the above restrictions may result in the Pilot ending the tour immediately and causing a minimum \$300 Late/Damage/Violation Fee to be charged to the Renter's credit card. No refund will be issued for tours ended early due to passenger behavior. 8. All laws and rules regarding alcohol apply to all passengers before, during and after Buffalo Pedal Tours party bus/boat tours. 9. A \$100 "Abandonment" fee will be charged to each rider of a tour not returning to the starting point.

**YOU MUST PRINT** " I decline the offer of the free use of a helmet/life preserver". *If a helmet / life preserver is not desired.*

X\_\_\_\_\_

***I have read, understood, and I agree to the above provisions.***

Rider Signature\_\_\_\_\_ Date \_\_\_\_\_

Name (print )\_\_\_\_\_ Date of Birth \_\_\_\_\_

Photo ID checked      Date & Time of Trip:\_\_\_\_\_ Start Time:\_\_\_\_\_ Name of Pilot: \_\_\_\_\_