**PERMANENT RELEASE OF LIABILITY**

Whereas each of the undersigned individuals are desirous of participating in the Tres Martin’s Boat Handling Course and are doing so entirely upon his or her own initiative, risk, and responsibility. \_\_\_\_\_ (Initials)

I/We am/are completely aware of and accept the risk and hazards inherent in the operation and handling of offshore power boats and the use of the Tres Martin’s Performance facilities. \_\_\_\_\_ (Initials)

Now therefore, in consideration of use of the Tres Martin’s Performance boats and facilities, whether with or without charge, each of the undersigned individually, and/or as a representative of and on behalf of his or her spouse, child, or ward, herby release, discharge and covenant not to sue Tres Martin’s Performance Boat School and/or their agents, officers, servants, representatives, and employees of and from any liability, claims, demands, actions, and causes of action whatsoever arising out of or related to any loss, damage, or injury, including fatal injury sustained while using, participating and/or observing the Tres Martin’s Performance Boat School, whether or not caused by the negligence of Tres Martin’s Performance Boat School or its employees, agents, officers, servants, representatives, or by failure of the equipment. \_\_\_\_\_ (Initials)

This release shall be binding upon the spouse, heirs, legal representatives, next of kin, executors, and administrators of each of the undersigned. In signing the foregoing release, each of the undersigned acknowledges and represents that he/she has read the foregoing release, understands and signs it voluntarily, that he/she is at least eighteen (18) years of age and of sound mind; that he/she is legally sober from the effects of alcohol and/or drugs; that he/she agrees to follow any and all instructions of the Tres Martin’s Performance Boat School personnel while using Tres Martin’s Performance Boat School boats, instruction or facilities; and that he/she is in good health, suffering from no physical disability which might impair his/her mental faculties and/or normal boat handling and swimming capabilities. \_\_\_\_\_ (Initials)

I understand that any offshore boat driving and related activities can be dangerous and involve a risk of injury, which may even be fatal. Despite the risk of injury, I understand and I agree to expressly assume all risks of injury or death to me while participating and/or observing any offshore boat handling instruction and related activities at Tres Martin’s Performance Boat School. \_\_\_\_\_ (Initials)

I understand that there is an inherent danger and risk associated with the operation of any offshore power boats and especially in step hulled power boats, which includes but is not limited to spinning, ejection, rolling, sinking, and/or other violent actions which may result in injury or death to me. \_\_\_\_\_\_\_ (Initials)

I understand that as a student of Tres Martin’s Performance Boat School that prior to, during and after instruction on the water through Tres Martin’s Performance Boat School, that Tres Martin’s Performance Boat School does not provide air borne safety, rescue divers or any other emergency personnel throughout the course; I understand and accept that I will boat at my own risk.\_\_\_\_\_ (Initials)

This document shall commence once signed and dated by “me”, the undersigned, and it will remain in effect for a period of not less than five (5) years from the date of my signature. \_\_\_\_\_ (Initial) I HAVE READ AND FULLY UNDERSTAND THE FOREGOING RELEASE AND PARTICIPATE AT MY OWN RISK.

* I HAVE READ THIS DOCUMENT IN ITS ENTIRETY. I UNDERSTAND IT IS A RELEASE OF ANY AND ALL CLAIMS.
* I UNDERSTAND I EXPRESSLY ASSUME ALL RISK INHERENT TO THE USE OF THE FACILITIES, INSTRUCTION, AS WELL AS PARTICIPATING IN AND OBSERVING ANY OFFSHORE POWER BOATING EXPERIENCE AT TRES MARTIN’S PERFORMANCE BOAT SCHOOL, OR ITS EMPLOYEES, AGENTS, OFFICERS, SERVANTS, REPRESENTATIVES, OR BY FAILURE OF EQUIPMENT.
* I VOLUNTARILY SIGN MY NAME EVIDENCING MY ACCEPTANCE OF ALL THE ABOVE PROVISIONS.
* I UNDERSTAND THAT MY CERTIFICATE IS REVOKABLE IF I ENGAGE IN DANGEROUS OPERATION OF ANY VESSEL.

***\*\*DO NOT SIGN IF YOU DO NOT UNDERSTAND! THIS IS A RELEASE OF LIABILITY\*\****

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| --- | --- |
| Boater’s Full Name: (Please Print) | Date: |
| Home Address: (Physical Address) |
| Home Phone #: | Cell Phone #: |
| Emergency Contact Person: (Please Print) | Emergency Contact Phone #: |
| Boater’s Signature: |