

SCUBA EXPRESS, L.L.C.

COMPLETE LIABILITY RELEASE AND WAIVER

THIS IS A RELEASE OF YOUR RIGHTS TO SUE

1. I understand that the purpose of this document is to exempt and release **Scuba Express** (name of the dive store/dive facility, hereafter called Dive Store), their employees, agents, and assigns and to hold these entities harmless from any and all liability arising as a consequence of the following or any other act of omission on their part including, but not limited to, active or passive negligence.
2. ____ (Initials) By way of my initials and signature on this document I certify that I am a Certified Scuba Diver or a Student Diver and have been taught and understand that scuba diving is a hazardous sport. I also fully understand that scuba diving has inherent risks and dangers including, but not limited to, risk associated with equipment failure which could lead to my serious injury or death. By my signature on this document I expressly assume these risks. I acknowledge that I am physically fit to scuba dive or snorkel and I will not hold any of the above named individuals, persons or entities responsible if I am injured as a result of a medical condition while I am scuba diving or snorkeling. I do not have in my possession any illegal drugs, nor am I taking, nor have I recently take any drugs or medications which could cause an adverse reaction as a result of combining such drugs and/or medication with scuba diving
3. ____ (Initials) Prior to leaving the Dive Store I will thoroughly and completely inspect all of my equipment that I am renting and which will be used by me. I will satisfy myself completely with its operation and condition. If I discover any of my equipment is not functioning properly at any time I will cease all diving activity and will promptly notify the Dive Store. I expressly agree not to hold the Dive Store or any of its employees, agents or assigns responsible for my failure to inspect my equipment prior to diving.
4. ____ (Initials) I understand that I have an affirmative duty to plan my dive. I agree to be responsible for my own safety. My signature and initials on this document affirm that I am fully aware of the dangers, risks and hazards of holding my breath while diving and the dangers associated with a rapid ascent. I certify that I am fully aware of the possibility that my equipment may malfunction during a dive which could include a free flowing regulator, stuck inflator button or unwanted inflation of my buoyancy compensator. I certify that I have been trained and know how to overcome these eventualities should they occur to me. I agree not to hold any of the individuals or entities named within this document responsible for any such act.
5. ____ (Initials) IT IS MY EXPRESS INTENTION BY WAY OF THIS INSTRUMENT AND BY SIGNATURE HEREON TO GIVE UP ALL RIGHTS TO SUE ANY INDIVIDUAL OR ENTITIES REFERRED TO WITHIN THIS DOCUMENT, WHETHER SPECIFICALLY NAMED OR NOT. FURTHERMORE IT IS MY EXPRESS INTENTION TO EXEMPT AND RELIEVE THE DIVE STORE, THEIR EMPLOYEES, AGENTS AND ASSIGNS AND TO EXPRESSLY AGREE TO INDEMNIFY AND HOLD THESE ENTITIES HARMLESS FROM ANY AND ALL LIABILITY FOR PERSONAL INJURIES, PROPERTY DAMAGE OR WRONGFUL DEATH CAUSE BY ANY ACTIVE OR PASSIVE NEGLIGENCE RELATED IN ANY FASHION TO THE RENTAL AND MISUSE OF THIS EQUIPMENT. I SPECIFICALLY ASSUME ALL RISKS IN CONNECTION WITH THE RENTAL OF THE EQUIPMENT FROM THE DIVE STORE.
6. ____ (Initials) I HAVE READ AND UNDERSTAND THE FOREGOING IN ITS ENTIRETY AND I AGREE TO THE TERMS AND CONDITIONS HEREIN AND ABOVE SET FORTH ON BEHALF OF MYSELF, MY HEIRS AND MY PERSONAL REPRESENTATIVE.

Date _____

_____ (Print Name) _____ (Signature)

_____ (Address) _____ (Telephone)

_____ (City, State, Zip Code)

MINORS UNDER THE AGE OF 18: Parent/Guardian signature required _____

******* A CERTIFICATION CARD IS REQUIRED FOR TANK RENTALS AND AIR FILLS.*******

FOR OFFICE USE ONLY

Certification card number _____

Agency _____