

FREE DIVER ASSUMPTION OF RISK AND RELEASE AGREEMENT

I, _____, do declare that I am experienced and proficient with the skills of
(Please print your name)
freediving and related activities and equipment. **INITIAL HERE** _____

I UNDERSTANT THAT FREEDIVING AND RELATED ACTIVITIES ARE INHERENTLY DANGEROUS.
Participating in these activities may expose me to risks which can result in SERIOUS INJURY, DISABLEMENT, AND/OR DEATH. Knowing this, I ACCEPT FULL RESPONSIBILTY for all consequences of my actions and expressly assume all risks of harm. **INITIAL HERE** _____

In consideration for granting permission for me to be a passenger on this diving trip aboard the Dive Boat Peace, I AGREE TO THE FOLLOWING TERMS AND MAKE THE FOLLOWING WARRANTIES:

- 1) I will not dive while under the influence of alcohol or drugs, or while my judgment is impaired, and I am in good physical condition and of sound mental health. **INITIAL HERE** _____
- 2) I will not dive alone and will dive in cooperation with another diver with whom I have discussed our dive plan, safe diving practices, and emergency procedures. **INITIAL HERE** _____
- 3) I will dive with a high visibility locating device to indicate my position at all times. **INITIAL HERE** _____
- 4) While diving, I will carry at least one emergency signaling device. **INITIAL HERE** _____
- 5) I will not dive in conditions in which I do not feel comfortable or that are beyond my experience level or physical ability. **INITIAL HERE** _____
- 6) I will not hyperventilate in preparation for a dive nor attempt to extend a dive beyond my personal safe limits, as doing so can greatly increase the risk of blackout, serious injury, and/or death. **INITIAL HERE** _____
- 7) I will assess the conditions at each dive site, including current, swell, chop, wind, visibility, boat traffic, and other variables as they relate to the safety of myself and others. **INITIAL HERE** _____

Spearguns may be loaded only while in the water and must be unloaded at all other times. **INITIAL HERE** _____

I am fully responsible for knowing and complying with all current laws and regulations as they relate to any game I may take and any gear I bring aboard or use. **INITIAL HERE** _____ *(And check A or B as appropriate)*

- _____ A) I have a valid personal California Fish & Game license in my possession; OR,
- _____ B) I will not be participating in any activities which require a California Fish and Game license.

I understand that the Captain has the final decision regarding a dive location, and I will abide by that decision. This decision of dive location does not in any way reduce the risks inherent with freediving and related activities, and I remain fully responsible for my safety. **INITIAL HERE** _____

I understand that this diving trip may be conducted at remote locations and that treatment facilities may not be readily accessible. I agree that if I am involved in a diving related or other accident, the Captain or divemaster may require that I be evacuated to a treatment facility. I agree that I am fully responsible for all associated expenses. Knowing this, I agree to proceed with this dive trip. **INITIAL HERE** _____

RELEASE OF LIABILITY AND COVENANT NOT TO SUE

I HEREBY FULLY RELEASE, discharge, and hold harmless THE DIVE BOAT PEACE, its owners, operators, Captains, divemasters, crew, employees, agents, successors and assigns (the "Released Parties"), FROM ANY AND ALL LIABILITY, demand, claim, or right of action of any kind, for any injury or damage of any sort, to person or property, sustained by me or others, in any way arising, directly or indirectly, out of events on board, conducted from, or in association with the Dive Boat Peace, even though the liability may arise out of negligence or carelessness on the part of the Released Parties. Furthermore, I COVENANT NOT TO SUE or make any demand or claim against ANY OF THE RELEASED PARTIES. This release and Covenant Not To Sue shall be binding on myself, my heirs, executors, assigns, and other representatives.

I HAVE READ AND FULLY UNDERSTAND THIS AGREEMENT, AND AGREE TO BE BOUND BY ITS TERMS.

Signature: _____ Date: _____

Signature of parent or legal guardian (If diver is a minor): _____