



# RENTING SNOWMOBILES SUCCESSFULLY

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A Guide to Best Business Practices

*Produced by*

**iasa**   
International Association of Snowmobile Administrators

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The intent of publishing this document is not to dictate or otherwise interfere with the operation of any public or privately owned business.

# INTRODUCTION

## INTRODUCTION

Snowmobile rental businesses serve an important role for the sport of snowmobiling because they often allow non-snowmobilers to experience snowmobiling. As a result, renters often become new snowmobile owners after they've had the opportunity to try the sport. Or, if they had a positive rental experience, they can at



least become supporters of the sport of snowmobiling. For the sport to survive and prosper, it is critical that rental experiences be safe and enjoyable.

However, all too often inexperience results in renters and others on the trails being put at risk because the rental operators were not familiar with the operation of their snowmobile. This is particularly true if the rental operators do not receive adequate orientation and education from the snowmobile rental business prior to being sent on their outing. If followed, the business practices outlined in this publication can help provide safer rental experiences for renters and rental business operators.

## PURPOSE

This manual outlines recommendations and guidelines to help snowmobiling regulatory authorities, land managers, and snowmobile rental businesses develop proper levels of education and operational guidelines for the snowmobile rental industry. The primary objectives are to promote safer, more responsible, snowmobiling behavior and to reduce the risk of personal injury, loss of life, environmental impact, and property damage. The main topics of discussion are recommendations for rental business personnel qualifications, customer orientation and education, business operations, and strategies for safety and risk management.

## CHAPTER ONE OVERVIEW

### Personnel Selection and Training

#### **HIRING THE RIGHT STAFF**

The committed snowmobile rental business (*one that does its best to do it right*) should hire only qualified individuals since this is a must for safety and risk management purposes. Therefore, hiring the right snowmobile rental center staff is crucial to the success of your business. The model rental business hires only qualified employees that are community minded, lead by example, are knowledgeable and skilled at snowmobile operation, handling and instruction, and have had snowmobile safety training. The **PERSONNEL** section outlines what to look for in prospective employees, and how to maintain and enhance their skills while they are employed with proper training opportunities.

In this chapter you will learn about:

- ◆ Personnel Overview
- ◆ Hiring and Employment
- ◆ In-Service Staff Training Program
- ◆ Customer Education and Operations Training: Contents and Guidelines

## CHAPTER TWO OVERVIEW

### Customer Orientation and Education

#### SHOW THEM HOW TO DO IT RIGHT

Safe, responsible handling of a snowmobile by a renter/operator depends upon their knowledge and level of training. Rental business employees are expected to deliver renter orientation and education in a clear, concise, cohesive, and consistent way. The **CUSTOMER ORIENTATION AND EDUCATION** section discusses teaching methods for snowmobile rental educational programs. It also gives examples of existing rental guidelines and recommended practices.

In this chapter you will learn about:

- ◆ Customer Orientation and Education Overview
- ◆ Assessing the Customer's Ability to Operate a Snowmobile
- ◆ Instruction, Education, and Operator Orientation
- ◆ IASA Snowmobiling Safety Education
- ◆ IASA Recommendations
- ◆ Renter/Operator Education Core Subjects
- ◆ Snowmobile Rental Customer Orientation
- ◆ Customer Orientation
- ◆ Operator Proficiency Testing
- ◆ Snowmobiler's Code of Ethics
- ◆ Sledder's Pledge
- ◆ Customer Educational Materials and Visual Aids
- ◆ Guided and Unguided Snowmobile Rentals

# CHAPTER THREE OVERVIEW

## Operations

### **RUNNING YOUR BUSINESS**

Compliance with applicable safety and regulatory requirements is essential to building and maintaining a successful business. The **OPERATIONS** section includes information on Federal and State/Provincial rules and regulations for snowmobile rental businesses. Guidelines and suggestions from the International Association of Snowmobile Administrators (*IASA*) and others interested in assisting individual snowmobile rental businesses to be successful, efficient, and risk management focused are also included.

In this chapter you will learn about:

- ◆ Operations Overview
- ◆ Government Business Requirements
- ◆ IASA Recommendations
- ◆ Multiple Use Winter Trails
- ◆ Rental/Outfitter Business Operations
- ◆ Environmental Protection
- ◆ Facilities and Equipment Maintenance
- ◆ Snowmobiles Advanced, Integrated Technology
- ◆ Administration

# CHAPTER FOUR OVERVIEW

## Safety and Risk Management

### REDUCING YOUR RISK

There will always be inherent risks associated with snowmobiling and renting snowmobiles, so **SAFETY AND RISK MANAGEMENT** must always be integral parts of a snowmobile rental business. Managing the risks associated with a snowmobile rental agency is no small task. It requires great patience, attention to detail, and a willingness to learn and abide by recognized safety and risk management practices. Improved safety for customers, staff, and others helps protect the business from third party liability and property loss. The **SAFETY AND RISK MANAGEMENT** section discusses liability and insurance issues, as well as other considerations necessary to give adequate protection to the business and its employees.

In this chapter you will learn about:

- ◆ Safety and Risk Management Overview
- ◆ Safety Audits
- ◆ In-service Staff Training
- ◆ Customer Education
- ◆ The Rental Agreement
- ◆ The Equipment
- ◆ Emergency Planning and Situation Specific Procedures
- ◆ Crisis Management
- ◆ Incident Reporting
- ◆ Legal Representation
- ◆ The Recreational Waiver Law and You
- ◆ Insurance Considerations



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# PERSONNEL SELECTION AND TRAINING

## Overview

Hiring the right staff for your snowmobile rental or outfitting business is crucial to the success of your business. You should hire individuals who think safety, first and foremost, and who lead by example. The continual training of all rental company or outfitter personnel is equally important. Ongoing staff training can help ensure that safe and responsible snowmobiling practices are being taught consistently to customers, and that only qualified personnel lead guided tours.

The continual investment in the training of your staff can be your best marketing tool. Customer satisfaction, word of mouth advertising, and customer loyalty will all contribute to the business's bottom line when customers have a positive snowmobile experience as a result of staff skill and experience.

This chapter highlights the importance of hiring qualified staff and offers guidelines on how to train and maintain highly qualified personnel who are committed to safety and the success of your business.



# Personnel

## HIRING AND EMPLOYMENT

### OBJECTIVES

The requirements and responsibilities of various positions in your business, which can range from reservation clerks/front desk staff to education/checkout staff to instructors to guides or administrative staff, all determine and shape your hiring needs. When hiring a new employee, look for a combination of job related education, skills, and practical experience consistent with a professional rental/outfitter culture that makes good business sense.

Front line employees should typically be skilled in many areas: customer service, snowmobile operation and safety, first aid, community relations, teaching, etc. Particularly for guides and checkout staff, it is desirable to hire individuals who are inherently risk management focused and are customer service minded as a result of their education and work experience. Such candidates can be a great asset to the business even if they lack advanced snowmobiling skills. Their practical experience and training should help them sense potential risks to safety and prevent incidents from occurring.

These types of employees can become well-rounded team members, able to competently perform the many jobs and responsibilities at the rental business with focused rental/outfitting training. Once they've obtained a snowmobile safety education certification, advanced instruction in snowmobile operations, and knowledge of snowmobiling in the local area, these employees can become ideal snowmobile safety professionals who are a credit to the rental/outfitter operation.

Depending upon the size of the rental operation, some staff may be specialized and perform only office duties or equipment upkeep, while others may focus on training, on-trail guiding, or checking equipment in and out with customers. While some staff may have a limited focus in their duties, cross-training between positions is a good idea, especially in the areas of renter education and on-trail guiding. Staff at small companies may need to be qualified in numerous or even all of these responsibilities.



Always keep in mind that past education, training, and work experience will likely result in a situation where your staff has a wide range of experience and abilities. To attract a higher level of trained staff to the business, you may have to pay more experienced employees more than others, but it will be money well spent.

## **HIRING CRITERIA**

Hiring qualified people from the start will help keep initial training demands and costs to a minimum. Since a snowmobile rental/outfitter business must always focus on safety and caring for the customer, it is essential that, in particular, guide and field operation staff's first aid skills are kept current by regular in-service training.

Hiring individuals with the right mix of skills and experience can enhance the business's image, as well as the reputation of snowmobiling in general.

## **Look to the Following When Hiring Staff:**

### **AGE AND MATURITY**

Staff must meet all state/provincial age restrictions for operating snowmobiles themselves. If the business offers guided trips, there may be instances when an employee's ability to handle an emergency could save a customer's life. Therefore, staff should possess a level of maturity that enables them to professionally ride in a safe and responsible manner. Management should assess their prior training, background, and practical experience during the interview process.

### **SNOWMOBILING EXPERIENCE AND BACKGROUND**

Successful completion of a recognized snowmobile safety education course does not necessarily guarantee excellent snowmobiling skills.

Checkout and guide staff should have practical, snowmobile-related experience for the job and shouldn't be hired simply because they have a snowmobile safety certification. They should be able to demonstrate advanced skills in snowmobile operation and handling, including snowmobile instruction, on-trail supervision of customers, on-trail snowmobile maintenance and repair, and trailering skills if the company operates off-site guided trips.



## **LIFE SKILLS: QUALIFICATIONS AND CERTIFICATIONS**

Candidates who hold first aid, CPR, and/or avalanche rescue certifications should meet or exceed the minimum criteria required by the appropriate sanctioning agencies as pertinent to all job related functions they may be hired to perform. All certification, for 'the training' should be kept current and up-to-date as per sanctioning agency and industry recommendations throughout their employment.

## **SNOWMOBILE SAFETY EDUCATION: INSTRUCTOR QUALIFICATIONS**

While there are many different models of snowmobiles and riding techniques, all snowmobilers need to know the basic principles of operating snowmobiles safely. The education committee of the International Association of Snowmobile Administrators (IASA) has developed and endorsed minimum, internationally recognized, snowmobile education standards that rental/outfitter businesses should understand and follow. Generally, these standards share much uniformity (*and reciprocity*) among jurisdictions, including the United States and Canadian Provinces and Territories.

All employees who will be educating the rental/outfitter business's customers should have a comprehensive knowledge of snowmobile safety, as well as current laws, local regulations, and hazards particular to the local riding area. They should also possess the knowledge, skill, and abilities necessary to effectively teach snowmobile safety and responsible behavior to customers. (*See page 33, Customer Education*)

It is recommended that only staff who have successfully completed an IASA approved snowmobile safety education course, or a state/provincial equivalency exam, should qualify to be rental center training instructors or on-trail guides. It is also recommended that, to receive certification in these specific areas, candidates should pass a snowmobile knowledge/rider-instructor skills test conducted by the business and/or the local government jurisdiction.

Many areas have an existing pool of qualified snowmobile safety education instructors who have been trained through IASA endorsed education programs. You should consider using them to assist your rental operation.

## LOCATION SPECIFIC SNOWMOBILING KNOWLEDGE

Snowmobile guides and instructors need prior training and testing regarding local area snowmobile knowledge in order to teach rental customers. This includes hazards known to the area (*avalanche areas, cornices, thin ice, etc.*), area specific environmental considerations, as well as special rules of the road that may be applicable in the local area. Hiring individuals with personal snowmobiling experience in the local area can be an asset since these candidates should already be familiar with local regulations, courtesies, and varying conditions. Local snowmobile clubs and associations are one way the rental/outfitter business can find this information.

## EMERGENCY RESPONSE TRAINING

It is possible that staff may have to respond to an emergency if the business offers guided trips. As a minimum requirement, staff who may be faced with this situation should hold current certification in CPR and first aid, along with avalanche rescue if operating in mountainous areas. Although the size, scope, and location of the rental/outfitter facility are a consideration, guide staff should generally be trained and be current with basic first responder skills. A safety audit (*See page 76, Risk Management*) by either the local emergency services office or other qualified agencies can help determine this.

## TRAITS AND SKILLS

Employees hired as guides should exhibit the following:

- ◆ Strong riding ability.
- ◆ Physical strength and agility.
- ◆ Good eyesight and hearing.
- ◆ Quick reflexes.
- ◆ Ability to work as a team member.
- ◆ Excellent communication skills.



## COMMUNITY RELATIONS SKILLS

Staff are important ambassadors for the business and recreational snowmobiling in general. Individuals who have had similar experiences with snowmobiling or other winter recreational activities are good candidates since they often have a multiple use perspective that is invaluable when promoting safe and responsible riding. Their knowledge and experience can help reduce inherent risks, while increasing the business's bottom line.

## Other Hiring Considerations

### LAWS GOVERNING HIRING PRACTICES

Strict State, Provincial, and Federal laws often affect the hiring process. United States Federal Equal Opportunity Employment Laws, for instance, prohibit discrimination based upon the following factors:

- ◆ Gender
- ◆ Age
- ◆ Color
- ◆ Race
- ◆ Disability
- ◆ National Origin
- ◆ Religion



### EMPLOYMENT DOCUMENTATION

The rental/outfitter company should document and file information for each staff member regarding their previous work experience, education, training, certifications, and any other information pertinent to their employment. Due dates for staff recertifications should also be noted in each employee's personnel file to help with follow up. This type of detailed documentation will help the business document its track record of hiring qualified personnel should any aspect of the operation ever be called into question.

### EMPLOYMENT CONTRACT

The rental/outfitter company should establish a formal written agreement with each of its employees that includes the terms and conditions of their employment. An employment contract should include, but not necessarily be limited to :

- ◆ Salary/hourly wage.
- ◆ Term of employment.
- ◆ Pre-season and in-service training requirements.
- ◆ Code of conduct expectations.
- ◆ General duties and responsibilities per job description.
- ◆ Legal obligations the rental/outfitter company has to the employee.
- ◆ Legal obligations the employee has to the rental/outfitter company.
- ◆ Legal obligations the rental/outfitter company and employee have to customers.

## In-Service Training Program

Prevention is a key to safe and responsible snowmobiling, as well as to proper risk management throughout the business’s operations. Ultimately, risk prevention is the responsibility of both the rental/outfitter company and the employees. The company can help ensure that employees are ready and able to perform the various tasks responsibly and effectively by developing and maintaining appropriate knowledge skills among staff through regular in-service training. Staff training should be constant and thorough, covering many of the crucial areas of the business in order to instill confidence in employees and business operations as a whole. Training should be designed to enhance, through practice sessions, the job related skills of all staff responsible for customer safety. Continuous in-service training will help rental/outfitter businesses routinely focus on the issues that matter the most.

Regular in-service training can help personnel:

- ◆ Have sufficient technical knowledge, experience, and practice to impart proper instruction and information to all customers.
- ◆ Effectively teach safe and responsible snowmobiling practices.
- ◆ Properly evaluate the facility, equipment, and their customers on an ongoing basis.
- ◆ Sustain the business’s preventative approach to safety and responsible behavior.
- ◆ Identify individual roles and responsibilities.
- ◆ Keep individual’s qualifications and certifications current.

Supplement in-service training programs by working directly with outside professionals to develop and maintain processes and procedures.

The following chart provides examples:

INDUSTRY PROFESSIONALS	SUBJECT EXPERTISE
Manufacturers or Dealers	Equipment Up-Keep and Maintenance
Land Management Agencies	Rules & Regulations/Snowmobiling and Trail Management Issues
Law Enforcement Agencies	Laws, Rules, and Regulations
Red Cross, Ambulance Services, Fire Department and Emergency Response Teams	CPR, First Aid, Emergency Response Procedures, Safety Audits, etc
Avalanche Education Centers	Avalanche Awareness and Avalanche Search Techniques

## EMPLOYEE TRAINING MANUAL

Part of the excitement and challenge of starting a new job is learning the ropes. New employees need to learn how the rental/outfitter company does business and what procedures their employer expects them to follow. An effective way to introduce a new employee to business operations is through a training manual.

A training manual can help provide common instructions for staff so that procedures are carried out consistently. The manual also acts as an excellent reference if they have questions or are unsure about a specific procedure. It should be readily accessible to all employees throughout the term of their employment.

Information about developing a training manual may be found in the business section of the local library or by contacting the local small business resources center servicing your area.



## EMPLOYEE TRAINING TECHNIQUES

### 1. *Effective Training Requires Small Steps.*

Too much information delivered too quickly can be overwhelming. There is a lot to learn about the rental business, so take a step-by-step approach, allowing new staff time to absorb and apply what they've learned.

### 2. *Effective Training is Chronological.*

Staff training should begin with simple tasks that need to be performed immediately. Teaching personnel the more difficult tasks should be delayed until they are oriented and familiar with their basic work.

### 3. *Effective Training is Continuous.*

People learn better in creative, energetic environments. Whenever possible, add a little variety to the training program: vary the schedule, where, and how you train.

### 4. *Effective Training has New Employees Feeling Productive - even on the first day!*

One successful technique for novices to learn the various roles and responsibilities of a new job is by shadowing or following an experienced worker. They should be encouraged to complete various tasks on their own with less supervision as they move along. This systematically helps them build confidence while at the same time helps them feel good about the business and themselves.

## **5. Effective Training Evaluates an Employee's Progress.**

Take time to measure staff performance. One way to improve performance is by observing employees in action or by role-playing (*e.g. you pretend to be the customer*) and afterward, discussing their progress. When evaluating employees, also place written documentation in their personnel file.

## **Customer Education and Operations Training: CONTENT AND GUIDELINES**

In order to maintain a safe and secure environment, staff should be coached to:

- ◆ Adopt and maintain a 'Safety First' attitude.
- ◆ Readily identify safety and other concerns that could adversely affect the business, its customers, or its staff.
- ◆ Quickly and decisively end a customer's snowmobile ride when necessary (*e.g. Unsafe snowmobile handling, ignoring the 'rules of the road', inclement weather, or other emergencies, etc.*)

## **SAFE SNOWMOBILING FUNDAMENTALS**

It is essential that staff be familiar with safe, responsible snowmobiling practices, and that their snowmobile handling skills are kept current.

Basic training should include:

- ◆ Snowmobile operational characteristics.
- ◆ Snowmobile operational responsibilities.
- ◆ Snowmobile trip preparation (*e.g. route or trip planning*).
- ◆ Trail courtesy rules and etiquette.
- ◆ Laws and regulations.
- ◆ Local trail/landowner issues and hazards.
- ◆ Multiple use issues (*co-existing with other recreation user groups and other land uses*).
- ◆ Protecting staff and customers from environmental stressors (*e.g. sun, temperature, altitude, wind, flat light, etc.*).
- ◆ Maintaining respect for the environment and natural resources.

In-service training and refresher courses should be a part of your business culture since they will help ensure that employee experience and knowledge keep pace with developing industry standards.

## CUSTOMER EDUCATION AND TRAINING

Every employee who is responsible for customer education and training must be able to communicate and teach effectively. It is the rental/outfitter company's responsibility to ensure their personnel have the necessary knowledge, skills, and abilities to properly educate customers about safe snowmobiling practices.

There are various methods available to help assist staff provide information and instruction to rental/outfitting customers, including: reading safety posters or brochures, watching a video, verbal instructions or presentations by staff, physical demonstrations, and hands-on practice.

An instructor in-service training program should complement an IASA certified Snowmobile Safety Education Course and focus on the following:

- ◆ Instructor's listening and observational skills.
- ◆ Instructor's interpersonal skills.
- ◆ Logical flow of information/subject matter.
- ◆ Lesson planning.
- ◆ Teaching methods.
- ◆ Instructional aids.
- ◆ Risks or handicaps to learning.
- ◆ Evaluating customer performance.



## TELL-SHOW-DEMO

An effective method to instruct customers on the safe and proper way to handle a snowmobile is to combine proven teaching methods. For example:

- ◆ **Tell** the customer how the emergency stop switch must be in the run (up) position.
- ◆ **Show** the customer how to turn the switch on and off.
- ◆ **Demonstrate** to the customer how the emergency stop switch shuts the motor off when depressed.

The Tell-Show-Demo instruction method should be taught to the rental company's instructors and supervisors. This method can easily be applied to the list of procedures and information that an authorized renter/operator should know and do in order to operate a snowmobile safely and responsibly. (See page 37, *Customer Education*)



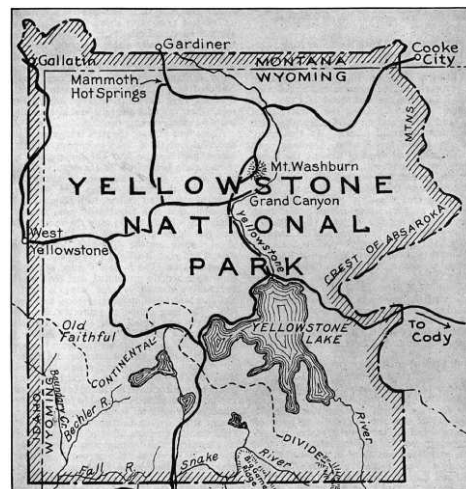
## A Case Study

### **GUIDE OR RENTAL COMPANY REQUIREMENTS**

The majority of states and provinces do not require snowmobile rental/outfitter companies to have certified guides, although snowmobile safety advocates generally recommend it. Federal land managing agencies in the United States, like the National Park Service and the United States Forest Service, generally have the most stringent requirements for snowmobile guide certification. Two examples from federal agencies, along with examples of requirements for rental companies and guides in various states and the Yukon Territory are as follows:

### **YELLOWSTONE NATIONAL PARK: REQUIREMENTS FOR GUIDED SNOWMOBILE TOURS**

All snowmobiles entering the park must be accompanied by a licensed guide who is employed by a rental company authorized by the National Park Service to provide guided interpretive snowmobile tours within the park. Only 720 snowmobiles may enter the park each day between mid December and early March guided by one of approximately 23 companies who have been authorized under a concessions contract. The rental company must submit a Certificate of Insurance and Monthly Use Reports as one condition of their contract.



Guides are responsible for the behavior of clients in their party. Only 'Best Available Technology' (BAT) snowmobiles can be operated within the park. The maximum group size is 11 snowmobiles, including the guide. Snowmobiles can operate in the park from 7 AM to 9 PM only.

Rental company employees are required to wear a visible name tag or have their company name embroidered on outerwear identifying the concessionaire. All guide sleds must have either a bicycle safety flag or a sign in the windshield to identify them. All rental snowmobiles must clearly display the company's logo or name to aid in their easy identification.

# PERSONNEL

Rental companies must provide training and orientation to each employee working with the public to ensure they provide friendly, helpful service and are capable and willing to answer questions and provide visitor assistance. This includes interpretive skills training, knowledge about park regulations, and making sure the employee is familiar with equipment to ensure a safe and enjoyable trip for park visitors. Prior to guiding clients, new guides must accompany an experienced guide into the park on several trips.

All snowmobile renters must be given basic instruction on the safe operation of snowmobiles prior to beginning the trip. Emphasis is placed on traffic regulations and the similarity of snowmobiles to automobiles. All aspects of the safe operation of a snowmobile must be emphasized in this instruction. Renters must also be given the opportunity to operate a snowmobile or examine one in enough detail to ensure their ability to physically operate the controls. The rental company must also ensure the renter is safely equipped and properly clothed prior to the trip.

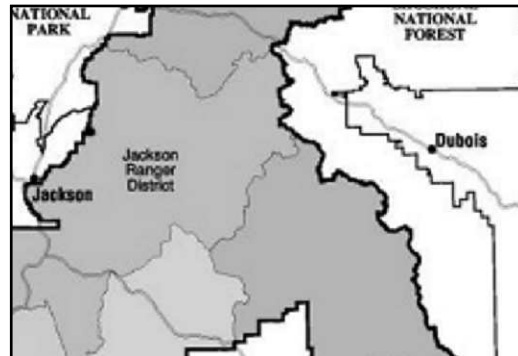
Guides and renters must wear helmets. Renters may not carry alcoholic beverages on day trips and if on an overnight trip the unopened beverage must remain stored in their luggage. Rental companies must ensure each group carries a basic first aid kit, matches, instant hot packs, and a blanket that is more substantial than a foil blanket.

All guides must possess at least current first-aid certification or higher and have completed a CPR course. Guides who have been certified in first-aid and CPR during the past 18 months but whose certification has expired may conduct trips for 30 days pending re-certification.

All snowmobiles must pull over to the far right and park in single file when the group stops along the trail. All snowmobile operators must possess a valid motor vehicle operator's license (*no learner's permits allowed*) and the license must be carried on the operator's person at all times. Any towed equipment such as trailers and sleds must have a rigid hitch and can be only pulled by the guide's sled. Double riding is only permitted on machines designed for double riding and no triple riding is allowed. Snowmobiles are not allowed to idle for more than one minute when stopped. All guides and renters must have a rearview mirror on their machine or utilize a handheld or wrist mirror.

## Bridger-Teton National Forest Teton Division - Jackson, Wyoming: Avalanche Training Policy

This policy applies to snowmobile outfitters who guide backcountry snowmobiling trips and Forest Service employees whose primary purpose is to patrol by snowmobile in the backcountry. The purpose of this policy is to address public, employee, and outfitter client safety.



The long term goal is to have all snowmobile guides and winter patrollers (*Forest Service employees*) trained at a basic level for avalanche safety. A curriculum has been developed for a Snowmobile Avalanche Education Course that consists of 12 hours of instruction, which includes 4 hours in the classroom and 8 hours in the field. Training is required only once. However, an annual refresher among employees (*guides*) must be documented by the rental company and documentation provided to the Forest Service. Employees and guides are required to have a minimum of safety equipment along with them while on tours, with the type of equipment available dictated by the intent of the tour.

This policy was implemented by phasing in the requirements over a two year period.

**Year 1:** Beginning with the 2003/2004 winter season, all guides who lead advanced off-trail tours, with the primary purpose of the tour being technical powder riding and hill climbing in avalanche prone terrain, are required to have completed a basic 12 hour snowmobile avalanche education course within three months of their initial employment. All clients and guides must wear avalanche transceivers and a minimum of two shovels and probe poles must be carried within the group. A safety briefing must be conducted at the beginning of the tour that includes a demonstration of the avalanche safety equipment.

**Year 2:** Beginning with the 2004/2005 winter season, all snowmobile guides and winter patrollers are required to be trained at the basic 12 hour snowmobile avalanche education course level, within three months of the beginning of their initial employment. On all tours, a minimum of two shovels and two probe poles must be carried within the group and the location and proper use of the equipment must be shown to the rental clients at the beginning of the tour.

# PERSONNEL

Avalanche transceivers are not required for tours that use standard play areas along the groomed State Trail System that are not in potential avalanche terrain (*steep slopes or run-out zones*). There must be an annual pre-season refresher among employees that have completed the 12 hour course that covers transceiver and rescue drills and safe travel techniques. At a minimum level, this can be covered in one-half day. Each rental company must document the avalanche refresher course given to their employees and provide the Forest Service with a list of the company's guides who have attended. Rental companies who desire assistance from the Forest Service in providing the annual refresher may arrange this through their permit administrator.

Only guides who have completed the avalanche education course can lead advanced, off-trail, powder riding tours. In addition, all members (*guides and clients*) of advanced tours must wear avalanche transceivers. A minimum of two shovels and probe poles must be carried with each group. The pre-tour safety briefing must include a demonstration of the avalanche safety equipment.

There are several organizations authorized to offer snowmobile specific avalanche training for the Teton Division. These organizations include: the Bridger-Teton National Forest (BTNF) Avalanche Forecast Center, Jackson Hole Mountain Guides, the American Avalanche Institute, and the National Outdoor Leadership School (NOLS).

Rental companies may also develop their own avalanche safety programs. In this case, an Avalanche Safety Plan must be established by the rental company that describes the company's training program and Standard Operating Procedures. The Avalanche Safety Plan must be updated annually and submitted to the Forest Service for acceptance and approval. The rental company must have an Avalanche Director who is responsible for training employees and ensuring that the plan is followed. The Avalanche Director is required to have a minimum of Avalanche Level II training or must have attended the National Avalanche School.



## IDAHO

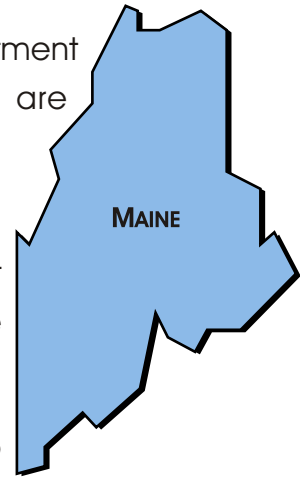
All rental snowmobiles must display a rental snowmobile registration.

## MAINE

Guides for any purpose must be licensed by the Maine Department of Conservation. In the case of snowmobiling, guides are considered in the category of a 'Recreational Guide'.

Rental companies must purchase a 'Rental Agents Certificate', register each snowmobile in the state of Maine, and instruct each person who rents a snowmobile how to operate the snowmobile safely.

Rental companies can issue a temporary safety certification to rental snowmobile operators. Companies must present a short course that includes instruction on the use of brakes, throttle, kill switch, and hand signals.



## MICHIGAN

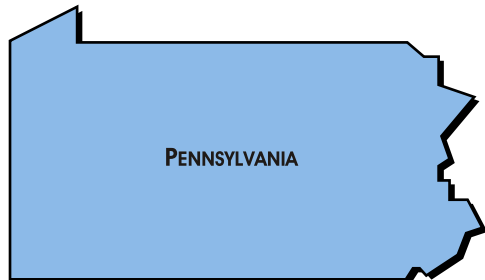
Snowmobile guides must be licensed if they are operating on state lands. Snowmobile rental companies must carry liability insurance.

## PENNSYLVANIA

Rental companies operating on State Forest Lands must have a Commercial Activities Agreement with the Bureau of Forestry and operate as follows:

Rental snowmobiles must be conspicuously marked with the word 'RENTAL' on both sides of the snowmobiles. A guide must accompany each party of renters with no more than 10 rented snowmobiles per guide or group.

The rental company must maintain a record of all rentals for one year, including the name, address, and age of the rental operator, along with the snowmobile make, model, and registration number. The rental company must also carry liability insurance.



## SOUTH DAKOTA

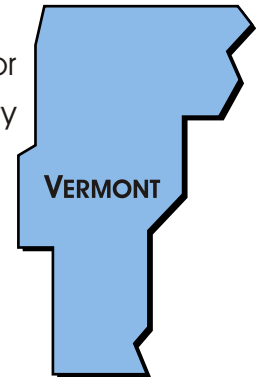
Any person who engages in the business of renting snowmobiles to another is 'required to maintain rental snowmobiles in a safe condition.'

# PERSONNEL

## VERMONT

Snowmobile guides must be a certified snowmobile safety instructor in order to guide persons who do not hold snowmobile safety certification certificates.

Rental companies are required to display a decal or flag on each rental snowmobile that identifies the rental company. All rental snowmobiles must display a commercial trail pass.



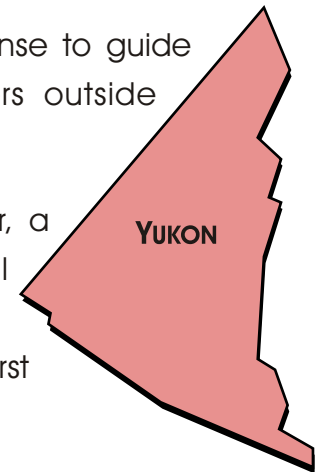
## WYOMING

All rental snowmobiles must display a commercial snowmobile registration.

## YUKON

Snowmobile outfitters must have a Wilderness Tourism License to guide commercial wilderness trips on Yukon lands and waters outside national parks.

The Wilderness Tourism Licensing Act requires an operator, a rental operator, or a client renting a vehicle or rental equipment to fill out a rental report and submit it to the registrar by May 31st or October 31st, whichever comes first after the rental.



## UNITED STATES FOREST SERVICE - NATIONWIDE

Typically, a Special Use Permit is required to provide any services (*like guiding*) on National Forest System Lands or for a rental operator to deliver rental snowmobiles to NFS trailheads for clients to use for unguided trips. The Special Use Permit may require special stipulations, restrictions, and/or requirements for the permit.



## TRAILERING AND TOWING

Not all snowmobile rental businesses are located along the trail or at a trailhead. As a result the business may either provide trailers to customers who use their own tow vehicle or else transport the snowmobiles to a trailhead with the business's trailer and tow vehicle.

If so, staff are generally responsible for the routine inspection and maintenance of trailering equipment, ensuring that the right equipment is used for the job, and ensuring that customers know how to transport, unload, and load the rental sled(s) while using a trailer.

Staff should be familiar with the following information and procedures in order to adequately inform the rental customer of proper trailering techniques:

- ◆ Types of trailers and trailer hitches.
- ◆ Trailer lights and wiring.
- ◆ Pre-road checks.
- ◆ Trailer/vehicle handling and towing characteristics.
- ◆ Parking area/trailhead etiquette.
- ◆ Unloading and loading the rental sled.
- ◆ Equipment inspection and maintenance.

When applicable, the business should conduct practical hands-on road training and testing of employees to ensure that proper trailering techniques (e.g. *backing up the trailer, taking wider turns, towing on snow packed or icy roads, etc.*) are both understood and practiced. Personnel should also understand and be proficient in the responsibilities assumed by the driver of a tow vehicle. It is important that they recognize the value of the cargo they may be hauling, both in terms of the property value of the snowmobiles being transported and, most importantly, the safety of the customers who may also be transported in the tow vehicle.

The results of the employee's road test should be recorded in the individual's personnel file to confirm that in-service training was successfully completed.



## EMERGENCY SITUATION PROCEDURES

An emergency can arise anywhere, at any time, on the trail or at the business. Each emergency will likely have unique circumstances and being able to meet the many challenges requires a considerable amount of knowledge, preparation, and practice. Accordingly, staff with the appropriate education, response training, and skill should be able to demonstrate that they can safely and effectively respond to and assist others in most emergencies.



## EMERGENCY SKILLS TRAINING AND RE-TRAINING

Skills get rusty, so practice needs to be a constant along with the many other important functions and responsibilities associated with the business. Staff training in the key areas should be consistent and regularly scheduled in order to maintain appropriate skill levels. It is up to the business to ensure that their front line personnel are not only snowmobile proficient and good instructors, but can also properly assess and handle incidents or emergencies. Clear and effective communication between all parties is paramount.

There are varying frequencies that in-service training should occur (*e.g. annually, pre-season, post-season, monthly, bimonthly, and weekly*) depending upon the activity and its importance, and can be related to how often a particular activity or skill is performed within the routine of normal business operations. A by-product of using outside experts for in-service training can be the added benefit of nurturing valuable community relationships with key agencies and organizations.










# PERSONNEL

## USE OF STANDARD HAND SIGNALS

In-service training should teach staff to understand and use a series of standard hand signals for visual communication with each other or customers while snowmobiling.

The following chart provides examples:



PURPOSE OF COMMUNICATION		SUBJECT EXPERTISE
Right Turn		Left arm raised at shoulder height, elbow bent, and forearm vertical with palm of hand flat.
Left Turn		Left arm extended straight out from shoulder and pointing in the direction of the turn.
Stop		Arm raised from the shoulder and extended up over the head with palm of hand flat.
Slowing		Left arm extended out and down from the side of the body with a downward flapping motion of hand to signal warning or caution.
Oncoming Sleds		Left arm raised at shoulder height, elbow bent and forearm vertical, wrist bent, move arm from left to right over head, pointing to right side of trail.
Sleds Following		Arm raised, elbow bent with thumb pointing backward in hitch-hiking motion move arm forward to backward over your shoulder.
Last Sled in Line		Left arm raised at shoulder height, elbow bent and forearm vertical with hand clenched in a fist.

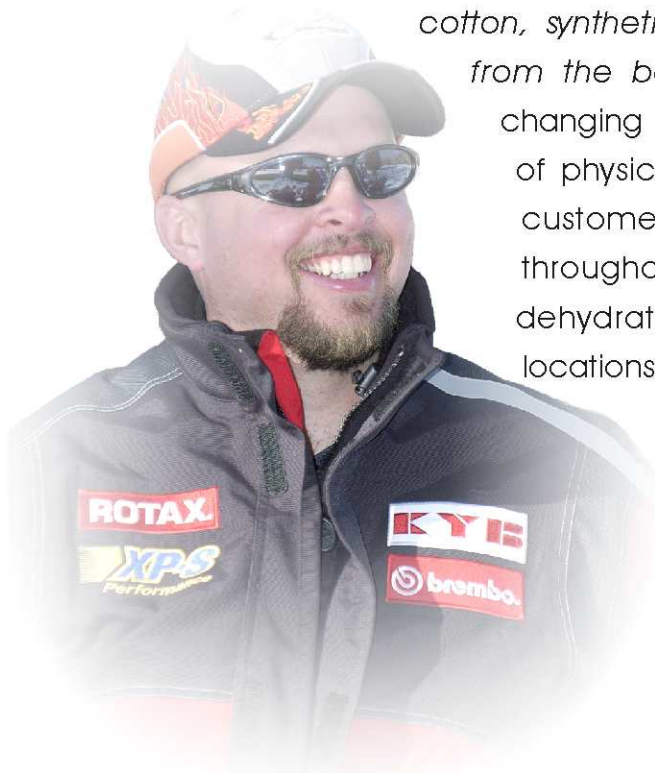
## MANUFACTURER'S SAFETY WARNINGS

It is essential that all staff read *(and understand)* the owner's manuals for every make and model of snowmobile that the business rents. Particular attention should be paid to the snowmobile's safety warnings since it is unlikely that any manufacturer, regardless of the product, would want to scare off customers with unnecessary warnings. It is imperative that all warnings that are accompanied by a symbol that indicates "a potential for serious injury or death" be read and understood by the staff, so they can pass the information on to the customers as applicable.



## SUN AND WEATHER

Being out in the sun or cold all day can have an adverse affect on staff alertness, diminishing their preparedness to spot trouble before it happens, or to effectively respond to an emergency. Staff should be reminded to take every precaution to be sun and weather smart and to do their best to shield themselves from overexposure to the natural elements. A proper helmet, appropriate clothing, etc should all be considered as basic equipment for the job. Special attention should be made to ensure that staff wear layers of appropriate clothing *(non-cotton, synthetic materials that wick moisture away from the body and dry quickly)* to respond to changing weather conditions and varying levels of physical exertion during their shift. Staff and customers should drink water frequently throughout their shift or outing to prevent dehydration, particularly in high altitude locations.



# CUSTOMER ORIENTATION AND EDUCATION

## Overview

Proper instruction and superior customer service can go a long way toward ensuring that customers enjoy their snowmobile rental or outfitter experience. Proper training, instruction, and attention to detail can help enable a customer to handle the snowmobile in a safe and responsible manner. The Personnel Section in Chapter 1 highlights the education and training needed to develop snowmobile proficient rental agency and guide staff - people knowledgeable about safe and responsible snowmobiling. This education and orientation should also be passed along to all customers.

Many people come to rent a snowmobile with little or no snowmobiling experience, while others may have operated a snowmobile previously. Some have passed a state/provincial approved snowmobile safety education course, while others have not. Some will come to operate a snowmobile, while others will come to ride as passengers. Business personnel must determine the rental customer's experience level and intent on an individual basis, and then decide what level of orientation is needed for the particular activity in that local area.

This section will help the rental/outfitter company meet those challenges. It offers suggestions on how to develop safety education and hands-on orientation programs for all snowmobile rental customers (*operator and passengers*) regardless of their experience level.

## Customer Orientation and Education

### **ASSESSING THE CUSTOMER'S ABILITY TO OPERATE A SNOWMOBILE**

Staff should first determine how much snowmobile handling experience a customer has and their familiarity level with safe snowmobiling practices, in order to provide adequate orientation to a wide range of people. For safety and risk management purposes, the business should also determine if they (*operators and passengers*) have any medical or physical conditions that could adversely affect their safety and/or the safe operation of a snowmobile. (See page 79, *Risk Management*)

A written 'Application to Rent' a snowmobile can help determine the following:

- ◆ General snowmobiling knowledge and experience.
- ◆ Snowmobile safety courses and certifications.
- ◆ Relevant medical, physical, or stress management considerations.

Proper attention to customer detail in the Application to Rent can provide valuable orientation information, as well as important protection for the business, especially if there should be a problem with the rental experience. Self-disclosure also provides the customer an opportunity to discretely inform the business of any physical or emotional challenges relevant to the activity.

### **INSTRUCTION, EDUCATION, AND OPERATOR ORIENTATION**

Most snowmobilers, whether experienced or not, can benefit from a review of the rules of the road: the business's renter education, hands-on training, and orientation should determine the experience level of each prospective operator. Although the information learned from the customer's Application to Rent may be useful, do not make final decisions solely upon that information. Rather, the decision to authorize a customer to operate a snowmobile should be made through a combination of customer disclosure and supervised orientation, regardless of the experience, training, and/or certification a prospective operator may say they have or indicate in their application.

## CUSTOMER ORIENTATION TECHNIQUES AND SUPERVISION

The following are the same techniques suggested in Chapter 1 for training employees. They can also be employed to provide orientation for rental agency customers:

### 1. ***Effective instruction requires small steps.***

Too much information delivered too quickly can overwhelm customers. There is a lot to know about the safe operation of a snowmobile, so take a step-by-step approach giving the customers time to absorb what they're expected to put into practice.

### 2. ***Effective training is chronological.***

Concentrate on instructing customers to perform a simple set of actions that they need to know and perform right away, rather than attempt to impart more knowledge that is unlikely to be used or needed while renting from the company. Be careful, however, to ensure that the basics are adequately covered.

### 3. ***Effective training is continuous, but not boring.***

People learn better in creative, energetic environments. Whenever possible, add a little variety to the training program, such as by progressing from written materials to a video presentation to hands-on training.

### 4. ***Effective training and supervision allows the rental center customer to feel a sense of accomplishment, even in a relatively short 15-minute pre-ride education session.***

Observing an instructor's demonstration is one way for novices to learn snowmobile fundamentals and safe snowmobiling practices. Then, allowing them to perform successfully on their own helps instill confidence. Customers who feel good about their accomplishments pay attention and learn more.

### 5. ***Effective training and supervision evaluates customers on an on-going Basis.***

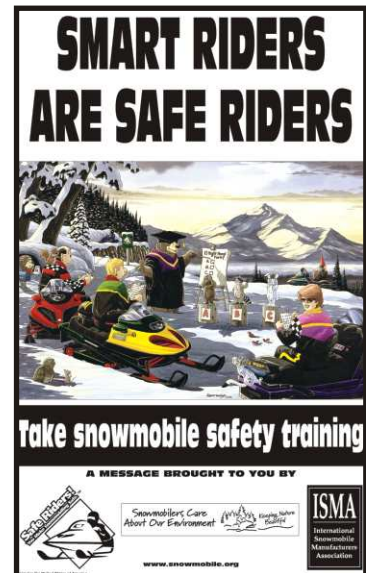
Continually measure customers' performance through to the end of their training, as well as during their riding experience. Observe customers in action, and discuss their accomplishments or shortfalls, to improve their performance. If problems occur that are serious and cannot be overcome, it may become necessary to remove customers from the activity immediately. Remember to document such action in their customer file.

A maximum student/teacher ratio of ten (10) to one (1) is recommended. The same ten to one ratio applies for on-trail guides. The business should develop a step-by-step lesson plan and checklist so its instructors can systematically cover all aspects of training without leaving anything out.

## **SNOWMOBILING SAFETY EDUCATION: SNOWMOBILE OPERATOR CERTIFICATION**

Regardless of previous snowmobiling experience, individuals who apply to rent and operate a snowmobile should be able to effectively demonstrate adequate snowmobile handling and operation. They should also receive information about location-specific snowmobiling hazards and issues prior to being authorized to rent a snowmobile.

This means that even a snowmobile renter who has completed an IASA approved course should be required to demonstrate adequate snowmobile knowledge and practical skills before being allowed to rent. A review of local trail hazards and rules and regulations particular to the area should be given to all applying to rent a snowmobile even if the individual meets the legal requirements for renting (*depending on the jurisdiction*) and is otherwise exempt from having to complete basic snowmobile safety instruction. The business is encouraged to document that this information has been given on an individual basis.



## **IASA RECOMMENDATIONS**

The International Association of Snowmobile Administrators (IASA) has developed recommendations to help ensure prospective riders receive adequate safety and responsible use information prior to renting a snowmobile. It is recommended that the following information be provided to rental customers:

- ◆ The specific design, recommended operational characteristics, and safety features of the snowmobile to be operated.
- ◆ The snowmobiling regulations specific to the area, including but not limited to private trails, private or public property operating/permission conditions, access points, and potential trail hazards.
- ◆ The common courtesies of operating a snowmobile on the trail and the potential affect on wildlife, the environment, and other users.

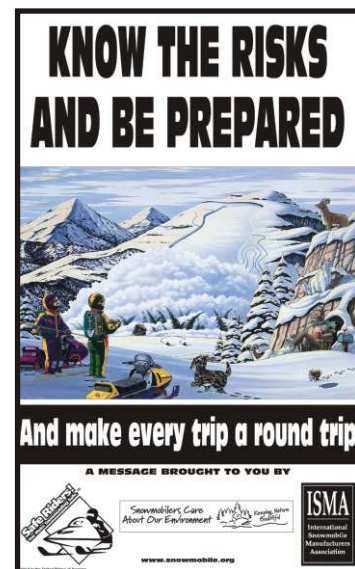
- ♦ A safe recommended distance between snowmobiles.

## Renter/Operator Education: Core Subjects

First and foremost, customers should understand that when operating a snowmobile they are, in fact, operating a motorized vehicle and that all the rules, regulations, and common courtesies apply. Safe and responsible operation of the snowmobile will depend upon the customer's knowledge of a variety of factors. The following should be summarized and provided to every person wishing to operate a rental snowmobile.

### SNOWMOBILING FUNDAMENTALS

- ♦ Design and operational characteristics of a snowmobile: braking on snow and ice, clutch/belt drive, turning, operating on hills or inclines, etc.
- ♦ Snowmobile controls: ignition switch or pull rope, emergency shutoff switch, lanyard shut down (*for those so equipped*), neutral/reverse/forward (*for those so equipped*), throttle, brake, headlight dimmer switch, hand/thumb warmers, warning lights, etc.
- ♦ Practical skills required to properly operate a snowmobile safely: riding positions, steering, stopping, accelerating, deep snow operation, riding steep slopes, icy conditions, getting unstuck, etc.
- ♦ Recommended on-board safety equipment: survival kits, whistles, space blankets, avalanche transceivers, etc.
- ♦ Personal safety recommendations: helmets, eye protection, foot protection, gloves, hat, appropriate layered clothing, etc.
- ♦ Potential environmental stressors: over-exposure to sun, cold temperatures, altitude, wind, etc.
- ♦ Other safety considerations: no long scarves to tangle in track, etc.
- ♦ Snowmobile trip preparation: file a trip plan so someone knows where to look if you are overdue on your return.
- ♦ Understanding the equipment's warning labels and owner's manual safety warnings where appropriate and necessary for customer safety.



## DEFENSIVE SNOWMOBILING

Operator alertness and awareness of the surroundings are keys to avoiding incidents and collisions. Staff should discuss the importance of defensive snowmobiling with customers, including:

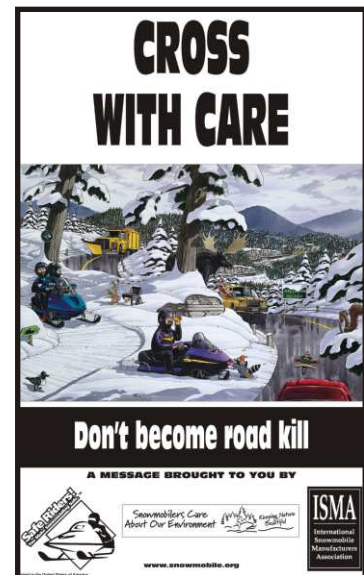
- ◆ Looking ahead and understanding the effects of tunnel vision.
- ◆ Continuous peripheral scanning of the rider's immediate environment.
- ◆ Being aware of other snowmobile riders and other trail users.
- ◆ Effects of reaction times and the time it takes for avoidance maneuvers or to stop.
- ◆ Safe following distances and the risks and perils of following another snowmobile too closely.

## RULES OF THE ROAD

Rental customers are expected to know the laws and courtesies of recreational snowmobiling, just like every other user on the trail. Safely navigating a congested trail can be tricky at the best of times.

Always obey the following rules and use caution when crossing roads. Remember that snowmobiles are not designed to operate on bare pavement:

1. Completely stop the machine before crossing the shoulder or main traveled portion of the highway.
2. Yield the right of way to all oncoming traffic.
3. Make the crossing only at an angle approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.
4. In some areas, a snowmobile may cross a divided highway only if the crossing is made at an intersection of such highway with another public street or highway. In other areas, crossing divided highways is strictly prohibited.



There is an added danger when crossing railroad tracks. The sound of the snowmobile and others traveling with the group may prevent operators from hearing the sound of an oncoming train. Check your local laws pertaining to railroad crossings and operating upon railroad rights-of-way since it is often prohibited.



While snowmobiles are usually operated on trails designated for their use or cross-country in open play areas, they may also be allowed to operate upon designated plowed roadways in some states and provinces. If operating upon a plowed roadway, be certain it is, in fact, legally open to snowmobiles since snowmobile operation upon plowed roadways is illegal in most areas. Snowmobilers operating upon plowed roadways must use extreme caution since cars and trucks are difficult to control on snowy roads. Additionally, the plowed road surface can make a snowmobile hard to control. Always give conventional vehicles the right of way. Also assume that other drivers cannot see the snowmobile. Vehicle drivers are so used to looking for other vehicles that they often do not make a connection, even when they look right at a snowmobile. So always drive defensively as if the snowmobile cannot be seen by approaching vehicles.

There are restrictions as to which roads a snowmobile may travel upon, if they are allowed upon roadways at all. Check whether local laws allow travel on unplowed roads, on plowed roads in emergencies, on highways during certain times of the day, or along the sides of roads either on the shoulder or in the borrow pit.

Snowmobiles may be required to use a safety flag (*similar to a bicycle safety flag*) when operated upon roadways. These flags are typically made of a fluorescent orange material and extend at least five feet above the ground. Even if the area does not require one, it is a good idea to use one if a snowmobile will be operated upon plowed roadways.

Some basic safety rules apply to all types of machines or vehicles operating upon roads and highways:

1. Defensive Driving: Be prepared for situations involving pedestrians, intersections, approaching vehicles, and bad weather conditions. Use extra caution when operating at night.
2. It is against the law to operate a snowmobile while under the influence of alcohol and/or drugs. Alcohol reduces your body warmth, slows your reflexes, causes drowsiness, and decreases alertness.
3. Obey all posted speed limits. Traffic signals apply to all vehicles. At an intersection, know who has the right of way. Always be sure to use hand signals to signal your turns.

## KNOWLEDGE, ETIQUETTE, AND COMMON COURTESY

Once a customer's orientation has concluded, staff should be confident that the operator knows and understands the rules and peculiarities of the area, including the not so obvious hazards, general snowmobiling etiquette, and common courtesies. An understanding of the following will also limit preventable mishaps and potential conflicts with other snowmobilers and recreationists:

### Snowmobiler's Code of Ethics

A snowmobiler will...

1. Be a good sports enthusiast and recognize that people judge all snowmobilers by your actions. A snowmobiler will use their influence with other riders and owners to promote fair conduct.
2. Not litter trails or trailheads. Nor will they pollute streams or lakes by their actions.
3. Not damage living trees, shrubs, or other natural features. They will go only where there is sufficient snow cover so as to not damage the land.
4. Will respect public and private landowners' property and rights.
5. Will lend a helping hand when they see someone in distress.
6. Will make themselves and their vehicle available to assist search and rescue efforts.
7. Will not interfere with or harass other trail users, other snowmobilers or other winter sports enthusiasts. They will respect the rights of other trail users to enjoy the winter recreational opportunities.
8. Will know and obey all federal, state, provincial, and local rules regulating the use of snowmobiles.
9. Will not harass wildlife and will avoid areas posted for the protection or feeding of wildlife.
10. Will stay on marked trails when operating in areas where snowmobile use is restricted to trails. Will obey all traffic laws when operating upon plowed roadways designated as open to snowmobiling.

## Sledder's Pledge

1. I will never drink and drive a snowmobile.
2. I will drive within the limits of my machine and my own abilities.
3. I will obey the rules and laws of the state or province I am visiting.
4. I will be careful when crossing roads, and always cross at a right angle to traffic.
5. I will keep my machine in top shape and follow a pre-op check before each ride.
6. I will wear appropriate clothing, including gloves, boots, and eye protection.
7. I will let family or friends know my planned route, my destination, and my expected arrival time.
8. I will treat the outdoors with respect. I will not litter or damage trees and other vegetation.
9. I will respect other peoples' property and rights, and lend a hand when I see someone in need.
10. I will not snowmobile where prohibited.

## DRUG AND ALCOHOL USE

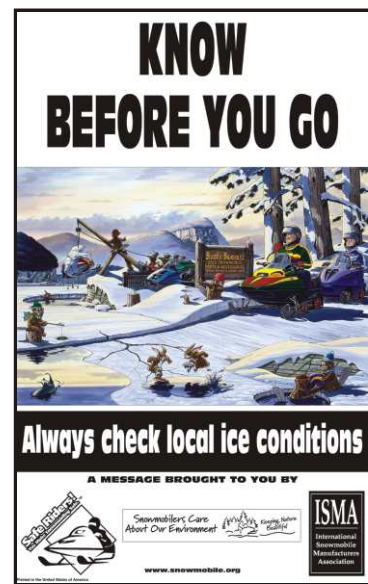
Operating under the influence of drugs or alcohol impairs the judgment, coordination, and reaction time required for safe operation of a snowmobile. Laws related to operating a motor vehicle while under the influence often also apply to snowmobiles on trails, just as they do to vehicles on highways, and operators can face the same level of fines (*loss of driver's license, jail time, etc.*). The use of drugs or alcohol while operating a snowmobile must be strictly prohibited and enforced by rental center staff. Staff must not rent to individuals under any circumstances when the use of drugs or alcohol is suspected or sobriety is in doubt. Studies have shown that environmental stressors such as wind and glare can further impair a snowmobile operator's performance while using drugs or alcohol. Therefore, snowmobile operation while under the influence of drugs or alcohol is a potentially deadly combination that must be avoided at all costs.



## LOCATION-SPECIFIC KNOWLEDGE

Since every riding area has unique circumstances and characteristics, customers should always receive training particular to the local riding area. It is extremely important that specific local area knowledge is clearly conveyed as part of basic rental operator training. The business should work with local agencies (e.g. *Department of Natural Resources, United States Forest Service, State and/or Provincial Parks, etc.*) to establish guidelines and content for this training. It may include:

- ◆ Potential hazards, their locations, and peculiarities: culverts, bridges, fence lines, steep slopes, thin ice, avalanche areas, restricted areas, etc.
- ◆ Area specific environmental concerns: winter wildlife areas, critical habitat areas, designated Wilderness area boundaries, etc.
- ◆ Low or minimum snowfall areas and special operating instructions to avoid or minimize impacts.
- ◆ Specific business rules and regulations.
- ◆ Forecasted daily weather conditions, including potential weather shifts and patterns, to ensure riders have adequate clothing along for their outing.



## ACCIDENT REPORTING REQUIREMENTS

Laws and regulations regarding what procedures must be followed in the event of an accident, crash, or emergency also pertain to operators of rental snowmobiles. For instance, a rental operator who witnessed, but was not involved in a crash, might still be required by state or provincial law to render assistance if assistance is required and to also give a statement. The requirement to notify law enforcement authorities usually depends upon the severity of the incident, the amount of property damage, or if there is personal injury that requires medical attention. Since all rental customers should know these regulations, applicable State, Provincial, and/or Federal regulations should be communicated to the customer and followed by staff. It is recommended that detailing records of any incident that involved the rental business's operations or customers be kept by the rental company indefinitely in the event of future claims or lawsuits.

## Customer Orientation:

**HOW A CUSTOMER IS INSTRUCTED IS AS IMPORTANT AS WHAT IS BEING TAUGHT!**

### **TELL-SHOW-DEMO: PRE-RIDE SAFETY CHECKLIST**

The **Tell-Show-Demo** method is a set of easy, yet comprehensive steps for the rental agency's instructors to teach, observe, and then decide whether or not a customer is ready and able to safely operate a snowmobile on their own.

<b>STEP</b>	<b>METHOD</b>	<b>TYPES OF INSTRUCTION</b>
1	TELL	Tell the customer "how & why," giving the rationale behind the procedure or activity.
2	SHOW	Show the customer the application on the equipment.
3	DEMO	Demonstrate what's been told & shown to the customer in a controlled viewing area.
4	OBSERVE	Observe the customer performing the skills and tasks on their own.
5	DECIDE	Decide if the customer's knowledge and skill is correct and adequate.
6	ENFORCE	Enforce the rules and regulations of the business.

It is recommended that all customized customer education materials and methods of training be reviewed by outside agencies and relevant service providers for safety and risk management purposes.

## Customer Orientation Checklist:

### IASA SNOWMOBILE RENTER ORIENTATION CHECKLIST

Government snowmobile administrators, snowmobile community representatives, and other stakeholders have used their collective knowledge and experiences to develop comprehensive safety education guidelines and recommendations for the snowmobile/outfitter rental industry to follow. This two page renter/operator and passenger orientation checklist is intended for the pre-ride instruction of every person who will be riding on a rental snowmobile. The main topics covered include:

- Protective clothing/equipment for operators and passengers.
- Snowmobile controls.
- Be attentive: most snowmobile injuries and deaths result from inattention.
- Potential hazards.
- No drugs or alcohol.
- Other rules and safety information that may apply to the local areas.
- Final check.

The complete renter orientation checklist is available to the snowmobile rental and outfitter industry through the American Council of Snowmobile Associations. It can also be copied from this reference manual.

For safety and risk management purposes, it is recommended that qualified staff review the Snowmobile Renter Orientation Checklist, or a similar checklist developed by the rental company, with every prospective rental customer. Once this has been completed to the staff's satisfaction, it is suggested that both the instructor and customer(s) sign and date it since the counter signatures indicate that orientation was provided and confirms that the customer understood and agreed to conform to the outlined safety and responsible use guidelines. It is recommended that at least two working copies of this declaration of orientation and understanding should be produced: the authorized operator should carry a copy on the snowmobile for the duration of the rental and the rental company or guide service should keep the other on file along with the customer's signed rental agreement and other relevant documentation.

## Operator Proficiency Testing

The snowmobile rental/outfitter company may choose to supplement the Tell-Show-Demo method and/or Snowmobile Renter Orientation Checklist with some form of additional testing. Such a test could include location-specific rider information, various elements of safe snowmobiling practices, and operational knowledge.

A written test can be a way of evaluating the customer's understanding to see if further instruction is required. If the customer does not achieve a predetermined test score, training should continue. When a wrong answer is identified, additional instruction should be given to help the student be able to demonstrate the necessary understanding and skills in a subsequent test. If a customer continues to have difficulty grasping the concepts or cannot demonstrate the physical skills necessary to safely operate a snowmobile, the business should decline renting a snowmobile to that individual. However, if training is performed properly, this shouldn't happen very often. The purpose of testing is not to eliminate people from riding, but rather to ensure they have the knowledge and skills needed to safely operate a snowmobile. If a customer cannot demonstrate this ability to the satisfaction of the instructor, the most prudent thing to do is not rent a snowmobile to them.

### **HANDS-ON SNOWMOBILE TRAINING**

While acquiring knowledge is the first step, rental customers should also be able to physically operate and/or properly ride on a snowmobile. The instructor should establish that the customer has understood the instruction that was given and is also able to apply that knowledge to safely and responsibly handle the activity. Customers, regardless of their background or experience, should participate in a short, hands-on orientation session. This orientation should focus on the design, operational, and safety characteristics of the snowmobile being rented.



## FORMS AND PROCEDURES

Upon completion of the customer orientation and optional hands-on instruction, it is recommended that the rental center staff:

- ◆ Complete customer orientation documentation, then sign and date it.
- ◆ Have the customer sign and date orientation documentation to indicate they have, in fact, received and understood the instruction.
- ◆ Ensure all documents indicate the rental customer's (*operators and passengers*) full name, the rental contract number, and the rental unit number.
- ◆ File customer orientation documentation.



## Snowmobile Safety Initiatives

### A Case Study

States and/or provinces may have specific snowmobile operator requirements and recommendations that apply to rental operators or to all snowmobile operators. As each state or province generally formulates its own rules and regulations, there may be variances from jurisdiction to jurisdiction regarding policies and procedures. Each rental business is advised to consult directly with the regulatory authority in its home area of operation. Examples of various jurisdictional requirements include:

#### ALBERTA

All snowmobile rental operators must be at least 18 years of age and have a driver's license. The renter/operator must carry proof of liability insurance. The signed rental agreement must be carried with the snowmobile operator.

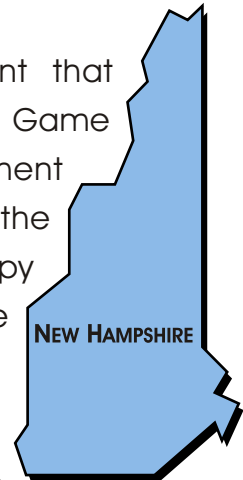




## NEW HAMPSHIRE

Snowmobile rental operators must sign an acknowledgment that educational material prepared by the New Hampshire Fish and Game Department has been read and is understood. The Department supplies a form to the Rental Agent who in turn provides to the snowmobile renter. One copy is kept by the renter, the second copy is retained by the rental company, and the third copy of the acknowledgment is returned to the Fish and Game Department.

Rental Agents are required to be licensed by the Game and Fish Department and rental snowmobiles must display a special 'rental' registration.



## ONTARIO

All snowmobile operators must have either an automobile driver's license or a special 'motorized snow vehicle driver's license', which is typically issued to persons 12 years of age or older until an automobile driver's license is earned. Every snowmobile, rental or other wise, must carry proof of liability insurance. And all snowmobilers are required to wear a helmet.



## QUEBEC

The snowmobile renter/operator must hold a valid driver's license and be at least 21 years of age. The Rental Agreement must be carried on the rental unit and contain the rental unit's number and the period of time for which the unit is rented; and a copy must be carried by the operator on the rental snowmobile as well as be kept on file at the rental business location.



## Snowmobiler's Code Of Ethics

In addition to the Tell-Show-Demo method (*page 43*) and Snowmobile Renter Orientation Checklist (*page 53*) previously reviewed, consideration should be given to using a Snowmobiler's Code of Ethics summary for customer orientation. This checklist can provide the snowmobile rental operator with additional information about snowmobile operation and safety. It should clearly emphasize the "Do's" and "Don'ts" of proper snowmobile operation from a safe and responsible snowmobiler's perspective and should re-enforce, but not necessarily be limited to, information covered elsewhere in the instructional material.

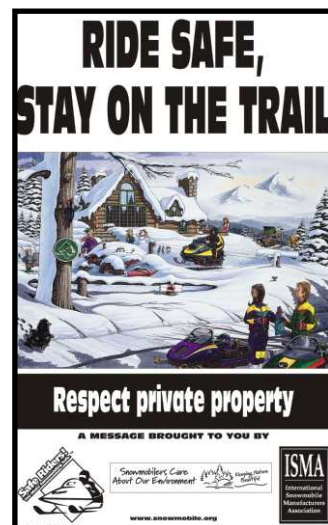
### CUSTOMER DO'S

- ◆ Know the local hazards and forecasted weather conditions.
- ◆ Understand the importance of protective equipment and proper clothing while riding a snowmobile.
- ◆ Be alert and constantly scan the trail or riding area for other snowmobiles, trail users, and hazards.
- ◆ Ride defensively, be courteous, and use common sense.
- ◆ Follow the rules of the road and abide by all trail signs.
- ◆ Steer clear of restricted areas and respect environmentally sensitive areas.
- ◆ Know the operational characteristics of the snowmobile, along with its capacities and limitations: vehicle's range based upon normal fuel capacity and consumption, stopping ability/distance, maneuverability/steering capability, ability in deep snow, ability on steep side slopes, etc.
- ◆ Respect the rights of all other winter recreationists.
- ◆ Obey posted speed limits.
- ◆ Understand all items specified in the rental agreement and waivers.
- ◆ Know the assumed risks and potential consequences of careless or reckless behavior while riding a snowmobile, including the potential for fines or injury.
- ◆ Understand that the rental can be terminated at the discretion of the business for inappropriate behavior, general misconduct, or failure to follow rules or regulations.

## CUSTOMER DON'TS

- ◆ Do not operate at high speeds, especially when near houses, buildings, livestock, wildlife, trailheads, or other recreationists.
- ◆ Do not use alcohol or drugs.
- ◆ Do not engage in reckless, careless, or inappropriate behavior.
- ◆ Do not overload a snowmobile or ride double unless the snowmobile is designed for 2 passengers.
- ◆ Do not get too close to other snowmobiles or other recreationists.
- ◆ Do not operate the snowmobile in areas with limited snow cover or on bare ground.
- ◆ Do not disturb wildlife or livestock.
- ◆ Do not ignore sudden changes in weather conditions.
- ◆ Do not disobey local, state/provincial, or federal snowmobile rules, regulations, and policies.
- ◆ Do not allow the snowmobile rental unit to be operated by anyone who has not completed the required rental orientation, training, and rental agreement documentation.
- ◆ Do not disobey rental company guidelines, instructions, or policies.

The rental/outfitter company should consider practices outlined in the Case Study information and IASA recommendations to prepare printed materials for customers' review and orientation. Sample handout materials are presented as an Appendix at the end of this manual. Regardless of what methods are used, training and orientation should conform to applicable local requirements and IASA's Safety Education Standards to ensure customer orientation is current, comprehensive, and covers all recommended subjects for snowmobile rental operations and snowmobile education.



## Customer Educational Materials and Visual Aids:

Customer educational materials and visual aids can help reinforce information and behavior that are necessary to handle the snowmobile safely and responsibly on the snow. Be sure that educational materials and visual aids are relevant and are kept current. Educational materials such as posters, videos, printed safety materials, and laminated reference cards are available from IASA members for use in training customers. International Snowmobile Manufacturers Association's (ISMA) Safe Rider! educational materials are also updated annually and are readily available at no cost.

In addition, IASA, ISMA, government agencies, and state and provincial snowmobile associations are good resources for snowmobile specific educational materials covering topics such as the rules of the road, trail signing, safe and responsible riding, and environmental considerations.

### EDUCATIONAL MATERIALS GUIDELINES

- ◆ If used, on-site safety educational materials should be properly displayed, easy to view, and easy to read.
- ◆ If used, signage should be designed to promote safe, responsible, and environmentally friendly behavior by all snowmobile operators, and not just renters.
- ◆ A continuous loop educational video (IASA or State/Provincial approved videos, ISMA Safe Rider! videos, etc.) can be used to complement the instruction process and to reinforce existing training. A video can also help keep customers properly focused while waiting.
- ◆ Brochures, posters, safety videos, etc. should generally be available for customer reference.
- ◆ Staff should have knowledge of educational materials so they can easily answer customer questions and/or concerns.

**Keep in Mind:** *Even excellent instructors can have bad or too busy days. It can be hard to document whether a topic was covered if it ever comes down to the renter's word against the instructor's. By always offering the viewing of a video and/or other printed materials, there will never be a doubt the topic was presented, which will help the business should a lawsuit ever occur.*

## GUIDED SNOWMOBILE RENTALS

For the purposes of this manual, a guided rental is a snowmobile rental accompanied by a guide employed by the rental company where the rental snowmobile is used within the sight and physical presence of the guide. Rental companies should check with local law enforcement authorities and land management agencies to determine what is required or recommended for their location and/or type of operation. In some cases, such as on United States Forest Service lands, a special use permit may be required from the land managing agency for the business to offer guided trips.

Authorized rental customers should be the only persons allowed to operate a rental snowmobile. A relatively easy way to identify authorized renters is to have them wear a brightly colored vest, arm band, or other visual aid for subsequent ease of identification and enforcement. Many rental companies also use a large company logo or identification on their rental snowmobile suits to help identify their customers.



## UNGUIDED SNOWMOBILE RENTALS

For the purposes of this manual, an unguided rental is a snowmobile rental where the operator is **not** accompanied by a guide employed by the rental company and the rental snowmobile is used out of the sight of the company and its employees. All renter/operators signing an unguided rental contract should understand that it is not permissible, under any circumstances, to allow any unauthorized person to operate the rented snowmobile. They should have successfully passed the snowmobile operator orientation, and signed the appropriate rental documentation, as per the rental company's policies and procedures, to do so.

# Customer Orientation

The rental contract for unguided rentals should stipulate that no one be permitted to operate a snowmobile that has not proven to be proficient by the businesses standards. Liability takes on new connotations once the snowmobile is taken outside of the business's direct control and supervision that should be thoroughly addressed with the rental company's insurance provider and attorney.

A review of local hazards, local rules and regulations, and peculiarities of the area should be a MUST for all individuals wishing to rent an unguided snowmobile.

## TRAILERING AND TRANSPORTATION

The rental company should determine how much practical trailering experience a customer has before allowing rental snowmobiles to be taken from the rental center by trailer. Based upon the information disclosed in the application to rent, the customer may require focused trailering instruction and training. Without exception, the customer should be able to demonstrate an understanding of the following:

- ◆ Basic towing skills and knowledge of road safety issues.
- ◆ Safety procedures and equipment checks before transport.
- ◆ Proper snowmobile loading and unloading procedures.

## PROPER FUELING PROCEDURES

All unguided snowmobile renters should be instructed how to avoid spillage when refueling their snowmobile to reduce the chance of spilling oil or gas on the snow or ground which could potentially harm the environment.



## Snowmobile Rental Operator Orientation Checklist

### EVERY OPERATOR OF A RENTAL SNOWMOBILE SHOULD BE ABLE TO:

#### 1. Know the Snowmobile They Are Renting and Identify Its Key Controls.

- Know the capabilities, characteristics, and limitations of the snowmobile they are renting.
- Identify key snowmobile controls: throttle, brake, lights, kill switch, and hand/thumb warmers.

#### 2. Select and Use Suitable Protective Clothing.

- Understand temperature, precipitation, wind chill, and other factors in clothing selection.
- Understand layering of undergarments for warmth, comfort, and moisture release.
- Select a helmet, suit, and eye protection based on required features and desired characteristics.
- Select mitts/gloves, boots, socks, face mask/baclava, and sunglasses based on current and potential conditions.

#### 3. Know Applicable Rules and Regulations.

- Understand and commit to practice courteous and responsible riding behaviors.
- Possess required operator's license or endorsement, if required.
- Possess required vehicle registration, and/or trail permit.
- Know and understand local rules and regulations pertaining to a snowmobile's operation.

#### 4. Safely Start, Operate, and Control the Snowmobile.

- Conduct a pre-operation check of the vehicle and immediate operation area.
- Safely start, monitor, and shut down the snowmobile's engine.
- Demonstrate ability to control the snowmobile's speed, direction, and braking.
- Demonstrate basic hand signals and compliance with regulatory signage.

# Customer Orientation

## 5. Maintain, Troubleshoot, and Secure the Snowmobile.

- Perform routine snowmobile maintenance such as gasoline and oil injection replenishment.
- Understand basic troubleshooting such as drive belt and spark plug replacement.
- Understand how to secure the snowmobile by key removal, and proper protocol for parking.

## 6. Identify and Select Appropriate Snowmobiling Opportunities.

- Know the general extent and nature of area snowmobile trail systems.
- Know the general extent and nature of off-trail or cross-country snowmobile opportunities in the area.
- Understand area closures and restrictions and their purpose.

## 7. Use Communication and Travel Aids.

- Understand and be able to use maps to assist in effective snowmobile travel.
- Understand directional and informational signage related to snowmobiling.
- Know the availability of weather reports, trail condition reports, information boards, etc.
- Know the importance of leaving anticipated destination and return time information.

## 8. Understand and Manage Potential Risks and Impacts.

- Understand the risks that may be encountered while operating the snowmobile.
- Understand the available resources and strategies for coping with common risks.
- Know the coverage requirements, and options for, snowmobile damage and personal liability insurance.
- Know the potential environmental impacts of snowmobiling and how to minimize or prevent them.

I HAVE BEEN INSTRUCTED ON AND UNDERSTAND THE RULES AND INFORMATION PROVIDED IN THIS ORIENTATION FOR THE OPERATION OF A RENTAL SNOWMOBILE.

---

Signature of Snowmobile Renter

Date

---

Signature of Rental Agent/Outfitter

Date



# OPERATIONS

## Overview

The potential for user conflicts and snowmobiling crashes increases as the number of people enjoying different activities on winter trails increases. Fair and equitable trail management practices that do not compromise safety or the environment should be built into the business to accommodate as many users as possible. This important task requires careful planning and cooperation between interested parties.



This section contains information that can assist a rental/outfitter company manage its operational procedures within the scope of its business interests and the greater community. Various operational procedures are discussed along with the equipment to be used. The overall objective is to safeguard lives, public and private property, the environment, the business's rights, and the rights of other users.

Information is also provided about various governmental requirements that may impact the day-to-day operations of a typical rental business.

When a business tries to 'do it right' and effectively manage its rental operations, it typically increases the business's bottom line, customer satisfaction, community goodwill, as well as credibility with industry, government, other recreationists, and the general public.

# Operations

## **GOVERNMENT BUSINESS REQUIREMENTS:**

There are often certain legal and government requirements that must be followed by most businesses. Consult with municipal, county, state/provincial, and federal government authorities to learn which laws or regulations may govern rental businesses in the area. Insurance providers, accountants, and legal advisors can also be useful resources.

For snowmobile rental/outfitter operators, these considerations may include, but are not necessarily limited to:

- ◆ Business or occupational license.
- ◆ Worker's Compensation requirements.
- ◆ Income and retail sales tax.
- ◆ Adequate insurance (*business, property, and personnel*).
- ◆ Employee drug testing.
- ◆ Employee equity and equal opportunity.
- ◆ Occupational Safety and Health Administration requirements.

## **GOVERNMENT SAFETY AND REGULATORY REQUIREMENTS:**

Legitimate consumer rental businesses are those that follow required government safety rules and regulations. Snowmobile rental/outfitter businesses are typically governed by state or provincial law. They may also be governed by federal laws if they operate on federal lands.

### **STATE/PROVINCIAL AUTHORITY**

Requirements, guidelines, and restrictions can vary from one jurisdiction to another. Consideration should be given to the following typical requirements:

- ◆ State/Provincial snowmobile registration.
- ◆ State/Provincial snowmobile trail pass or user fee.
- ◆ Snowmobiling education certification.
- ◆ Operator age restrictions.
- ◆ On-trail renter supervision or guiding.
- ◆ Liability or vehicle insurance.
- ◆ Record keeping.
- ◆ Inappropriate behavior.

- ◆ Hours of operation.
- ◆ Towing restrictions (*sleds, toboggans, tubing, etc.*).
- ◆ Speed limits.
- ◆ Restricted areas.
- ◆ Operation in proximity to other snowmobiles and trail users.
- ◆ Properly functioning equipment: lights, brakes, mufflers, etc.

In the fall of 2004, the International Association of Snowmobile Administrators (IASA) surveyed its members about their respective restrictions related to rental snowmobiles. The following list of example rules and restrictions was compiled from their responses. No jurisdiction requires all that are listed. Some are required by law, while others are simply recommendations. Nevertheless, all are worth considering.

## **EXAMPLES OF AREA SPECIFIC RULES AND RESTRICTIONS**

- ◆ Renter/operators must have a valid driver's license.
- ◆ Renter/operators must be at least 18 years of age.
- ◆ Rental snowmobiles must be conspicuously marked with the word RENTAL on both sides of the snowmobile.
- ◆ A government supplied rental safety decal must be on the rental unit where the operator can see it.
- ◆ The rental/outfitter business must provide the renter/operator with a printed map of the area that indicates where rental snowmobiles are allowed to operate.
- ◆ Renter/operators must sign an acknowledgment that educational material prepared by the state, province, or rental company has been read and understood.
- ◆ A qualified guide/outfitter must accompany all rental snowmobiles.
- ◆ A state/provincial certified guide must accompany each party of renters with no more than ten rented snowmobiles per guide.
- ◆ Each operator of a rental snowmobile must watch a safety video, read a basic safety sheet, sign a snowmobile education card, and carry it while operating a rented snowmobile.
- ◆ A renter/operator must sign and carry the rental agreement at all times.
- ◆ The business must maintain a list of names and contact information of all renter/operators.
- ◆ The rental company must maintain a record of rentals for one year that includes the name, address, and age of the renter/operator, along with the snowmobile's make, model, and registration number.

- ◆ The rental/outfitter company must carry a minimum of \$1 million liability insurance.
- ◆ The rental agreement must be carried on the rental unit, as well as be kept on file at the location where it was rented, and contain the rental unit's number and the period of time for which the unit is rented.
- ◆ All renter/operators must complete a 'temporary' snowmobiling safety education course approved by the state or province prior to operating a snowmobile.
- ◆ All renter/operators are required to demonstrate their ability to operate a snowmobile safely prior to leaving the business's rental area.

The above requirements are intended to give a general overview as to what various jurisdictions are considering or have implemented. They are not all-inclusive, nor is every requirement pertinent to all areas. Therefore, it is recommended that snowmobile rental/outfitter companies check with their local regulatory authorities to learn what the applicable regulations and restrictions apply to their area.

## **CONTRACT GUIDELINES FOR SNOWMOBILE RENTAL BUSINESSES**

Some areas have concession contracts or permit programs whereby the rental/outfitter company must comply with minimum standards regarding business rental operations and customer education. This is most often the case for rental and guide businesses operating on federal lands in the United States. This is intended to improve overall safety and responsible behavior, while fostering positive relationships between snowmobile users, local interests, other trail users, and the land manager. As each jurisdiction considers its own rules and regulations, keep in mind that the examples reviewed are just that. They are simply examples and should not to be viewed as standards. Rather, they are an indication of what some agencies have implemented in their respective jurisdictions to manage snowmobile rentals and businesses.

Trail or land managers such as the United States Forest Service, Bureau of Land Management, Bureau of Reclamation, Army Corps of Engineers, hydro authorities, or State, Provincial, National, or Federal parks typically impose certain regulations and restrictions within their jurisdiction. Snowmobile rental/outfitters must always adhere to all requirements imposed by those land managers when operating on their lands.

The business is often required to show proof of liability insurance, worker's compensation insurance, occupational license, etc. before their contract is accepted. It may also be required to maintain accurate business records and customer rental documents according to accepted enforcement and accounting practices. Easy access to these documents is often required for auditing and compliance purposes during the rental period, as well as for several years following the rental.

State, provincial, and/or federal permit requirements are typically meant to:

- ◆ Ensure rental customers have adequate information concerning the safe and responsible use of a snowmobile.
- ◆ Establish minimum standards for education and instruction.
- ◆ Obtain a customer's signed agreement that they have received the required instruction in accordance with the guidelines set by the regulatory authorities and that they have agreed to comply with safe snowmobiling practices while renting a snowmobile.
- ◆ Promote safe and responsible use of snowmobiles.
- ◆ Reduce the risk of personal injury, property damage, and snowmobile related fatalities.
- ◆ Provide basic qualifications for snowmobile operation prior to issuing permits to operate.

## **IASA RECOMMENDATIONS:**

In addition to what may or may not be required by local, state, provincial, or federal regulations, IASA offers general guidelines and suggestions to snowmobile rental/outfitter companies, land managers, and other interested parties. They are:

- ◆ Snowmobile rental contracts should not be issued to anyone under the age 18.
- ◆ Rental snowmobile operators without prior snowmobiling experience should have a valid motor vehicle operator's license or learner's permit.
- ◆ Provide snowmobiling safety information to all renters/operators who do not have a valid 'permanent' snowmobiling safety education certificate.
- ◆ Staff responsible for customer orientation and training should complete an IASA approved snowmobiling safety education course or state/provincial equivalency exam.

# Operations

- ◆ Prior to the rental, provide rental customers with information on:
  - Local trail/riding area hazards, deep snow, ice and avalanche conditions as applicable.
  - Map of local trails.
  - Snowmobiling regulations pertinent to the area.
  - Operational characteristics of snowmobiles.
- ◆ Review the common courtesies of operating a snowmobile and potential impacts on wildlife, the environment, and other winter trail users.
- ◆ Snowmobiles should not be operated in a reckless manner, including but not limited to:
  - Operating irresponsibly on a congested trail or in a crowded area.
  - Unsafe passing of another vehicle on the trail.
  - Operating at greater than the posted/recommended speed.
  - Operating too close to houses between sunset and sunrise.
- ◆ It is recommended that snowmobile rental/outfitter companies carry liability insurance of not less than \$1 million dollars.

## **MULTIPLE USE ON WINTER TRAILS**

Many snowmobile rental/outfitter operations must share trails with other recreational users (*cross-country skiers, snowshoers, dog sledgers, etc.*) since they may be located near or within areas with homes, trails, parks, resorts, and other businesses nearby.

Activities of the snowmobile rental/outfitter business often compete for recreational areas and trails. Therefore, it is important that forethought and good management practices are employed by the business to try to minimize use conflicts, incidents, and accidents, while at the same time being sensitive to the natural environment that attracts many snowmobiling customers. As a member of the snowmobile community, the business is responsible to do its best to protect the interests of its neighbors and other users.



Good operational planning and management can help achieve the following:

- ◆ Prevent incidents, crashes, and fatalities.
- ◆ Protect the natural environment.
- ◆ Reduce conflicts of interest.
- ◆ Contribute to the enjoyment of trail systems and riding areas.
- ◆ Protect property and equipment.
- ◆ Reduce future liability and insurance costs due to fewer claims.
- ◆ Build general agreement and goodwill among other trail users.

Rental/outfitter businesses should take a proactive approach in cooperation with the community and other stakeholders to help ensure that all trail users are able to enjoy their chosen activity without causing distress or injury to others. Rental businesses should also work with neighboring businesses and property owners to get their feedback. Local public land managers, private property owners, government snowmobile program administrators, and local snowmobile clubs can help provide professional expertise and input to help the business develop a recreational multi-use plan for the area. Posting a map at the place of business that shows the areas of concern is also a good idea and can help guide renters and other users away from sensitive areas.

## Rental/Outfitter Business Operations

The business should develop a strategic plan to help effectively manage multiple trail use and to enhance safe recreational snowmobiling activities. The trails, trailheads, and rental center building used by the business all play a critical role in the business's daily operations. The following components of the business's day-to-day base of operations should be examined to help create a safer and more consumer friendly environment.

### **SIGNAGE**

Signs that provide safety information and rules and regulations for responsible snowmobile operation should be located in prominent areas (*office, staging area, orientation area, etc.*) and visible to customers.

Signage should clearly indicate all area speed restrictions, designated riding areas, inappropriate behavior, rules of the road, and business policies. The ISMA Safe Rider! poster series is a great way to cover many of these topics.



Signage should also be strategically placed to indicate the location of the nearest emergency telephone, first aid, and public rest rooms. Good signage can perform the following risk management functions:

- ◆ Provide safety and environmental information.
- ◆ Explain local rules, laws, and restrictions.
- ◆ Communicate proper codes of conduct.
- ◆ Provide location specific information, including updates of weather, trail conditions, high risk avalanche areas, etc.
- ◆ Issue warnings and enforcement consequences.
- ◆ Direct customers to first aid stations and emergency telephones.



## SIGN UP AREA

If possible, the customer sign-up and orientation areas should be away from main traffic and staging areas. This separation can help the rental customer focus on instruction and orientation, as well as reading, understanding, and signing release and rental agreement forms.

## RIDER PREPARATION/DRESSING/PRE-RIDE STAGING AREA

The pre-ride area is where customers prepare themselves to ride. It should be separated from the staging area or trailhead in order to help keep these individuals focused on the tasks at hand. For example, in the pre-ride area customers should concentrate on such things as the fit and function of the snowmobile suit and helmet they will be wearing. This is also where riders can choose the right gloves, boots, hat, goggles/face shield, sunglasses, and sun screen to enhance their safety, security, and comfort. The business should be properly equipped with a good selection of safety and personal gear to ensure their customers have a safe and enjoyable snowmobile outing.





## **STAGING AREA**

The staging area is where riders (*operators and passengers*) get to actually touch and explore the snowmobile while they receive pre-ride hands-on instruction and observation. It should be so designated and be clear of all other equipment and activity. Depending upon the location, physically marked lanes may be used to provide snowmobiles with safe access to the trail system. The business should have staff in the staging area at all times to assist, observe, and instruct renter/operators as they embark on their ride. First aid supplies and fire extinguishers, as well as a readily accessible phone for emergencies, should also be on-hand and within the general vicinity of the main staging area.

## **RIDING TRAINING/PRACTICE AREAS**

Ideally, the business should have a designated rider training/practice area where riders can be tested on their snowmobile operation and handling abilities before being sent out on their own, particularly if it is an unguided rental. However, it is also recognized that many rental businesses do not have sufficient property to incorporate a rider training area into their operation. In these cases, the company needs to ensure they give special attention to their other hands-on instructional orientation.

The designated rider training/practice area should be clearly defined with good signage, good visibility, and limited external traffic. In all cases, the business should clearly identify the practice area (*cordoned off from other business activities, trailhead access points, etc.*) to reduce the potential for injury, mishaps, or conflicts with others.

Signing, structures, or physical landmarks like buildings or fence lines can be used to designate an operator practice area. Signs should be strategically placed to mark where rental customers are allowed to ride and to indicate the edge of other designated use areas. Designating the practice area boundaries, can also help staff spot potential incidents before they happen and facilitate speedy reminders and enforcement of rules when rental customers don't conform to the business's policies.

Having renters operate the snowmobile in only one direction, such as counterclockwise for example, is another way to help control the traffic flow, congestion and to better monitor renter's practice activity. A predetermined riding pattern provides additional safety and security within the snowmobile training/practice area, particularly when novice riders are involved.

## **ENFORCEMENT**

Renters who flagrantly violate business rules and policies should have their rental agreement terminated immediately. Such persons should be promptly escorted back to the business as part of the rental center's rules enforcement procedures. Allowing misbehaving individuals to stay out on the trail or in the practice area can have a negative impact on other users, the business, and the image of snowmobiles in general. The rental operation will generally gain goodwill and positive reactions from others every time they remove an irresponsible customer from a snowmobile when enforcing their rules and policies,

Keeping winter trails safe and environmentally friendly should be a community effort that all should encourage. One way to ensure customers follow strict enforcement guidelines is to insist on a sizable rental deposit for each piece of equipment rented.

For risk management purposes, and depending upon rental volume, at least one staff member should be assigned in the training/practice area for safety and enforcement purposes. The staff person should be in direct radio contact with the business to facilitate assistance if it is needed. Guides should use hand signals, a bullhorn, or flag to attract the attention of customers and other staff for rider behavior or rules enforcement within the practice area.

Staff can also serve as important eyes and ears for the community. They can quickly report any emergency, event, poor behavior, etc to the business's office or law enforcement if they are in radio or cellular phone contact while they are on the trail. At any given time, they could easily be in the best position to be the first responder to an emergency. If the business's staff is called to assist with an emergency prior to leaving their assigned duty, the business should have a backup plan (*another staff person*) in place to ensure that the business's customers are not at risk. Ensuring the safety of the customers must always be the first priority since the business has a contractual obligation to them. Therefore, critical areas of the business should never be left unattended except in extreme circumstances.

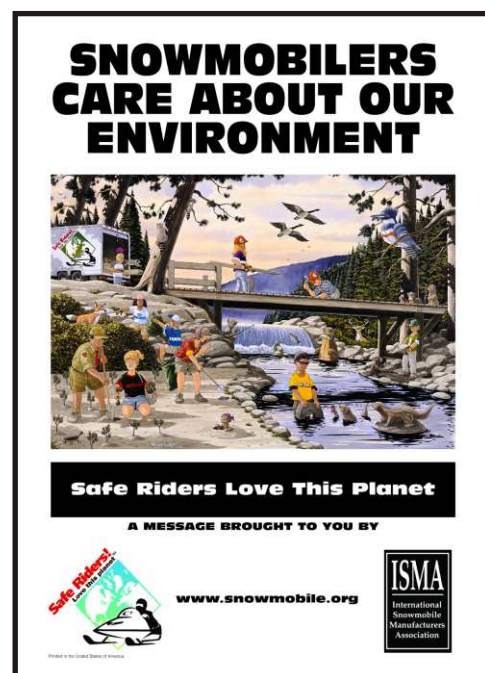
## Environmental Protection

The newest generation of snowmobiles have significantly reduced carbon monoxide and hydrocarbon emissions, so they have far less impact on the environment than older models. Nevertheless, every rental business needs to continue to do its part to protect the natural environment. This commitment is not only good for public relations, but it also makes sense to protect the natural resources that provide the livelihood for rental and outfitter businesses.

Environmental protection is a significant part of many communities' strategic plan to manage multiple uses on winter trails. Cross-country skiing, snowshoeing, and dog sledding are examples of other winter recreational activities that may be near the snowmobile rental/outfitter business. Respecting the rights of others to enjoy their chosen activity has to be a business priority for several reasons, not the least of which is that these other users may very well form part of the rental business's existing and future customer base.

Rental/outfitter companies should take a consultative approach and work with other user groups to promote environmental sensitivity. Begin by talking with wildlife authorities to establish the types of wildlife that may be found in the area to determine if any species may require special consideration. Regular dialogue with other outdoor users will also help identify any other concerns that may exist.

Incidental information that is gathered should be incorporated into both staff and customer training programs. Rental/outfitter companies should use key points to develop signs and visual displays about how inappropriate snowmobile operation may adversely impact the environment. Highlighting the need for environmental etiquette wherever possible will illustrate the business's commitment to the community and its natural resources. Never presume that customers have sufficient environmental knowledge in advance of their rental experience and observe the following key points when educating all users.



## **SHALLOW STREAM CROSSINGS**

Operating a snowmobile across open water or shallow, unfrozen stream crossings should be avoided. Snowmobiles can stir up the bottom, creating sediment in the water that can affect fish and wildlife, when they are driven through shallow stream crossings. Additionally, fuel or oil could leak from a submerged snowmobile and impact aquatic life. An open water crossing on a snowmobile can be dangerous to the operator and also to those who are potentially called upon to rescue them if there is a mishap. Rental operators should know to use the established trail system since it is typically designed to avoid these areas.

## **VEGETATION**

A layer of snow provides protection for crops such as hay, winter rye or wheat, and small plantation trees. Private landowners typically permit trails through these areas only when there is sufficient snow cover. Rental operators should know that, if the snow cover is marginal, they should avoid bare open areas that may be providing winter ground cover. If operation is necessary, it is important to stay on designated routes to minimize impacts and damage to crops.

## **ANIMALS**

Harassing an animal by chasing or interrupting its feeding or breeding can cause stress or injury and is also illegal. Rental operators should know to ride at reduced speeds near all wildlife and to avoid high population wildlife areas such as winter yard areas. It is both the business's and renter's responsibility to report wildlife hit by a snowmobile or found injured to wildlife authorities. Noise is also a factor that can not only affect humans, but can also affect wildlife.



## ENDANGERED SPECIES

Many species of plants and animals are threatened with extinction due to habitat loss. Federal law protects threatened and endangered species. Rental companies should familiarize themselves with the threatened and endangered species that may be present in their area by consulting with local authorities, and then pass this information along to their customers.



## NOISE POLLUTION

One of the most common complaints about snowmobile use is noise. While the snowmobile industry has made great strides to significantly reduce the sound levels of snowmobiles, complaints persist largely due to irresponsible operators who insist on riding or playing too close to other winter trail users and landowners' houses. Rental companies can minimize the impact of perceived snowmobile noise pollution by doing their best to place as much distance as possible between their business's operations and other users. Businesses should also ensure their equipment has properly maintained and functioning stock exhaust systems. A rental company should never operate snowmobiles that have modified exhaust systems.

## WATER AND AIR POLLUTION

Environmentally conscious rental companies should purchase and use the latest technology snowmobiles to reduce emissions and fuel consumption. Historically, the effect of snowmobile engine exhaust emissions on the environment has been of some concern, while the mishandling of certain pollutants has been another. Rental businesses and their customers should be particularly careful when handling fuel, additives, and oil substances. If spilled, these pollutants can harm microorganisms in the earth and water and endanger the animals that feed on them.

## **REFUELING AND MAINTENANCE PRACTICES**

All those who refuel snowmobiles should know and pay attention to the following:

- ♦ Refuel off the snow and away from runoff water whenever possible.
- ♦ Fill gas tanks slowly and do not overfill them, especially when refueling on the snow.
- ♦ Catch any accidental spills with an absorbent pad and dispose of it properly.
- ♦ Whenever possible, use the most environmentally sensitive oils and cleaners.

## **Facility and Equipment Maintenance**

Facility and equipment maintenance should be conducted regularly to ensure that the business's physical environment is safe for public use. Inspection and regular maintenance should occur, along with timely follow-up action on required repairs and replacements. All maintenance should be logged so that record keeping is established for daily, weekly, end of season, and start of season routines.

Local safety experts, training agencies, snowmobile club members, and insurers can also be consulted to help identify potential hazards in and around the business. Staff can develop safety audit procedures and checklists to further enhance their safety, risk management, and environmental protection measures by working with community based safety professionals and training agencies.

## **Rental Center Audits**

### **PHYSICAL PLANT AND GROUNDS MAINTENANCE**

A well organized rental facility can create a good first impression for customers. It can also help prevent mishaps from occurring which helps reduce the associated risk of liability. Grounds should be kept clean and uncluttered at all times. Daily inspections of access and staging areas, storage facilities, and offices should be routine and performed before, during, and after each shift.

### **COMMUNICATIONS**

Two-way communications between on-trail guides and the business is essential. A cell phone, satellite phone, or two-way radio can meet communications needs if coverage is available.

## **SNOWMOBILES AND ASSOCIATED RENTAL EQUIPMENT**

The equipment which is rented to a customer can include the snowmobile itself; associated personal equipment like a snowmobile suit, helmet, boots, gloves, and/or avalanche transceivers, and possibly a trailer if it is an off-site rental. The business is responsible to ensure that all in-service rental equipment is checked regularly and is in adequate operational condition for use at all times.

The rental/outfitter business should consider developing a visual identification system for use with all rental equipment. This can better facilitate inventory control, as well as on-trail rental operator monitoring. Highly visible rental identification markings which include a distinctive unit number can allow each unit to be readily identified for visual tracking and enforcement purposes. Like a sign on an automobile that says 'STUDENT DRIVER', brightly colored visual 'RENTAL' markings on a snowmobile can help advise others that the snowmobile's operator is renting and may therefore have limited experience.

While the rental company is ultimately responsible for maintaining all in-service rental equipment in proper working order, there are some aspects of inspection and maintenance that are better performed by a dealer or a certified mechanic.

Snowmobile owner's manuals provide detailed information about periodic inspection, annual maintenance requirements, and what needs to be done including how often and by whom.

## **SNOWMOBILE - DAILY "BEFORE OPERATION" CHECKLIST**

- Make sure fuel tank is full.
- If so equipped, turn the gas lever to the 'on' position.
- Ensure oil injection tank is full on 2-stroke snowmobiles.
- Check throttle and brake cables to ensure they function properly and release completely.
- Check all hoses and tanks for gas, oil, and anti-freeze leaks.
- Make sure hood is tightly shut and fastened.
- If so equipped, ensure battery is completely charged and functional.
- Check suspension, track, steering components, and skis to ensure they function properly and are not frozen or stiff from ice/snow buildup.
- Check intake and air filter for foreign debris.
- Check the drive belt, spare belt, and spare spark plugs.
- Choke the snowmobile as necessary if the engine is cold.

## **SNOWMOBILE - DAILY “AFTER OPERATION” CHECKLIST**

- Refill fuel tank and oil reservoir.
- Remove all snow and ice built up on the snowmobile lights, hood, running boards, and seat, as well as from the undercarriage if possible.
- Replace spare drive belt and/or spare plugs if they were used on trip.

## **TRAILER, TOW VEHICLES, AND THE DRIVER**

Not all snowmobile rental businesses are located on or near the trail system or riding area. Therefore, the safe use and transportation of its rental equipment may be a consideration, depending upon its location and rental focus,

Before allowing renters to transport a rental sled off-site by trailer, ensure they have a valid motor vehicle driver's license and insurance to protect against any loss, property damage, or third party liability. The driver's license numbers, addresses, phone numbers, etc of all vehicle drivers and snowmobile rental operators should be recorded and filed along with all the other rental documentation in their customer file. Collision and third party liability insurance for each trailer should also be a consideration. The business must ensure that its trailer meets state/provincial requirements and it should be covered by either the renter's automobile insurance or the rental business's insurance policy.

Rental center staff are responsible for the routine inspection and maintenance of in-service trailering equipment. They should also ensure that the right equipment is used and that customers know how to transport, load, unload, and secure the rental snowmobile while using a trailer.

## **TRAILERS AND TRANSPORTATION BASIC GUIDELINES**

- ◆ All trailer equipment should be routinely inspected before and after use and maintained in good operating condition: electrical connections, lights that work properly, bearings, tires (*spare*), frame, winch strap, tie downs, safety chains, lug nuts, etc.
- ◆ The trailer must be properly rated for the job: adequate weight capacity, even weight distribution, and even support across the bed of the trailer.
- ◆ The tow vehicle must have the proper size hitch and be able to handle the weight of the trailer, rental unit(s), and associated equipment, as well as the weight of the passengers and contents of the tow vehicle.
- ◆ All trailers must meet state/provincial motor vehicle requirements regarding maximum width, load capacity, lights and equipment, and licensing.



For safety and risk management purposes, staff should always inspect the customer's tow vehicle and any trailering equipment they bring to the business for the transportation of rental snowmobiles.

## EQUIPMENT MAINTENANCE

Staff should regularly inspect and correct equipment problems in accordance with the owner's manual and other manufacturer's recommendations. Always pay particular attention to specific safety warnings highlighted by the manufacturer. *(See page 32, Personnel)* For safety and risk management purposes, an inspection and maintenance log should be kept for each piece of rental and guide equipment used at the business.

Logs should be used to document all inspections and maintenance, including the following items:

- ♦ Daily inspection and routine maintenance of all in-service rental snowmobiles, clothing, and equipment.
- ♦ Daily inspection and routine maintenance of all staff/guide snowmobiles, clothing, and equipment.
- ♦ Routine maintenance and annual major service *(pre-season and post-season)* of all rental center equipment.

## Snowmobile: Advanced, Integrated Technology

Snowmobile manufacturers have been working toward meeting regulations recently imposed by the United States Environmental Protection Agency on the design of their products. Snowmobile/outfitter rental companies are ambassadors for the industry and should keep current with advances in design and technology that affect both the safety of the rider and protection of the environment.

## EMISSIONS

Cleaner engine technology and more fuel efficient snowmobiles are the way of the future. Many current production snowmobile models employ 4-stroke or direct injection 2-stroke technology that significantly lower emissions and fuel and oil consumption. Rental businesses should keep pace as advances continue and use the most current technology in their fleets.



## NOISE

Current snowmobile engines are significantly quieter than earlier models. Rental companies should use the most up-to-date noise reducing snowmobiles available. Less sound provides for more comfort for the rider, and less noise intrusion for other trail users, landowners, and the public at large.

## SPEED

Businesses might consider limiting the maximum speed a rental snowmobile can travel through the use of a governing mechanism particularly for novice or less experienced rental operators. Check with snowmobile dealers for suggestions and solutions. It might also be advisable to consider a business policy that only snowmobiles with a smaller engine size (400 to 600 cc) will be rented to novice operators.



## Administration

One of the least favorite activities for most businesses is the paperwork and the administrative time that goes along with it. A well maintained and properly documented paper trail is essential, not only for managing rental businesses effectively, but also as an important risk management tool.

In the event of an incident, rental/outfitter businesses should be ready, willing, and able to cooperate with law enforcement authorities, rescue personnel, various branches of government, and insurance companies. With little or no notice, the rental company may be asked by these organizations to produce documentation for any number of business or enforcement related inquiries (e.g. *rental contracts, incident/accident reports, business license, personnel qualifications, income tax, retail sales tax, occupational license, safety inspections, worker's compensation documents, employee files, drug testing results, equipment maintenance records, customer orientation documentation, etc.*). A quick, effective, and efficient method of storing and retrieving this sort of information is essential.

## RECORD KEEPING

A combination of hard copy (paper) and electronic (computer) record keeping can be used and may vary depending on the size and location of the business. The business owner has a responsibility to keep records of all activities and transactions involving the rental operations and customer education. Keeping track of all transactions requires a detailed and organized filing system which may include the following:

### BUSINESS FILES

- ◆ Business license or registration.
- ◆ Worker's Compensation information and coverage.
- ◆ Miscellaneous government regulations.
- ◆ Insurance policies, coverage, and claims.
- ◆ Accounting and tax information.

### EMPLOYEE FILES

- ◆ Applications for employment.
- ◆ Training documentation.
- ◆ Staff profiles: training qualifications.
- ◆ Staff re-certification requirements.

### FACILITIES AND EQUIPMENT MAINTENANCE FILES

- ◆ Inspection and maintenance logs.
- ◆ Repair or replacement documentation.
- ◆ Owner's manuals.
- ◆ Shop manuals.
- ◆ Equipment warranties.
- ◆ Safety audits.
- ◆ Grounds and equipment checklists.



## ENFORCEMENT AND INCIDENT/ACCIDENT REPORTING FILES

- ◆ Incident/accident reports. *(These may be difficult to obtain from law enforcement agencies, but if the company's rental unit was involved, the company should pursue obtaining a report even if it requires filing a Freedom of Information Act (FOIA) claim which may take 6 months or longer)*
- ◆ Customer case files.
- ◆ Rules, regulations, and laws.
- ◆ Enforcement policies.



## CUSTOMER FILES

- ◆ Education and orientation documentation.
- ◆ Signed rental agreements.
- ◆ Signed waivers and release forms.
- ◆ Permanent snowmobiling safety education certification *(if pertinent to area or jurisdiction)*.
- ◆ Temporary snowmobiling safety education certification *(if pertinent to area or jurisdiction)*.

All business records should be archived and filed for easy retrieval in case they are ever needed. Retain copies of all government regulations that affect the business and update them as new ones are issued. Incident reports and equipment maintenance logs should be kept indefinitely for risk management purposes. Employee records should be kept at least five years or according to the area's statute of limitations. For risk management and insurance purposes, documentation should be thorough and copies of records should be retained of all staff and customer training, rental agreements, waivers, etc. for an indefinite period, or until the statute of limitations has expired for potential lawsuits related to accidents or incidents.

# SAFETY AND RISK MANAGEMENT

## Overview

Operating snowmobiles can be exhilarating and fun. It is likely that renters may have an urge to go fast at some point during their outing to experience that exhilaration. And sometimes amongst that exhilaration there can be tendencies for renters to act up and perhaps push the limit of their abilities or proper behavior. Allowing customers to operate carelessly or recklessly is not good for the image of the business or the industry, despite what customers might think.

How should the business effectively deal with this type of behavior? Safety and risk management is about managing the risks associated with annoying and often dangerous behavior. Managing risk is also about protecting people and property from mishaps and personal losses while doing the best to keep the business and its employees safe, out of court, and away from costly legal battles.

For the business to be safe and secure in its future, it must manage its risk. And to properly manage its risk, it should have a comprehensive risk management plan that is in writing and shared with staff.

This chapter offers the rental/outfitter company ideas on how to safeguard against personal injury, property damage, and third party liability, as well as important items to consider to be prepared for an emergency. After reviewing the material presented in this chapter, it is urged that businesses consult with an attorney licensed in their area to review all liability concerns. It is recommended to seek advice from an attorney experienced in outdoor recreation law.

There will always be an element of risk present with the business of renting snowmobiles, regardless of what procedures and safeguards are in place. If a particular risk cannot be eliminated or avoided, it needs to be managed in order to reduce exposure to an acceptable level.

# Safety and Risk Management

## SAFETY AUDITS

A rental/outfitter company's risk management plan must be kept current. Performing regular safety audits can help assure this. A comprehensive safety audit should do checks and double-checks in all areas of the business's operation. Staff can perform many of these audits, while others are better left to professional service agencies who are experts in their respective fields.

Examples:

- ◆ Staff Qualifications. *(See Personnel, page 16)*
- ◆ In-service Staff Training. *(See Personnel, page 19)*
- ◆ Renter/Operator Education Core Subjects. *(See Customer Orientation, page 37)*
- ◆ Emergency Response Planning. *(See Safety and Risk Management, page 82)*
- ◆ Communications. *(See Operations, page 68)*
- ◆ Accident Reporting Requirements. *(See Customer Orientation, page 42)*
- ◆ Insurance Considerations. *(See Safety and Risk Management, page 96)*
- ◆ Grounds and Facilities Upkeep. *(See Operations, page 68)*
- ◆ Facility and Equipment Maintenance. *(See Operations, page 71)*

Safety audits performed by outside experts can help the business identify its weaknesses by taking its own bias out of the equation. This is yet another reason for developing strong links to the community and the various service agencies that are traditionally ready, able, and willing to lend their expertise. Some costs may be involved, but these costs can pay dividends to the rental business along the way. The rental business can never shield itself from all risk, but having a comprehensive risk management plan in place can help reduce its exposure substantially.

## IN-SERVICE STAFF TRAINING

The company and staff will have serious legal difficulties if a lawsuit should arise and personnel were not qualified for a task they performed, whether instructing, guiding, or responding to an emergency. If the employee in question completed the certified training, but was not considered 'current' at the time of the alleged incident, the company and that person will have trouble. It is both the employer's and employee's responsibility to be certain qualifications and certifications are kept current. In-service staff training can provide a check and balance to help a business manage its risks and potential liability.

In-service training should be regular, thorough, and set up to review and practice many crucial aspects of the rental center's business operations. In a typical snowmobile/outfitter rental operation, there are many training topics to be considered: first aid, CPR, hazard analysis, teaching methodology, snowmobile handling, local area peculiarities, customer risks and stress, media relations, avalanche rescue techniques if in a mountainous area, etc. Repetitive practice drills can not only help individual staff reaction times, team work, and motor skills, but can also help minimize mistakes and forgetfulness often seen with emotionally charged persons in emergency situations.

Recertification of employee's emergency response credentials requires formal testing (e.g. CPR, first aid, etc.) and official approval from outside certification organizations such as the American Heart Association, Red Cross, and other qualified providers. Teaming up with these agencies can help the rental business implement and manage its safety and risk management plan. While emergency response and search and rescue functions are best left to professionals, it is a good idea to have core front line staff certified to provide basic first aid for first response.

## CUSTOMER EDUCATION

Many court challenges have been based on an alleged failure to inform. In addition to providing the right information to renters through qualified instructors, having the right mix of educational tools and visual aids as a backup is imperative if proof is ever required that adequate information was delivered.

The effectiveness of the business's release and waiver form could depend on both the instructor's presentation and on how that information was supported with visual aids. Educational posters displayed in strategic locations can be useful, as

can the use of snowmobile safety videos. Both are available through the IASA and ISMA.

The use of a rental safety video(s) is strongly encouraged by IASA. The video(s) should be comprehensive and available for all rental customers (*operators and passengers*) to view. Use the type that is continuous and automatically loops back to the beginning when it ends so staff doesn't have to take time away from other tasks to repeatedly rewind and start it. Have renters view the video at the beginning of the learning exercise while students are more likely to be attentive. An information video shown early can spawn questions and stimulate inquiries throughout the learning exercise that might not otherwise be asked.

**REMEMBER:** *Even excellent instructors can have bad or too busy days. It can be hard to document whether a topic was covered if it ever comes down to the renter's word against the instructor's. By always offering the viewing of a video and/or written materials, there will never be a doubt that the topic was presented, which will help the business should a lawsuit ever occur.*

## THE RENTAL AGREEMENT

When an individual(s) enters the business to inquire about renting a snowmobile or taking a guided tour, it is a matter of choice for the company whether or not the rental is in fact transacted. There are several things personnel should keep in mind when considering an application to rent a snowmobile.

### MINIMUM AGE AND MATURITY TO RENT A SNOWMOBILE

IASA recommends that rental customers be at least 18 years of age to be eligible to rent a snowmobile. While maturity level is an issue, this recommendation is also driven by the fact that persons must be of legal age to sign and contractually bind a legal agreement. If they are not at least 18, they must have a legal guardian sign on their behalf. Regardless of state, provincial, or insurance requirements, many experts feel the minimum rental age of 18 years should be the norm, not the exception. A sample waiver for minors has been included as an appendix to this chapter. A related parental waiver is also included.



## **CUSTOMER RISK AND STRESS FACTORS**

There are many factors that could limit a customer's ability to safely operate or ride as a passenger on a snowmobile. Since they can be medical, physical, or stress related in nature, customer screening is very important, and yet another issue the business must consider. It will typically be left entirely to the discretion of the business's personnel to identify and assess customer risk, so a process to help easily identify those factors is important.

The rental application and release form provide an opportunity for each customer to disclose relevant personal information in a discrete and private manner. These forms are yet another opportunity to relate to the applicant that it is their responsibility to notify the rental/outfitter company of any personal problems that might limit their ability to safely participate in the activity. Regardless of what methods are used, it is also the rental/outfitter company's responsibility to ensure that business attitudes, procedures, and rental decisions are in compliance with laws pertaining to discrimination, disabilities, etc.

The following is a short list of factors staff should pay attention to prior to and throughout the duration of a snowmobile rental:

- ◆ The customer's age and level of maturity.
- ◆ Personality type and behavior.
- ◆ Apparent temperament and obvious mood swings.
- ◆ Observable fatigue.
- ◆ Physical well being.
- ◆ Suspected use of alcohol and/or drugs.
- ◆ Use of over-the-counter or prescription drugs that could adversely impact physical control and mental capacity of the individual.

## **PASSENGERS ARE CUSTOMERS, TOO**

The rental/outfitter business must remember that their customers include both operators and passengers, and concern for such things as personal safety and third party liability must be extended to all throughout the rental process. Risk, behavior, and stress factors must be evaluated and monitored on an ongoing basis for everyone in the business's care.

Every rental/outfitter customer should receive activity specific orientation, be supervised, and have read, completed, and signed the appropriate waiver(s), assumption of risk form, and related rental business documentation.

## Rental Guidelines and Recommendations

### ALL PASSENGERS AND OPERATORS

All rental/outfitter customers should understand and acknowledge the following guidelines and/or have performed the following procedures before their rental proceeds. Each should be covered in the waiver and release form:

- ◆ Have read and completed a questionnaire to assess the proposed activity skill level, current physical condition, and willingness to comply with safe and responsible snowmobile operating practices.
- ◆ Have read, viewed, and understood all the educational material provided.
- ◆ Know how to respond to an emergency or mishap (*e.g. crashes, stuck in deep snow, knowing where they are, etc.*).
- ◆ Are fully aware of all assumed risks and consequences associated with the activity.
- ◆ Understand and have taken legal responsibility for their own behavior.
- ◆ Understand and acknowledge that situations may arise due to: decisions they make themselves, actions of others, or are caused by natural events that are totally out of the control of the rental/outfitter company and its employees.
- ◆ Understand and agree to adhere to the conditions of the rental agreement and to follow all rental center instructions.

### THE OPERATOR

In addition to the above, every individual authorized to operate a rental snowmobile should also have acknowledged, adhered to, and/or performed the following. Each of these should be covered in the waiver and release form:

- ◆ Agreed to operate the rental unit according to and be guided by the hazards peculiar to the area, to the law, and to the rules and regulations of the public land manager or private landowner.
- ◆ Have read all the educational materials provided and viewed the snowmobile operations and safety instructional materials.
- ◆ Have an understanding of the regulatory and contractual necessity of proper snowmobile handling.
- ◆ Participated in a demonstration to confirm ability to operate a snowmobile.
- ◆ Permitted to operate it unless duly authorized by the business.

- ◆ Taken full responsibility for how their operation of the snowmobile may affect other winter trail users, other snowmobilers, landowners, the environment, etc.
- ◆ Taken responsibility for their own behavior as well those passengers in their care.
- ◆ Agree that they will be the only operator of the rental snowmobile for the duration of the rental period and that absolutely no one else will be permitted to operate it unless duly authorized by the business.

## TIPS FOR MANAGEMENT AND STAFF

Management and staff should be qualified, attentive individuals since they are the primary link to both customer safety and effective risk management practice.

The following are a few staff related guidelines for the business to help reduce risk:

- ◆ Staff should be hired for their experience and credentials in snowmobile safety education, instruction, snowmobile handling ability, customer and community relations, and risk management.
- ◆ Front line staff should receive ongoing training to both maintain and improve safety and risk management skills.
- ◆ Staff who have successfully completed an IASA approved safety certification course should be used to deliver training to rental business customers.
- ◆ Management and staff should always lead by example.
- ◆ Staff should be satisfied that customers have properly demonstrated that they fully understand and accept the risks associated with the rental activity.
- ◆ All personnel should always promote zero tolerance for annoying and dangerous behavior, without exception.

## The Equipment

The customers rightfully assume that their rental units will function properly and are in safe operating condition. Since faulty equipment could easily lead to injury and lawsuits, all rental and guide equipment must always be maintained and serviced according to manufacturer's specifications before being placed into active service. *(See page 71, Operations)* Records of maintenance and service should be kept for all units.

## Emergency Planning: Situation Specific Procedures

Medical emergencies can occur at any time with little or no warning (e.g. seizures, heart attacks, frostbite, altitude sickness, hypothermia, etc.). If specific procedures are developed before hand, kept up-to-date, and routinely practiced, the business and staff can be better equipped to handle potential situations properly, thereby reducing the risk both to themselves and to others.

### STAFF PRE-PLANNING

- ◆ Individual staff emergency response roles identified.
- ◆ Staff emergency response training skills kept current and up-to-date.
- ◆ Practice drills conducted regularly and response times noted.
- ◆ Emergency equipment checked and rechecked for quick, easy deployment.

### PROCEDURES FOR GETTING HELP

- ◆ Staff know what to do, and in what order.
- ◆ Staff know who to call, and in what order.
- ◆ Situation procedures, contacts, and emergency telephone numbers are kept current and readily accessible.

In the event of a medical emergency, the company's first priority is for the on-site or on-trail care of an injured person until other qualified professional assistance takes charge. The basic emergency life skills training staff should possess in order to work for the rental/outfitter company should cover this need. Under no circumstances should anyone administer care beyond their level of training and certification. Consult with local emergency service providers to establish an effective response and customer care plan for basic emergencies. If there is an incident and there are any questions about someone's ability to operate, don't let them back on the snowmobile (*i.e. terminate rental*).

It's important to note that only legally responsible individuals can waive medical attention for themselves. Be aware that MINORS cannot waive medical attention.

Many different incidents, life threatening or not (e.g. sight of blood, blunt trauma, loss of life, etc.), can be extremely stressful for well-intentioned staff in the performance of their job. This is where backup can be crucial.

Emergency situation drills can help ready staff to manage their own feelings by preparing them to better handle the situation for themselves first so they, in turn, can care for others who may be in need of assistance.

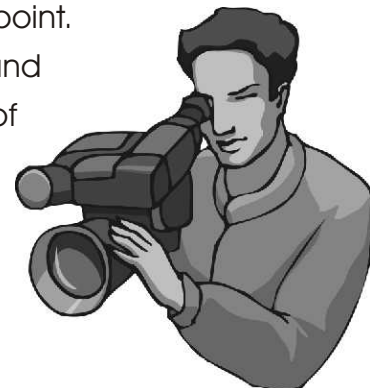
## CRISIS MANAGEMENT

No matter how cautious and prepared the company tries to be, the unthinkable can actually occur in the form of serious personal injury. If this happens, company staff should be prepared to interact with medical and law enforcement personnel, as well as other interested persons. In the event of a crisis situation, it's not unusual for staff to be called upon, with little notice, to deal directly with the press, the immediate needs of family or friends of the victim, or perhaps even one or more company employees who became emotionally overwhelmed by the event. When the potential for various legal issues are added to the crisis situation, it becomes even more important that adequate procedures and experienced supervisory staff be in place to handle the various potential aspects of a crisis before it happens. Keeping authorities, media, and other interested parties adequately informed and pacified, while at the same time attending to the immediate and future needs of the business and its staff, can be crucial both during, and often after, the event has passed.

## MEDIA AND PUBLIC RELATIONS

It is wise for management to instruct all personnel in advance as to what things to say, as well as what not to say, in case there is ever a pressing need for a staff member to make a comment to an official, the media, or whomever. Other than in extreme and immediate circumstances, *(and some companies wisely have a policy that allows absolutely no comments by front line, non-management employees)* only senior supervisory personnel who are properly trained and designated as a business spokesperson should make formal comments during or after a crisis. Whenever comments are made by the company spokesperson, they should be well thought out, few, brief, and to the point.

If possible, written press releases should be prepared and distributed by supervisory personnel. Stick to the facts of the situation, don't speculate, and be sensitive to the family and friends of the crisis victim. The identity of the victim(s) should not be released.



Anyone who needs to deal with the media should have some form of media and public relations training. It's imperative that all questions, interviews, and general inquiries of a critical or sensitive nature be directed to a qualified spokesperson who has been trained to have the 'big picture' in mind. This pertains to the company's contact with media, lawyers, insurance providers, relatives of victims, and government agencies.

Professional training is always recommended, but if it is too costly for the business, self-help information is usually available through a number of sources including public libraries, on the internet, and also through some insurance providers. Focused training in this area can help reduce the company's exposure to misquotes or to misleading and potentially damaging information being given out by those who are perhaps well intentioned, but less informed.

## **CUSTOMER RELATIONS**

As important as media and public relations are to the business, so are customer relations during and after a crisis situation. Apart from providing basic care and treatment, personnel are expected to professionally manage the scene for the benefit of all those involved until emergency crews (*e.g. ambulance, search and rescue, police, etc.*) officially take over. It is extremely important that staff exhibit a 'we care about you' public relations attitude to those they come in contact with, including emotionally charged family and friends. A few thoughtful acts could pay the rental/outfitter company and staff huge dividends in the future, particularly if there is ever litigation regarding the incident.

## **INCIDENT REPORTING**

To better protect the business and staff from third party liability, a paper trail should be kept of all incidents that occur detailing: to whom the incident was reported, by what means it was reported, and when it was reported. Effective incident reporting requires knowing what to document, so look to insurance providers and law enforcement to guide what information to collect. In any event, always document any incident involving personal injury, even if it appears to be minor or inconsequential at the time.

An incident report should be comprehensive enough to provide answers to basic questions, even if it is only intended as an internal backup document for the rental company.

- ◆ When did medical treatment and law enforcement arrive at the scene, when were they summoned?
- ◆ What happened?
- ◆ Who was involved, include both injured and non-injured parties?
- ◆ What time did the incident occur?
- ◆ Where did the incident occur?
- ◆ What were the conditions?
- ◆ Were there any witnesses, and what are their names and contact information?
- ◆ What is the estimated level of property damage?
- ◆ Did physical injury result and what were the apparent injuries or complaints by the victim?
- ◆ Was medical treatment required?
- ◆ Was medical treatment waived?
- ◆ Who was notified, when, and in what manner?

## LEGAL REPRESENTATION

If a crash or casualty should occur that involves a rented snowmobile and eventually results in litigation, the company (*and person operating the snowmobile*) should be certain the attorney handling the case has adequate training and experience in injury law. An attorney should not handle a snowmobile crash as if it were simply another typical motor vehicle crash since this could invite a legal disaster for the company. While there are similarities between snowmobiles and automobiles, there are also many differences in their operation and governing laws and regulations. Consult an attorney with experience in outdoor recreation and the law.

## RECREATIONAL WAIVER LAW AND YOU!

### WHAT IS A WAIVER?

A waiver is a contract between two parties (*the rental business and customer*) addressing Risk and Responsibility. For this purpose, we will define **RISK** as the inherent danger of participating in snowmobile rental/outfitter activities and **RESPONSIBILITY** as the division of roles between the contracting parties. You (*the rental business*) agree to provide certain services or products and acknowledge your responsibility to minimize the risk involved (*e.g. by providing relevant orientation/training and properly maintained equipment*). Your customer acknowledges the risks involved and waives his right to hold you responsible for bodily injury or property damage that may arise from the disclosed inherent risks.

Waivers are both beneficial and necessary if individuals (*we*) want to participate in activities that present some danger. Without the appropriate use of waivers, it is quite likely we would be denied participation in many recreational activities (*e.g., alpine skiing/snowboarding, amusement rides, canoeing/kayaking, parachuting, horsebackriding, snowmobile/ATV/PWC riding, scuba diving/snorkeling, etc.*).

### PROPER DESIGN AND USE OF WAIVERS

Q: If waivers are so beneficial, why are they commonly described as WORTHLESS?

A: Since waivers are legal contracts, they must meet the minimum requirements necessary in all contracts to be defensible under law. Many waivers in common use are poorly worded and are open to broad interpretation as to their real intent. Those invariably fail to provide any protection from legal action. To make it legal and binding, a waiver must contain five essential elements needed in any contract:



## MUTUAL AGREEMENT

Generally understood as offer and acceptance, mutual agreement is more difficult to achieve in a waiver than in most normal contracts. In a typical snowmobile rental operation, there are really two contracts:

1. The first contract (*quite often an oral agreement*) deals with the snowmobiling activity and the provision of certain services or equipment for a fee. This contract should specify the services to be provided, the fee to be paid, the responsibilities borne by both parties, and the requirement for the participant to complete a waiver agreement.
2. The waiver is actually a second contract where the Offer is permission to participate in a hazardous activity and the Acceptance is represented by agreeing to hold the service provider (*in this case, the snowmobile rental/outfitter company*) harmless in the event of injury, etc. This is confirmed by reviewing the waiver and by agreeing to its terms by signing it.

## CAPACITY OF PARTIES

Certain persons are protected by law and are made legally incapable, either wholly or partly, of binding themselves by contract. This includes minors, mentally incompetent persons, and intoxicated persons. A waiver signed by these individuals is technically void. Minors must have parental or guardian agreement on a waiver and both the minor and parent/guardian must be fully aware of and agree to the terms and conditions in the waiver.

## LEGAL CONSIDERATION

In the case of a normal contract, consideration generally involves payment of some kind of fee. In the case of a waiver, however, consideration is far less defined. As participation in the activity is usually conditional upon signing a waiver, the actual waiver itself becomes the consideration. In simple terms, the rental customer pays for the privilege of participating by agreeing not to hold the provider responsible for any incidents. The key issue that arises when a waiver is contested is whether or not the specific incident that occurred was actually contemplated by the waiver agreement.

## LAWFUL OBJECT

The object of a contract must be lawful; otherwise it is not valid or enforceable by either party. This is of direct concern in some areas where a waiver can be rendered invalid simply because it does not comply with local law. Waivers can also be considered contrary to public policy and voided as a result.

## GENUINE INTENTION

Both parties to the waiver must be clear with respect to their intentions. If one of the parties is induced to make the contract by improper means or under such unfair circumstances that the result is not what was really intended, then it is not binding upon them, *(e.g. asking a participant to sign a waiver after the rental has been paid for and the snowmobile has left the trailhead)*.

As long as a waiver meets all of these requirements, one has the basis for a legal argument to avoid litigation via a Summary Judgment Motion *(an appeal to the court for dismissal of a legal action against the company on the basis of the Waiver agreement)*.

Q: What circumstances make a waiver hard to enforce?

A: The courts do not generally like to enforce waivers and sometimes go to great lengths to avoid doing so. It is unlikely a waiver can be enforced if the individual giving away his rights has not had time to reflect on the decision, was pushed into the agreement *(e.g. peer pressure)*, misled by the other party, or was not fully informed of the risks involved in the activity.

## THE DUTY TO RESCUE

If the company is offering guided snowmobile trips and is not equipped to properly execute a competent rescue *(e.g. an avalanche rescue of a tour group riding off-trail in mountainous terrain)*, the business is asking for legal difficulties, even with a signed waiver on file. This means safety equipment and personnel must meet recognized standards to be considered acceptable.

## Analyzing A Typical Waiver

### ACKNOWLEDGMENT OF RISK

I, \_\_\_\_\_ do hereby affirm and acknowledge that I have been fully informed of the inherent hazards and risks associated with snowmobiling activities. I fully understand that these risks can lead to severe injury and even loss of life. I understand that snowmobile operations may be conducted at a site that is remote from competent medical assistance; nevertheless, I choose to proceed even in the absence of competent medical assistance. Additionally, I understand that there are also risks associated with snowmobile usage, including, but not limited to the possible injury or loss of life as a result of a snowmobile accident. Despite the potential hazards and dangers associated with the activity of snowmobile riding, I wish to proceed and I freely accept and expressly assume all risk, dangers and hazards that may arise from snowmobile activities which could result in personal injury, loss of life, and property damage to me.

It is very clear that the party signing this waiver is acknowledging the waiver and admitting previous knowledge of the activity, the inherent hazards involved in snowmobile riding, and is willing to accept those hazards and risks. The main reason this portion of a waiver can be discredited is that the individual signing is not actually aware of the hazards and risks because they are new snowmobile operators or passengers and are required to sign the waiver before they actually become aware of the real hazards and risks. That is one reason a reaffirmation of the waiver is an extremely valuable addition prior to snowmobile riding activities.

If a reaffirmation of the waiver is not practical to execute due to time restraints, etc (*e.g. the entire lesson plan is completed in such a short period of time that there is not enough time to get the customer to sign again later on*), then the customer must sign the acknowledgment of risk after all material customer education and training is complete. If there is only one opportunity to obtain the customer's signature for this, be certain it is **after** the relevant education and training has been received and understood by the customer. This should help reduce the risk of this portion of the waiver being discredited.

# Safety and Risk Management

Following is an example of a Waiver Reaffirmation:

**WAIVER REAFFIRMATION**

(To be completed after customer orientation and training; just prior to snowmobiling activities)

I HAVE READ THIS AGREEMENT, I UNDERSTAND, IT AND I AGREE TO BE BOUND BY IT.

Signature Of Participant \_\_\_\_\_ Date \_\_\_\_\_

Witness (Name) \_\_\_\_\_ Signature \_\_\_\_\_

Signature Of Parent Or Guardian If Participant Is A Minor, and by their signature they, on my behalf release all claims that both they and I have.

Signature of Parent or Guardian \_\_\_\_\_ Date \_\_\_\_\_

Once orientation has been completed and a reaffirmation has been signed, it is difficult for a plaintiff's attorney to assert his client was not aware.

Another area of key importance in the waiver is the 'Release' portion:

**RELEASE OF LIABILITY, WAIVER OF CLAIMS, & INDEMNITY AGREEMENT:**

In consideration of being allowed to participate in snowmobile rental activities, as well as the use of any of the facilities and the use of the equipment of the below listed releasees, I hereby agree as follows:

1. TO WAIVE AND RELEASE ANY AND ALL CLAIMS based upon negligence, active or passive with exception of intentional, wanton or willful misconduct that I may have in the future against any of the following named persons or entities (hereafter referred to as Releasees):

Snowmobile Rental/Outfitter Business: \_\_\_\_\_

(Instructor/s): \_\_\_\_\_

(Facility/ies): \_\_\_\_\_

(Others): \_\_\_\_\_

It is crucial that all entities that need to be released are listed and that their Legal Names are used. Many a waiver has failed because a party was not listed, or a nickname was used instead of a legal name. If you are operating under a DBA (*Doing Business As*), you should use both your legal name and the DBA (*i.e. Enterprise Holdings, Inc. d/b/a Snow Elite Snowmobile Rentals Unlimited*). This should help avoid future arguments as to whom it was that was supposed to be released. If the business uses multiple instructors and/or other staff for teaching, all of their names should be listed.

The terms contained in this portion of the release are also crucial:

- ◆ Negligence can best be described, as something the prudent staff instructor should have done, but didn't, or something they shouldn't have done, but did.
- ◆ Active negligence is when the business is aware of some negative influence and goes forward anyway (*e.g. allowing a rental to go out when weather or snow conditions are unacceptable*). Passive negligence is when the business is not aware of the negative influence, but should have been (*e.g. staff not checking the weather or snow conditions prior to letting the rental proceed*).
- ◆ Why do we add the phrase...*"with the exception of intentional, wanton, or willful misconduct"*? It is simply unreasonable to expect someone to release a person for intentional misconduct. Further, some states have actually legislated against waivers that attempt to provide release for Gross Negligence (*another term for intentional, wanton, or willful misconduct*).

## THE 'HOLD HARMLESS' PORTION

2. To release the releasees, their officers, directors, employees, representatives, agents and volunteers, from liability and responsibility, whatsoever, for any claims or causes of action that I, my estate, heirs, executors, or assigns may have for personal injury, property damage or wrongful death arising from snowmobile rental/outfitter activities whether caused by active or passive negligence of the releasees or otherwise. By executing this document, I agree to hold the releasees harmless for any injury or loss of life that may occur to me during snowmobile rental/outfitter activities and/or instruction.

## THE "LEGAL ACKNOWLEDGMENT" PORTION

3. By entering into this agreement, I am not relying on any oral or written representation or statements made by the releasees, other than what is set forth in this agreement.

4. If any provision of this release is found to be unenforceable or invalid, that provision shall be severed from this contract. The remainder of this contract will then be construed as though the unenforceable provision had never been contained in this document. I hereby declare that I am of legal age and am competent to sign this Agreement or, if not, that my parent or legal guardian shall sign on my behalf, and that my parent or legal guardian is in complete understanding and concurrence with this agreement.

## THE 'CONFIRMATION' (SIGNATURE) PORTION

I HAVE READ THIS AGREEMENT, I UNDERSTAND IT, I AGREE TO BE BOUND BY IT.

Signature Of Participant \_\_\_\_\_ Date \_\_\_\_\_

Witness (Name) \_\_\_\_\_ Signature \_\_\_\_\_

Signature Of Parent Or Guardian If Participant Is A Minor, and by their signature they, on my behalf release all claims that both they and I have.

Signature of Parent or Guardian \_\_\_\_\_ Date \_\_\_\_\_

It is also crucial that parents or guardians be fully informed of the inherent hazards and risks associated with snowmobiling activities prior to accepting their signature. If they are not, the waiver will be again rendered invalid.

# Safety and Risk Management

When these multiple elements are combined (as per the following example) into a single document, explained properly, reviewed fully and acknowledged legally, the rental company's exposure is minimized.

Another example of a combined parent and minor Release and Waiver form is shown in the appendix.

## Sample Rental Waiver Form

I, \_\_\_\_\_ do hereby affirm and acknowledge that I have been fully informed of the inherent hazards and risks associated with snowmobile rental activities. I fully understand that these risks can lead to severe injury and even loss of life. I understand that snowmobile operations may be conducted at a site that is remote from competent medical assistance; nevertheless, I choose to proceed even in the absence of competent medical assistance. Additionally, I understand that there are also risks associated with snowmobile usage, including, but not limited to the possible injury or loss of life as a result of a snowmobile accident. Despite the potential hazards and dangers associated with the activity of snowmobile riding, I wish to proceed and I freely accept and expressly assume all risk, dangers and hazards that may arise from snowmobile activities which could result in personal injury, loss of life, and property damage to me.

### RELEASE OF LIABILITY, WAIVER OF CLAIMS AND INDEMNITY AGREEMENT

In consideration of being allowed to participate in snowmobile rental activities, as well as the use of any of the facilities and the use of the equipment of the below listed releasees, I hereby agree as follows:

1. TO WAIVE AND RELEASE ANY AND ALL CLAIMS based upon negligence, active or passive with exception of intentional, wanton or willful misconduct that I may have in the future against any of the following named persons or entities (hereafter referred to as Releasees): \_\_\_\_\_

Snowmobile Rental/Outfitter Business: \_\_\_\_\_

(Instructor/s): \_\_\_\_\_

(Facility/ies): \_\_\_\_\_

(Others): \_\_\_\_\_

2. To release the releasees, their officers, directors, employees, representatives, agents and volunteers, from liability and responsibility, whatsoever, for any claims or causes of action that I, my estate, heirs, executors, or assigns may have for personal injury, property damage or wrongful death arising from snowmobile rental/outfitter activities whether caused by active or passive negligence of the releasees or otherwise. By executing this document, I agree to hold the releasees harmless for any injury or loss of life that may occur to me during snowmobile rental/outfitter activities and/or instruction.

3. By entering into this agreement, I am not relying on any oral or written representation or statements made by the releasees, other than what is set forth in this agreement.

4. If any provision of this release is found to be unenforceable or invalid, that provision shall be severed from this contract. The remainder of this contract will then be construed as though the unenforceable provision had never been contained in this document. I hereby declare that I am of legal age and am competent to sign this Agreement or, if not, that my parent or legal guardian shall sign on my behalf, and that my parent or legal guardian is in complete understanding and concurrence with this agreement.

I HAVE READ THIS AGREEMENT, I UNDERSTAND IT, I AGREE TO BE BOUND BY IT.

Signature Of Participant \_\_\_\_\_ Date \_\_\_\_\_

Witness (Name) \_\_\_\_\_ Signature \_\_\_\_\_

Signature Of Parent Or Guardian If Participant Is A Minor, and by their signature they, on my behalf release all claims that both they and I have.

Signature of Parent or Guardian \_\_\_\_\_ Date \_\_\_\_\_

## Specific Waivers

The rental/outfitter company's waivers must also be specific to the particular activity being engaged in. The company may need to have multiple waivers if the business offers several different activities. The one-size-fits-all waiver simply does not work.

Q: If a customer has signed up to engage in multiple activities (*such as a guided snowmobile tour one day which guides a group to an area to do backcountry telemark skiing and then an unguided snowmobile rental on the following day*) can one waiver be used?

A: Absolutely Not! A specific waiver is required for each activity. Each subsequent activity (*guided snowmobiling, telemark skiing and unguided snowmobiling*) has different risks and hazards and a proper waiver depends upon the individual being fully informed of the inherent hazards and risks associated with that specific activity. Therefore, a separate waiver is required for each activity.

Examples of Specific Waivers that may be used or customized for the individual business's services that they offer:

### INSTRUCTIONAL WAIVERS

- ◆ Entry level: no prior snowmobiling education or experience.
- ◆ Intermediate level: with IASA approved snowmobiling education.
- ◆ Advanced level: with IASA approved snowmobiling education and extensive snowmobile operating experience.
- ◆ Specialty courses: trailering.
- ◆ Passengers: not operating but actively participating.

### COMPANY RENTAL EQUIPMENT

- ◆ Snowmobile and equipment rental checkout/waiver.
- ◆ Associated equipment (*trailer*) rental waiver.

### SUPERVISION OF RIDERS

- ◆ Unguided rental waiver.
- ◆ Supervised guided tour riding waiver.
- ◆ Overnight unsupervised off-site rental waiver.
- ◆ Appropriate supervision/activity waivers (*sightseeing, wildlife watching, skiing, etc.*).



Q: Will a rental waiver work if the equipment that was rented **FAILS**?

A: It could, but only if the equipment had been properly maintained and the renter fully checked its operation prior to accepting it and acknowledged its working condition on the waiver. If there was no specific equipment waiver, or if the renter was not required to test operate the equipment prior to accepting it, the waiver is likely useless.

Q: Do **Roster** waivers work? (*i.e. a single waiver which all snowmobile operators, and/or passengers add their name to*).

A: In most cases they do not! A separate waiver, signed by an individual fully informed of the hazards and risks associated with the specific activity, will always have the best chance of actually working. Using anything less is an invitation for serious legal difficulty.

## Waiver Law Summary

When relating these issues to typical snowmobile rental/outfitter activities, the rental company needs to ensure its waiver agreements:

- ◆ Confirm the inherent risks involved.
- ◆ Confirm the responsibility of the parties involved.
- ◆ Confirm the understanding and acceptance of responsibility (*this includes the legal rights given up by virtue of signing the waiver*).
- ◆ Name all pertinent parties (*legal names only, No nick names !!!*).
- ◆ Be activity specific, simple, legible, and individual.
- ◆ Contain the word negligence.
- ◆ Be supported by actions: do as I say and as I do!

Q: What does the rental business do with those who don't want to accept responsibility and won't sign the waiver agreement?

A: Don't let them ride or rent your equipment!

Since waivers and assumption of risk forms are legal documents, it is imperative that the rental/outfitter company seeks legal counsel to prepare them. With prior involvement in preparation of the forms, your lawyer will be better preferred to defend the documents in court, if necessary.

Each state, province, and territory has specific Waiver and Release laws that need to be considered. The information summarized above and throughout this manual is not all encompassing and should be used for reference purposes only. Therefore, each rental/outfitter company is advised to consult directly with an attorney who has experience in outdoor recreation and the law; insurance providers; and the laws of their state, province, or territory when developing their own rental contracts and legal forms.

## Insurance Considerations

### FOR MANAGEMENT AND STAFF

Each employee should be covered by liability insurance, whether obtained by themselves, or as part of the rental company's policy. Either way, both the individual and the rental business should be a named insured on the policy. Although the duty of care may be somewhat less for some than others, there should be a formal contract drawn between the company and each one of its employees outlining the respective legal obligations each has to the other, as well as to the customers to be served.

### INSTRUCTOR LIABILITY

Instructor liability, often referred to as professional liability, covers allegations that the instructor fell short on the instruction given or taught something improperly.

### SUPERVISOR/GUIDE LIABILITY

Snowmobile Guide and Supervisor liability falls within the same framework as Professional Liability and Instructor Liability. Allegations, should a lawsuit arise, often would be for such things as inadequate trip briefings, failure to maintain contact, failure to respond to an emergency, or misinforming a customer.

### CONTINGENT LIABILITY

It is not inconceivable that a claim on insurance could eventually come as a result of a former instructor/supervisor's performance being questioned at a later time, actually past the date when they were employed and insured. If there is a contingent liability insurance policy in force, it would stand in place of any previous coverage that had otherwise lapsed or was cancelled, giving the same coverage to those (*former staff and the rental company*) as previously insured.

It is recommended that all instructors and supervisors/guides possess IASA accredited course certification for safe snowmobiling education and instructor

training (*See page 16 Personnel*), even if the state, province, territory, or insurance providers don't require it.

Personnel qualifications may vary by state, province, or territory and by insurance company for the businesses instructors, supervisors, and guides. To reduce its exposure, the company should work with local service agencies, law enforcement, emergency response teams, and insurance providers whenever possible to determine what the requirements are in their particular area.

## For The Business

### **RENTAL PRODUCTS LIABILITY**

Typical allegations made here would be for rental equipment that was rented to an unqualified person or for equipment failure due to improper maintenance. Keep adequate maintenance records for each unit.

### **TRIPS AND EVENTS LIABILITY**

Claims for allegations made in this category would be for improper instructions, poor supervision, and/or hazards encountered during a guided snowmobile trip or rental center special event.

### **COMPREHENSIVE GENERAL LIABILITY**

General comprehensive insurance is designed primarily to provide coverage for third party injury or property damage. It will cover medical expenses for any number of things like slips or falls on an icy walkway, a customer bumping head-first into some piece of equipment or fixed object, etc. Regular safety audits can help the rental center discover potential hazards and take corrective measures before incidents like these happen.

Personal injury is yet another category that falls under general comprehensive insurance. Allegations and/or claims here would be for such obscure things as slander and libel. These are extensions of coverage rather than the primary coverage.

### **GENERAL PERILS**

This coverage protects the business from loss due to floods, fire, hail, wind, or other weather related damage, as well as for loss of equipment or contents due to loss or theft.

## FOR THE SNOWMOBILE

### SNOWMOBILE INSURANCE

General Liability Insurance for the rental fleet and guide sleds should provide the business with complete coverage for third party injury such as medical expenses and accidental death, as well as property damage. Basic coverage should include such things as theft, collision, and fire. Optional coverage should be considered for uninsured snowmobiles, extended medical and health care, trailer equipment, off-site transportation insurance, loss of business use, etc.

It is recommended that an insurance specialist be consulted to determine coverage needs for all company snowmobiles and associated equipment. Since insurance needs can vary from business-to-business, region-to-region or location-to-location, it is strongly advised that an insurance agent visit the company location when setting up the policy to determine exactly what the rental company's needs are. Having an insurance representative make a periodic visit to audit rental business operations from an insurance perspective can also help the company stay on top of its needs as the business grows and can help ensure nothing is overlooked along the way.



# APPENDIX

## Resources

### ORGANIZATIONS

**American Council of Snowmobile Associations (ACSA)** 271 Woodland Pass, Suite 216, East Lansing, Michigan 48823; 517-351-4362. [www.snowmobilers.org](http://www.snowmobilers.org)

**American Heart Association** - National Center, 7272 Greenville Avenue, Dallas, Texas 75231; 800-242-8721. [www.americanheart.org](http://www.americanheart.org)

**American Red Cross** - Health & Safety Services, 2025 E Street, NW Washington, DC 20006; 202-303-4498. [www.redcross.org](http://www.redcross.org)

**Canadian Council of Snowmobile Organizations (CCSO)** 129 Berkley Drive, Riverview, New Brunswick E1B 2L4; 506-387-8960. [www.ccsso-ccom.ca](http://www.ccsso-ccom.ca)

**Canadian Red Cross** 170 Metcalfe Street, Suite 300, Ottawa, Ontario K2P 2P2; 613-740-1900. [www.redcross.ca](http://www.redcross.ca)

**International Snowmobile Manufacturers Association (ISMA)** 1640 Haslett Road, Suite 170, Haslett, Michigan 48840; 517-339-7788. [www.snowmobile.org](http://www.snowmobile.org)

**Outdoor Empire Publishing Company** 424 N. 130th Street, P.O. Box 1900, Seattle, WA 98109; 206-624-3845. [www.outdoorempire.com](http://www.outdoorempire.com)

**Tread Lightly!** 298 24th Street, Suite 325, Ogden, UT 844011; 800-966-9900. [www.treadlightly.org](http://www.treadlightly.org)

### EDUCATIONAL MATERIALS

**A Guide to Responsible Snowmobiling** A 24-page guide to your snowmobiling adventures including helpful tips for planning a trip, safety on the trail, negotiating terrain, maintenance, low impact principles, and minimum impact camping tips for enjoying your trip. Available from Tread Lightly! - \$0.75.

**Expect the Unexpected** Video that demonstrates potential hazards that could occur on a snowmobile outing. It discusses how proper planning can prevent, or at least lessen, the chances of problems while on the trail. Created by the International Association of Snowmobile Administrators. (11 min) Available from Outdoor Empire Publishing Company - \$15.95.

# Appendix

**Know Before You Go** The basics of staying alive in avalanche terrain DVD that teaches how to recognize and avoid dangerous avalanche conditions. available from the Utah Avalanche Center, 2242 West North Temple, Salt Lake City Utah 84116, 801-231-2170.

**Riding Safely in Avalanche Country** Video that teaches how to recognize and avoid dangerous avalanche conditions. Available from Friends of the Sun Valley Avalanche Center, PO Box 819, Ketchum, Idaho 83340, svavctr@sunvalley.net

**Rules of the Snow** Video with expert advice about avalanches, riding on ice, wildlife, helicopter rescue, rules of the road, and safe riding tips. (50 minutes) Available from SAVA Film, PO Box 836, Wilson, Wyoming 83014, 307-739-2256. www.savafilm.com

**Safe Riders! Snowmobile Safety Awareness Program** Web based snowmobile safety education information created by the International Association of Snowmobile Administrators. Available at [www.snowmobilers.org](http://www.snowmobilers.org)

**Safe Riders! Snowmobile Safety Materials** Snowmobile safety education information and video created by the International Snowmobile Manufacturers Association. Available at [www.snowmobile.org](http://www.snowmobile.org)

**Snowmobile Courtesy & Ethics** Video to learn how ethical snowmobiling means being a courteous, responsible, and safe operator. It is an ideal tool to help promote good relations with landowners, multi-trail users, and wildlife. It explains ways to preserve the environment and prevent needless property damage and accidents. Created by the International Association of Snowmobile Administrators. (10 min) Available from Outdoor Empire Publishing Company - \$15.95.

**Snowmobile Safety and Snowmobile Operation** Two short videos that introduce the sport of snowmobiling and detail operating techniques on a variety of terrain under ever-changing snow conditions. It includes fuel saving tips, pre-start check, riding positions, defensive driving skills, and night operation. Ideal for new operators. Created by the International Association of Snowmobile Administrators. (8 min) Available from Outdoor Empire Publishing Company - \$15.95.

**Snowmobile Safety and You** A colorful 48-page text/workbook for snowmobilers of all ages and experience levels, illustrated and with activity pages. It covers snowmobile operating skills, maintenance and emergency repairs, rules of the road, and sign recognition, along with conservation, winter survival, and other essential topics. Available from Outdoor Empire Publishing Company - \$3.00.

**Tracks of Winter** Video for a get out and get away introduction to the safe exploration of the winter outdoors. Great entertainment for groups and promotional events. Created by the International Association of Snowmobile Administrators. (27 min) Available from Outdoor Empire Publishing Company - \$17.95.

## References

Renting Personal Watercraft Successfully; United States Coast Guard and the National Recreation and Park Association. 2001.

Safe Riders! You Make Snowmobiling Safe; International Snowmobile Manufacturers Association. 2005.

## PhotoCredits

### Page Description Credit

	Cover	Touring snowmobiles. <i>Arctic Cat</i>
2		Rental snowmobile fleet; The Line Shack, Dubois, WY. <i>Kim Raap</i>
13		Snowmobile guide; Yellowstone National Park, WY. <i>National Park Service</i>
15		Family snowmobile outing. <i>Arctic Cat</i>
17		Snowmobile guide; Yellowstone National Park, WY. <i>National Park Service</i>
22		Snowmobile operation orientation. <i>ISMA</i>
26		Trail riding snowmobiles. <i>Polaris</i>
28		Snowmobile guide; Yellowstone National Park, WY. <i>National Park Service</i>
29		Rental snowmobile fleet; Munising Snowmobile Rentals, Munising, MI. <i>Kim Raap</i>
30		Snowmobile groomer collision. <i>New Hampshire Bureau of Trails</i>
31		The use of hand signals. <i>ISMA</i>
32-T		Manufacturer's safety warning labels. <i>Scott Carbonneau</i>
32-B		Be prepared for sun and weather with proper clothing and eye protection. <i>ISMA</i>
33		Trail riding snowmobiles. <i>Bombardier</i>
45		Snowmobile controls. <i>ISMA</i>
46		Using a customer orientation checklist. <i>ISMA</i>
51		Trail riding snowmobilers. <i>ISMA</i>
52		Refueling snowmobiles. <i>Kim Raap</i>
55		Trail riding group; Continental Divide Snowmobile Trail, WY. <i>Kim Raap</i>
60-L		Cross-country skier; Yellowstone National Park, WY. <i>National Park Service</i>
60-R		Dog sled and snowmobiler; Continental Divide Snowmobile Trail, WY. <i>Kim Raap</i>
62		Dressing and rider preparation. <i>ISMA</i>
66		Wintering elk; Yellowstone National Park, WY. <i>National Park Service</i>
71		Four-stroke snowmobile. <i>Kim Raap</i>
73		Snowmobile track and under-carriage. <i>ISMA</i>
74		Trail riding snowmobiles. <i>Polaris</i>
98		Rental snowmobile fleet; The Line Shack, Dubois, WY. <i>Kim Raap</i>
113		The use of hand signals. <i>ISMA</i>

# IASA Snowmobile Rental Survey

CONDUCTED BY TRAIL WORK CONSULTING - RESULTS AS OF 2/21/05

STATE/ PROVINCE	REQUIRES COMMERCIAL SNOWMOBILE GUIDES TO BE CERTIFIED	REQUIRES SPECIFIC EDUCATION OR CERTIFICATION FOR INDIVIDUAL WHO RENT SNOWMOBILES	ALLOWS RENTAL BUSINESSES TO ISSUE TEMPORARY SNOWMOBILE SAFETY	SPECIAL RESTRICTIONS THAT APPLY TO SNOWMOBILE RENTAL OPERATORS OR RENTAL SNOWMOBILES
Alaska				No Response
Alberta	No	Yes, must have a driver's license and insurance documentation.	No	All snowmobile rental operators must be at least 18 years of age and have a driver's license. The renter/operator must carry proof of liability insurance. The signed rental agreement must be carried with the snowmobile operator.
British Columbia				No Response
California				No Response
Colorado	No	No	No	The snowmobile must be registered with the state and must meet all safety equipment requirements (lights and working brakes).
Idaho	No	No	No	All rental snowmobiles must display a rental snowmobile registration.
Illinois	No	No	No	None
Indiana	No	No	No	Snowmobile operator must hold a valid driver's license when operating on public highway.
Iowa				No Response



# IASA Snowmobile Rental Survey

STATE/ PROVINCE	REQUIRES COMMERCIAL SNOWMOBILE GUIDES TO BE CERTIFIED	REQUIRES SPECIFIC EDUCATION OR CERTIFICATION FOR INDIVIDUAL WHO RENT SNOWMOBILES	ALLOWS RENTAL BUSINESSES TO ISSUE TEMPORARY SNOWMOBILE SAFETY	SPECIAL RESTRICTIONS THAT APPLY TO SNOWMOBILE RENTAL OPERATORS OR RENTAL SNOWMOBILES
Maine	Yes, guides for any purpose must be licensed with the state as a Recreations Guide.	Yes, rental companies must purchase a 'Rental Agents Certificate', register each snowmobile in Maine, and instruct each person who rents how to operate the snowmobile safely, including hand signals.	Yes, must train renter how to use brakes, throttle, kill switch and hand signals.	None
Manitoba				No Response
Massachusetts	No	No	No	None
Michigan	Yes, but only if it is a commercial use on state land.	No	No	The rental company must carry a minimum of 204K/40K/10K liability insurance.
Minnesota	No	No	No	None
Montana	No	No	No	None
Nebraska	No	No	No	None
New Brunswick				No Response
Newfoundland				No Response
New Hampshire	No	No	No	Requires a Rental specific snowmobile registration; renter/operator must sign an acknowledgement that educational material prepared by the department has been read and is understood.
New York	No	No	No	None
North Dakota	No	No	No	None

# IASA Snowmobile Rental Survey

STATE/ PROVINCE	REQUIRES COMMERCIAL SNOWMOBILE GUIDES TO BE CERTIFIED	REQUIRES SPECIFIC EDUCATION OR CERTIFICATION FOR INDIVIDUAL WHO RENT SNOWMOBILES	ALLOWS RENTAL BUSINESSES TO ISSUE TEMPORARY SNOWMOBILE SAFETY	SPECIAL RESTRICTIONS THAT APPLY TO SNOWMOBILE RENTAL OPERATORS OR RENTAL SNOWMOBILES
Nova Scotia	No	No	No	None
Ohio				No Response
Ontario	No	Yes, must have an automobile driver's license or a motorized snow vehicle driver's license (typically for 12 years of age and older until car license is earned.	No	Every snowmobile must carry proof of liability insurance; all snowmobilers required to wear a helmet.
Oregon	No	No	No	Everyone (rental operator or otherwise) must have either a valid driver's license or a snowmobile safety certificate to operate a snowmobile.
Pennsylvania	Yes, commercial companies operating on State Forest land must have a Commercial Activist Agreement	No	No	Rental snowmobiles must be conspicuously marked with the word 'RENTAL' on both sides of the snowmobiles; a guide must accompany each party of renters with no more than 10 rented snowmobiles per guide or group; the rental company must maintain a record of all rentals for one year; and the rental company must carry liability insurance.
Prince Edward Island	No	No	No	Currently no snowmobile rentals in the province due to the increased cost of insurance; when rentals were previously available, the operator was required to be 18 or older and have a valid driver's license.

# IASA Snowmobile Rental Survey

STATE/ PROVINCE	REQUIRES COMMERCIAL SNOWMOBILE GUIDES TO BE CERTIFIED	REQUIRES SPECIFIC EDUCATION OR CERTIFICATION FOR INDIVIDUAL WHO RENT SNOWMOBILES	ALLOWS RENTAL BUSINESSES TO ISSUE TEMPORARY SNOWMOBILE SAFETY	SPECIAL RESTRICTIONS THAT APPLY TO SNOWMOBILE RENTAL OPERATORS OR RENTAL SNOWMOBILES
Quebec	No	No	No	Snowmobile renter/operator must hold a valid driver's license and be at least 21 years of age. Rental agreement must be carried on the rental unit and contain the rental unit's number and the period of time for which the unit is rented; and a copy must be carried by the operator on the rental snowmobile as well as be kept on file at the rental business location. Rental company must carry a minimum of \$1 million liability insurance.
Saskatchewan				No Response
South Dakota	No	No	No	State law requires that a person who engages in the business of renting snowmobiles to another shall maintain rental snowmobile in safe condition.
Utah	No	No	No	Age 8-16 must have safety certification or a driver's license.
Vermont	Yes, guides must be a certified snowmobile safety instructor in order to guide persons that are not holding snowmobile safety certificates.	No, although all persons born after July 1 1983 must pass an approved snowmobile safety certification course to operate on the statewide snowmobile trails system.	No, although rental businesses are asked to supply a condensed safety presentation before allowing any person to operate (but it is not mandatory).	Rental operator are required to display a decal or flag identifying their company; they must also purchase and display a commercial trails pass.
Washington	No	No	No	None
Wisconsin	No	No	No	None

# IASA Snowmobile Rental Survey

STATE/ PROVINCE	REQUIRES COMMERCIAL SNOWMOBILE GUIDES TO BE CERTIFIED	REQUIRES SPECIFIC EDUCATION OR CERTIFICATION FOR INDIVIDUAL WHO RENT SNOWMOBILES	ALLOWS RENTAL BUSINESSES TO ISSUE TEMPORARY SNOWMOBILE SAFETY	SPECIAL RESTRICTIONS THAT APPLY TO SNOWMOBILE RENTAL OPERATORS OR RENTAL SNOWMOBILES
Wyoming	No	No	No	Rental snowmobiles must display a Commercial snowmobile
Yukon	Yes, must have a Wilderness Tourism License to guide commercial wilderness trips on Yukon land and waters outside national parks.	No	No	The Wilderness Tourism Licensing Act requires an operator, a rental operator or a client renting a vehicle or rental equipment to fill out a rental report and submit it to the registrar by May 31st or October 31st, whichever comes first after the rental.
USFS: Mt. Baker - Snoqualmie NF/Washington	Yes, if guiding on National Forest Lands.	No	No	None
USFS: Bridger - Teton NF/Wyoming	Yes, a Special Use Permit is required to provide services on National Forest System Lands or for a rental operator to deliver rental snowmobiles to NFS trailheads for clients to use for unguided trips.	No	No	None, unless part of Special Use Permit requirements.
USFS: Gifford Pinchot NF/ Washington	Yes, Special Use Permit is required (no new permits are being issued at this time).	No	No	None, unless part of Special Use Permit requirements.
Yellowstone National Park	Yes	No, but it has been considered.	No	* See YNP below.

# I A S A S n o w m o b i l e R e n t a l S u r v e y

\* YNP: All snowmobiles must be accompanied by a licensed guide and only "Best Available Technology" (BAT) snowmobiles can be operated within the park. Maximum group size is 11 snowmobiles including the guide. Snowmobiles can operate in the park from 7 Am to 9 PM only. The rental company must submit a Certificate of Insurance and Monthly Use Reports. Guides are responsible for the behavior of clients in their party. Rental company employees are required to wear a visible name tag or have their company name embroidered on outerwear identifying the concessionaire and provide friendly, helpful service and be capable and willing to answer questions and provide visitor assistance. Rental companies must provide training and orientation to each employee to their working with the public that includes interpretive skills training, knowledge about park regulations and be familiar with equipment to ensure a safe and enjoyable trip for park visitors. Prior to guiding clients, new guides must accompany an experienced guide into the park on several trips. All snowmobile renters must be given basic instruction on the safe operation of snowmobiles prior to beginning the trip. Emphasis is placed on traffic regulations and the similarity of snowmobiles to automobile. All aspects of the safe operation of a snowmobile must be emphasized in this instruction. Renters must also be given the opportunity to operate a snowmobile or examine one in enough detail to ensure their ability to physically operate the controls. The rental company must also ensure the renter is safely equipped and properly clothed prior to the trip. Renters may not carry alcoholic beverages on day trips and if on an overnight trip the unopened beverage must remain stored in their luggage. Guides and renters must wear helmets. Rental companies must ensure each group carries a basic first aid kit, matches, instant hot packs and a blanket that is more substantial than a foil blanket. All guides must possess at least current first-aid certification or higher and have completed a CPR course. Guides who have been certified in first-aid and CPR during the past 18 months but whose certification has expired may conduct trips for 30 days pending recertification. All snowmobiles must pull over to the far right and park in single file when the group stops along the trail. All snowmobile operators must possess a valid motor vehicle operator's license (no learner's permits allowed) and the license must be carried on the operator's person at all times. Any towed equipment such as trailers and sleds must have a rigid hitch and can be only pulled by the guide's sled. Double riding is only permitted on machines designed for double riding and no triple riding is allowed. Snowmobiles are not allowed to idle for more than one minute when stopped. All guides and renters must have a rearview mirror on their machine or utilize a hand-held or wrist mirror. All guide sleds must have either a bicycle safety flag or a sign in the windshield to identify them. All rental snowmobiles must clearly display the company's logo or name to aid in their easy identification.

# **Snowmobile Rental Operator Orientation Checklist**

## **EVERY OPERATOR OF A RENTAL SNOWMOBILE SHOULD BE ABLE TO:**

### **1. Know the Snowmobile They Are Renting and Identify Its Key Controls.**

- Know the capabilities, characteristics, and limitations of the snowmobile they are renting.
- Identify key snowmobile controls: throttle, brake, lights, kill switch, and hand/thumb warmers.

### **2. Select and Use Suitable Protective Clothing.**

- Understand temperature, precipitation, wind chill, and other factors in clothing selection.
- Understand layering of undergarments for warmth, comfort, and moisture release.
- Select a helmet, suit, and eye protection based on required features and desired characteristics.
- Select mitts/gloves, boots, socks, face mask/baclava, and sunglasses based on current and potential conditions.

### **3. Know Applicable Rules and Regulations.**

- Understand and commit to practice courteous and responsible riding behaviors.
- Possess required operator's license or endorsement, if required.
- Possess required vehicle registration, and/or trail permit.
- Know and understand local rules and regulations pertaining to a snowmobile's operation.

### **4. Safely Start, Operate, and Control the Snowmobile.**

- Conduct a pre-operation check of the vehicle and immediate operation area.
- Safely start, monitor, and shut down the snowmobile's engine.
- Demonstrate ability to control the snowmobile's speed, direction, and braking.
- Demonstrate basic hand signals and compliance with regulatory signage.

**5. Maintain, Troubleshoot, and Secure the Snowmobile.**

- Perform routine snowmobile maintenance such as gasoline and oil injection replenishment.
- Understand basic troubleshooting such as drive belt and spark plug replacement.
- Understand how to secure the snowmobile by key removal, and proper protocol for parking.

**6. Identify and Select Appropriate Snowmobiling Opportunities.**

- Know the general extent and nature of area snowmobile trail systems.
- Know the general extent and nature of off-trail or cross-country snowmobile opportunities in the area.
- Understand area closures and restrictions and their purpose.

**7. Use Communication and Travel Aids.**

- Understand and be able to use maps to assist in effective snowmobile travel.
- Understand directional and informational signage related to snowmobiling.
- Know the availability of weather reports, trail condition reports, information boards, etc.
- Know the importance of leaving anticipated destination and return time information.

**8. Understand and Manage Potential Risks and Impacts.**

- Understand the risks that may be encountered while operating the snowmobile.
- Understand the available resources and strategies for coping with common risks.
- Know the coverage requirements, and options for, snowmobile damage and personal liability insurance.
- Know the potential environmental impacts of snowmobiling and how to minimize or prevent them.

I HAVE BEEN INSTRUCTED ON AND UNDERSTAND THE RULES AND INFORMATION PROVIDED IN THIS ORIENTATION FOR THE OPERATION OF A RENTAL SNOWMOBILE.

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Signature of Snowmobile Renter Date

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Signature of Rental Agent/Outfitter Date

**PARENTAL CONSENT, RELEASE AND WAIVER OF LIABILITY,  
ASSUMPTION OF RISK, AND INDEMNITY AGREEMENT**

**PART I**

DESCRIPTION AND LOCATION OF ACTIVITY

In CONSIDERATION of my minor child ("the Minor") being permitted to participate in any way in the ACTIVITY(S) and/or being permitted to enter for any purpose any RESTRICTED AREA(S) (defined to be any area which requires special authorization, credentials or permission to enter or any area to which admission by the general public is restricted or prohibited), I agree:

1. I know the nature of the ACTIVITY(S) and the Minor's experience and capabilities, and believe the Minor to be qualified to participate in the Activity(s). I will inspect the premises, facilities and equipment to be used, or with which the Minor may come in contact. IF I OR THE MINOR BELIEVE ANYTHING IS UNSAFE, I WILL INSTRUCT THE MINOR TO IMMEDIATELY LEAVE THE RESTRICTED AREA AND REFUSE TO PARTICIPATE FURTHER IN THE ACTIVITY(S).

2. I FULLY UNDERSTAND and will instruct the Minor that: (a) THE ACTIVITIES OF THE EVENT(S) ARE VERY DANGEROUS and participation in the Activity(s) and/or entry into Restricted Areas involves RISKS AND DANGERS OF SERIOUS BODILY INJURY, INCLUDING PERMANENT DISABILITY, PARALYSIS AND DEATH ('RISK'); (b) these Risks and dangers may be caused by the Minor's own actions, or inactions, the actions or inactions of others participating in the Event(s), the rules of the Activity(s), the condition and layout of the premises and equipment, or THE NEGLIGENCE OF THE 'RELEASEES' NAMES BELOW; (c) there may be OTHER RISKS NOT KNOWN TO ME or that are not readily foreseeable at this time; (d) THE SOCIAL AND ECONOMIC LOSSES and/or damages that could result from those Risks(s) COULD BE SEVERE AND COULD PERMANENTLY CHANGE THE MINOR'S FUTURE.

3. I consent to the Minor's participation in the Activity(s) and/or entry into restricted areas and HEREBY ACCEPT AND ASSUME ALL SUCH RISKS, KNOWN AND UNKNOWN, AND ASSUME ALL RESPONSIBILITY FOR THE LOSSES, COSTS AND/OR DAMAGES FOLLOWING SUCH INJURY, DISABILITY, PARALYSIS OR DEATH, EVEN IF CAUSED, IN WHOLE OR IN PART, BY THE NEGLIGENCE OF THE 'RELEASEES' NAMED BELOW.

4. I HEREBY RELEASE, DISCHARGE AND COVENANT NOT TO SUE the promoters, participants, associations, sanctioning organizations or any subdivision thereof, business operators, business owners, officials, rescue personnel, any persons in any Restricted Area, promoters, sponsors, advertisers, owners and lessees of premises used to conduct the Activity(s), premises or event inspectors, surveyors, underwriters, consultants and other persons or entities who give recommendations, directions, or instructions or engage in risk evaluation or loss control activities regarding the premises or Activity(s) and each of them, their directors, officers, agents, and employees, all for the purposes herein referred to as 'RELEASEES,' FROM ALL LIABILITY TO ME, THE MINOR, my and the minor's personal representatives, assigns, heirs, and next of kin, FOR ANY AND ALL CLAIMS, DEMANDS, LOSSES, OR DAMAGES ON ACCOUNT OF ANY INJURY, including, but not limited to, death or damage to property, CAUSED OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART, BY THE NEGLIGENCE OF THE 'RELEASEES' OR OTHERWISE.

5. If, despite this release, I the Minor, or anyone on the Minor's behalf, makes a claim against any of the 'RELEASEES' named above, I AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS THE RELEASEES and each of them from ANY LITIGATION EXPENSES, ATTORNEY FEES, LOSS, LIABILITY, DAMAGE, OR COST THEY MAY INCUR DUE TO THE CLAIM MADE AGAINST ANY OF THE 'RELEASEES' NAMED ABOVE, WHETHER THE CLAIM IS BASED ON THE NEGLIGENCE OF THE RELEASEES OR OTHERWISE.

6. I sign this agreement on my own behalf and on behalf on the minor.

**I HAVE READ THIS PARENTAL CONSENT, RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK, AND INDEMNITY AGREEMENT, UNDERSTAND THAT BY SIGNING IT I GIVE UP SUBSTANTIAL RIGHTS I AND/OR THE MINOR WOULD OTHERWISE HAVE TO RECOVER DAMAGE FOR LOSSES OCCASIONED BY THE RELEASEES' FAULT, AND SIGN IT VOLUNTARILY AND WITHOUT INDUCEMENT.**

\_\_\_\_\_  
SIGNATURE OF PARENT OR GUARDIAN

\_\_\_\_\_  
PRINTED NAME OF PARENT OR GUARDIAN

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OR WITNESS

\_\_\_\_\_  
PRINTED NAME OF WITNESS

\_\_\_\_\_  
NAME and AGE of MINOR PARTICIPANT



**MINOR'S ASSUMPTION OF RISK AND RELEASE  
AND WAIVER OF LIABILITY**

---

DESCRIPTION AND LOCATION OF ACTIVITY

**PART II**

I have obtained my parent's consent, to participate in the above activity(s). I understand that I am assuming all of the risks if I get hurt during the activity(s), and I state the following:

A. My parent(s) and I believe I am qualified to participate in the activity(s). I will inspect the premises and equipment and if, at any time, I feel anything to be unsafe, I will immediately leave and refuse to participate further in the activity(s).

B. I understand that the ACTIVITIES OF THE EVENT ARE VERY DANGEROUS and INVOLVE RISKS AND DANGERS OF MY BEING SERIOUSLY INJURED OR HURT, MY BEING PARALYZED OR KILLED.

C. I know that these Risks and dangers may be caused by my own actions or inactions, the actions or inactions of others participating in the activity(s), the rules of the activity(s), the condition and layout of the premises and equipment, or the negligence of others, including those persons responsible for conducting the activity(s).

D. I hereby assume all such risks, even if the risks are created by the **NEGLIGENCE** of the promoters, participants, associations, sanctioning organizations, or any or its subdivision, business operators, business owners, officials, and lessees of premises used to conduct the activities, premises or even inspectors, surveyors, underwriters, consultants, and any other persons or entity who gives recommendations, directions, or instructions, or engages in risk evaluation, loss control activities or sales regarding the premises or activities, and each of the, their officers and employees, all of which are referred to as 'Releasees'

E. I hereby release, waive, covenant not to sue, and discharge, all of the Releasees from all liability to me, my personal representative, assigns, heirs, and next of kin, for any and all loss or damage and any claim or any demand on account of any injury to me including, but not limited to , my death, whether caused by the **negligence** of the Releasees or otherwise.

**I HAVE READ THE ABOVE ASSUMPTION OF RISK AND RELEASE AND WAIVER OF LIABILITY,  
UNDERSTAND WHAT I HAVE READ, AND SIGN IT VOLUNTARILY.**

\_\_\_\_\_  
SIGNATURE OF MINOR PARTICIPANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINTED NAME OF MINOR PARTICIPANT

\_\_\_\_\_  
DOB AND AGE

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
PRINTED NAME OF WITNESS

## Sample Rental Waiver Form

I, \_\_\_\_\_ do hereby affirm and acknowledge that I have been fully informed of the inherent hazards and risks associated with snowmobile rental activities. I fully understand that these risks can lead to severe injury and even loss of life. I understand that snowmobile operations may be conducted at a site that is remote from competent medical assistance; nevertheless, I choose to proceed even in the absence of competent medical assistance. Additionally, I understand that there are also risks associated with snowmobile usage, including, but not limited to the possible injury or loss of life as a result of a snowmobile accident. Despite the potential hazards and dangers associated with the activity of snowmobile riding, I wish to proceed and I freely accept and expressly assume all risk, dangers and hazards that may arise from snowmobile activities which could result in personal injury, loss of life, and property damage to me.

### RELEASE OF LIABILITY, WAIVER OF CLAIMS AND INDEMNITY AGREEMENT

In consideration of being allowed to participate in snowmobile rental activities, as well as the use of any of the facilities and the use of the equipment of the below listed releasees, I hereby agree as follows:

1. TO WAIVE AND RELEASE ANY AND ALL CLAIMS based upon negligence, active or passive with exception of intentional, wanton or willful misconduct that I may have in the future against any of the following named persons or entities (hereafter referred to as Releasees): \_\_\_\_\_

Snowmobile Rental/Outfitter Business: \_\_\_\_\_

(Instructor/s): \_\_\_\_\_

(Facility/ies): \_\_\_\_\_

(Others): \_\_\_\_\_

2. To release the releasees, their officers, directors, employees, representatives, agents and volunteers, from liability and responsibility, whatsoever, for any claims or causes of action that I, my estate, heirs, executors, or assigns may have for personal injury, property damage or wrongful death arising from snowmobile rental/outfitter activities whether caused by active or passive negligence of the releasees or otherwise. By executing this document, I agree to hold the releasees harmless for any injury or loss of life that may occur to me during snowmobile rental/outfitter activities and/or instruction.

3. By entering into this agreement, I am not relying on any oral or written representation or statements made by the releasees, other than what is set forth in this agreement.

4. If any provision of this release is found to be unenforceable or invalid, that provision shall be severed from this contract. The remainder of this contract will then be construed as though the unenforceable provision had never been contained in this document. I hereby declare that I am of legal age and am competent to sign this Agreement or, if not, that my parent or legal guardian shall sign on my behalf, and that my parent or legal guardian is in complete understanding and concurrence with this agreement.

I HAVE READ THIS AGREEMENT, I UNDERSTAND IT, I AGREE TO BE BOUND BY IT.








Signature Of Participant \_\_\_\_\_ Date \_\_\_\_\_

Witness (Name) \_\_\_\_\_ Signature \_\_\_\_\_

Signature Of Parent Or Guardian If Participant Is A Minor, and by their signature they, on my behalf release all claims that both they and I have.

Signature of Parent or Guardian \_\_\_\_\_ Date \_\_\_\_\_

# KNOW & USE HAND SIGNALS

PURPOSE OF COMMUNICATION		SUBJECT EXPERTISE
Right Turn		Left arm raised at shoulder height, elbow bent, and forearm vertical with palm of hand flat.
Left Turn		Left arm extended straight out from shoulder and pointing in the direction of the turn.
Stop		Arm raised from the shoulder and extended up over the head with palm of hand flat.
Slowing		Left arm extended out and down from the side of the body with a downward flapping motion of hand to signal warning or caution.
Oncoming Sleds		Left arm raised at shoulder height, elbow bent and forearm vertical, wrist bent, move arm from left to right over head, pointing to right side of trail.
Sleds Following		Arm raised, elbow bent with thumb pointing backward in hitch-hiking motion move arm forward to backward over your shoulder.
Last Sled in Line		Left arm raised at shoulder height, elbow bent and forearm vertical with hand clenched in a fist.



# Sledder's Pledge

1. I will never drink and drive a snowmobile.
2. I will drive within the limits of my machine and my own abilities.
3. I will obey the rules and laws of the state or province I am visiting.
4. I will be careful when crossing roads, and always cross at a right angle to traffic.
5. I will keep my machine in top shape and follow a pre-op check before each ride.
6. I will wear appropriate clothing, including gloves, boots, and eye protection.
7. I will let family or friends know my planned route, my destination, and my expected arrival time.
8. I will treat the outdoors with respect. I will not litter or damage trees and other vegetation.
9. I will respect other peoples' property and rights, and lend a hand when I see someone in need.
10. I will not snowmobile where prohibited.



# SNOWMOBILER'S CODE OF ETHICS

A snowmobiler will...

1. Be a good sports enthusiast and recognize that people judge all snowmobilers by your actions. A snowmobiler will use their influence with other riders and owners to promote fair conduct.
2. Not litter trails or trailheads. Nor will they pollute streams or lakes by their actions.
3. Not damage living trees, shrubs, or other natural features. They will go only where there is sufficient snow cover so as to not damage the land.
4. Will respect public and private landowners' property and rights.
5. Will lend a helping hand when they see someone in distress.
6. Will make themselves and their vehicle available to assist search and rescue efforts.
7. Will not interfere with or harass other trail users, other snowmobilers or other winter sports enthusiasts. They will respect the rights of other trail users to enjoy the winter recreational opportunities.
8. Will know and obey all federal, state, provincial, and local rules regulating the use of snowmobiles.
9. Will not harass wildlife and will avoid areas posted for the protection or feeding of wildlife.
10. Will stay on marked trails when operating in areas where snowmobile use is restricted to trails. Will obey all traffic laws when operating upon plowed roadways designated As open to snowmobiling.



# SNOWMOBILING DO'S & DON'TS

## SNOWMOBILING DO'S

- ◆ Know the local hazards and forecasted weather conditions.
- ◆ Understand the importance of protective equipment and proper clothing while riding a snowmobile.
- ◆ Be alert and constantly scan the trail or riding area for other snowmobiles, trail users, and hazards.
- ◆ Ride defensively, be courteous, and use common sense.
- ◆ Follow the rules of the road and abide by all trail signs.
- ◆ Steer clear of restricted areas and respect environmentally sensitive areas.
- ◆ Know the operational characteristics of the snowmobile, along with its capacities and limitations: vehicle's range based upon normal fuel capacity and consumption, stopping ability/distance, maneuverability/steering capability, ability in deep snow, ability on steep side slopes, etc.
- ◆ Respect the rights of all other winter recreationists.
- ◆ Obey posted speed limits.
- ◆ Know the assumed risks and potential consequences of careless or reckless behavior while riding a snowmobile, including the potential for fines or injury.

## SNOWMOBILING DON'TS

- ◆ Do not operate at high speeds, especially when near houses, buildings, livestock, wildlife, trailheads, or other recreationists.
- ◆ Do not use alcohol or drugs.
- ◆ Do not engage in reckless, careless, or inappropriate behavior.
- ◆ Do not overload a snowmobile or ride double unless the snowmobile is designed for 2 passengers.
- ◆ Do not get too close to other snowmobiles or other recreationists.
- ◆ Do not operate the snowmobile in areas with limited snow cover or on bare ground.
- ◆ Do not disturb wildlife or livestock.
- ◆ Do not ignore sudden changes in weather conditions.
- ◆ Do not disobey local, state/provincial, or federal snowmobile rules, regulations, and policies.
- ◆ Do not allow the snowmobile rental unit to be operated by anyone who has not completed the required rental orientation, training, and rental agreement documentation.
- ◆ Do not disobey rental company guidelines, instructions, or policies.