

MT. BACHELOR SPORTS EDUCATION FOUNDATION, INC. & MT. BACHELOR LLC
EXPRESS ASSUMPTION OF RISKS AGREEMENT

Participant #1 Name: _____ Participant #2 Name: _____
Address: _____ City: _____ State: _____ Zip: _____
Telephone: (_____) _____ Team: _____ Email: _____

SKIER SAFETY ENFORCEMENT CRITERIA

In the discretion of Mt. Bachelor LLC or Mt. Bachelor Sports Education Foundation, Inc., violation by the above named participant of the Duties of Skiers on the reverse side of this sheet, violation of partial list of punishable infractions listed below, or any other conduct detrimental to the safety of other skiers, or in violation of the United States Skiing Association Code of Conduct, or the Code of Conduct of Mt. Bachelor Sports Education Foundation, Inc. may result in the loss of all skiing privileges at Mt. Bachelor LLC's facilities, and the loss of all privileges of participation in the programs or events conducted by Mt. Bachelor Sports Education Foundation Inc., and the loss of the participant's lift ticket/season pass without refund.

SUSPENSION

1. Reckless Skiing
2. Disruptive/Rude Behavior
3. Abusive Language
4. Intoxication/Drugs
5. Disregard of Area Rules/Safety Regulations
6. Excess Speed/Jumping

EXPULSION

1. Repeat Offenders
2. Improper Embarking or Disembarking from Ski Lift
3. Reckless Skiing Resulting in Injury or Collision
4. Vandalism
5. Blatant Disregard of Verbal Instructions or Area Rules
6. Fighting
7. Abusive Behavior
8. Skiing in a Closed Area

I UNDERSTAND THAT ALL SAFETY REGULATIONS WILL BE ENFORCED

PARTICIPANT #1 SIGNATURE _____ **PARENT/GUARDIAN SIGNATURE** _____

PARTICIPANT #2 SIGNATURE _____

INHERENT RISKS OF SKIING

O.R.S 30.970 PROVIDES THAT THE "INHERENT RISKS OF SKIING" INCLUDES, BUT IS NOT LIMITED TO, THOSE DANGERS OR CONDITIONS WHICH ARE AN INTEGRAL PART OF THE SPORT, SUCH AS CHANGING WEATHER CONDITIONS, VARIATIONS OR STEEPNESS IN TERRAIN, SNOW OR ICE CONDITIONS, SURFACE OR SUBSURFACE CONDITIONS, BARE SPOTS, CREEKS AND GULLIES, FOREST GROWTH, ROCKS STUMPS, LIFT TOWERS AND OTHER STRUCTURES AND THEIR COMPONENTS, COLLISIONS WITH OTHER SKIERS AND A SKIER'S FAILURE TO SKI WITHIN THE SKIER'S ABILITY.

EXPRESS ASSUMPTION OF RISKS

IN CONSIDERATION OF PARTICIPATION IN MT. BACHELOR SPORTS EDUCATION FOUNDATION, INC. PROGRAMS AND EVENTS AND THE USE OF A MT. BACHELOR LLC PASS AND MT. BACHELOR LLC'S PREMISES AND FACILITIES, THE PARTICIPANT(S) AND HIS/HER PARENT OR LEGAL GUARDIAN AGREE TO NOT MAKE ANY CLAIM NOR BRING ANY SUIT FOR ANY DAMAGES, INJURY OR DEATH SUFFERED BY THE PARTICIPANT(S) OR FOR WHICH THE PARTICIPANT(S) MAY BE LIABLE TO OTHERS AGAINST MT. BACHELOR SPORTS EDUCATION FOUNDATION, INC. AND/OR MT. BACHELOR LLC WHEREIN THE "INHERENT RISKS OF SKIING" CONSTITUTES A SUBSTANTIAL FACTOR IN CAUSING THE DAMAGE OR HARM. THIS AGREEMENT APPLIES TO ALL OF THE RESPECTIVE OFFICERS AND DIRECTORS, OWNERS, AGENTS, LANDOWNERS, AFFILIATED COMPANIES, EMPLOYEES AND VOLUNTEERS OF MT. BACHELOR SPORTS EDUCATION FOUNDATION, INC. AND MT. BACHELOR LLC (HEREINAFTER "MBSEF")

PARTICIPANT ACKNOWLEDGES, ACCEPTS AND ASSUMES THE INHERENT RISKS OF THE USE OF FREESTYLE PARKS, TERRAIN FEATURES OR HALF PIPES, AND INVERTED AERIALS (INVERTED AERIALS ARE ATTEMPTS TO MANEUVER THE HUMAN BODY WHILE AIRBORNE, AND CAN INVOLVE MANEUVERS LIKE FLIPS AND SOMERSAULTS).

IT IS ALSO AGREED THAT ANY DISPUTE BETWEEN THE UNDERSIGNED AND MBSEF ARISING FROM PARTICIPATION IN MBSEF PROGRAMS AND EVENTS AND/OR THE USE OF A MT. BACHELOR LLC PASS, WILL BE GOVERNED BY THE LAWS OF THE STATE OF OREGON AND THE EXCLUSIVE JURISDICTION THEREOF SHALL BE IN THE STATE COURTS OF THE STATE OF OREGON, AND THE VENUE FOR THESE DISPUTES SHALL BE IN DESCHUTES COUNTY, OREGON.

IF ANY PART OF THIS CONTRACT IS DETERMINED TO BE UNENFORCEABLE FOR ANY REASON OR IN ANY CIRCUMSTANCE, IT IS INTENDED THAT ALL OTHER TERMS WILL BE ENFORCED IN ALL OTHER CIRCUMSTANCES.

THE UNDERSIGNED HAS CAREFULLY READ AND UNDERSTANDS THIS AGREEMENT AND ALL OF ITS TERMS ON BOTH SIDES OF THIS DOCUMENT. THIS INCLUDES, BUT IS NOT LIMITED TO, THE "INHERENT RISKS OF SKIING" UNDER O.R.S. 30.970 THE EXPRESS ASSUMPTION OF RISKS AND THE DUTIES OF SKIERS AND SNOWBOARDERS. THE UNDERSIGNED UNDERSTANDS THAT THE EXPRESS ASSUMPTION OF RISKS PROVISION WILL PREVENT THE PARTICIPANT(S) OR THE ESTATE OF THE PARTICIPANT(S) FROM RECOVERING DAMAGES FROM MBSEF OR MT. BACHELOR LLC IN THE EVENT OF DEATH OR INJURY TO THE PARTICIPANT(S) OR HIS/HER PROPERTY IF THE "INHERENT RISKS OF SKIING" CONSTITUTES A SUBSTANTIAL FACTOR IN CAUSING THE DAMAGE OR HARM. THE UNDERSIGNED, NEVERTHELESS, ENTERS INTO THIS AGREEMENT FREELY AND VOLUNTARILY AND AGREES IT IS BINDING ON THE UNDERSIGNED AND THE HEIRS AND LEGAL REPRESENTATIVES OF THE UNDERSIGNED.

BY MY SIGNATURE BELOW, I AGREE THAT THIS AGREEMENT WILL REMAIN IN FULL FORCE AND EFFECT AND I WILL BE BOUND BY ITS TERMS THROUGHOUT THE 2023-2024 SEASON.

SEE REVERSE SIDE OF THIS SHEET FOR DUTIES OF SKIERS AND SNOWBOARDERS WHICH YOU MUST OBSERVE.

PARTICIPANT NAME (Please print) _____

PARTICIPANT SIGNATURE: _____ **DATE:** _____

PARENT OR GUARDIAN (must be signed by parent or guardian if the user is under eighteen (18) years of age).

I VERIFY THAT I AM THE PARENT/GUARDIAN AND/OR HAVE THE AUTHORITY TO ENTER INTO THIS AGREEMENT ON BEHALF OF THE BELOW NAMED MINOR(S). I AGREE TO BE BOUND BY ITS TERMS.

MINOR NAME: (Please print) _____
LAST FIRST

MINOR NAME: (Please print) _____
LAST FIRST

PARENT OR GUARDIAN NAME: (Please print) _____
LAST FIRST

RELATIONSHIP: (Please print) _____

PARENT OR GUARDIAN Signature: _____ DATE _____

PARTICIPANT SIGNATURE: _____ DATE _____

**ATTENTION SKIERS / SNOWBOARDER / SNOWRIDERS
YOUR DUTIES**

O.R.S. 30.990 REQUIRES US TO NOTIFY SKIERS OF THEIR DUTIES PURSUANT TO O.R.S. 30.985. THE LAW IMPOSES THE FOLLOWING DUTIES ON ALL SKIERS REGARDLESS OF WHAT TYPE OF EQUIPMENT THEY USE. VIOLATION OF ANY OF THE FOLLOWING DUTIES ENTITLES MT. BACHELOR TO WITHDRAW THE VIOLATOR’S PRIVILEGE OF SKIING.

- (a) Skiers who ski in any area not designated for skiing within the permit area, assume the inherent risks thereof.
- (b) Skiers shall be the sole judges of the limits of their skills and the ability to meet and overcome the inherent risks of skiing and shall maintain reasonable control of speed and course.
- (c) Skiers shall abide by the directions and instructions of the ski area operator.
- (d) Skiers shall familiarize themselves with posted information on locations and degree of difficulty of trails and slopes to the extent reasonably possible before skiing on any slope or trail.
- (e) Skiers shall not cross the uphill track of any surface lift except at the points clearly designated by the ski area operator.
- (f) Skiers shall not overtake any other skier except in such a manner as to avoid contact and shall grant the right of way to the other skier.
- (g) Skiers shall yield to other skiers when entering a trail or starting downhill.
- (h) Skiers must wear retention straps or other devices to prevent runaway skis and snowboards.
- (i) Skiers shall not board rope tows, wire rope tows, J-bars, T-bars, ski lifts or other similar devices unless they have sufficient ability to use the device and skiers shall follow any written or verbal instructions that are given regarding the device. Skiers shall request instructions if unfamiliar with any ski lift device before boarding it.
- (j) Skiers, when injured in a skiing accident, shall not depart from the ski area without leaving their names and addresses if reasonably possible.
- (k) A skier who is injured should, if reasonably possible, give notice of the injury to the ski area operator before leaving the ski area.
- (l) Skiers shall not embark or disembark from a ski lift except at designated areas or by the authority of the ski area operator.
- (m) Violation of any of the duties of skiers set forth herein entitles the ski area operator to withdraw the violator’s privilege of skiing.

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