



## **ASHEVILLE HOT AIR BALLOONS LLC WAIVER RELEASE OF LIABILITY & ASSUMPTION OF RISK**

In consideration of being permitted to participate in hot air ballooning activities with Asheville Hot Air Balloons LLC, Richard A. Bowers, Danny Smith, James Egerton, Clinton Egerton, James Barnett, James Eagle, Thomas Mackie and for other good and valuable consideration, the receipt and sufficiency of which the Participant and/or Passenger, his/her heirs and assigns, his/her spouse, or legal representative (hereinafter referred to as Participant) hereby forever release, waive, and discharge Asheville Hot Air Balloons LLC, Richard A. Bowers, Danny Smith, James Egerton, Clinton Egerton, James Barnett, James Eagle, its/their volunteers, its officers, employees, directors, and shareholders ( hereinafter referred to as Asheville Hot Air Balloons LLC) from all liability to Participant and/or Passenger, his/her heirs and assigns, for any and all loss or damage, and any claims for damages resulting there from, on account of injury to Participant's and/or Passenger's person or property, even injury resulting in death, whether caused by the active or passive negligence of Asheville Hot Air Balloons LLC or otherwise, while Participant is participating in the hot air balloon flight, launch, landing, setup or takedown, and transportation to or from any said activity.

Participant acknowledges and understands that hot air ballooning is a hazardous activity involving risks including, but not limited to: the risk of injury or death, loss or damage to personal property or legal actions and Participant voluntarily assumes full responsibility for these and all other risks. This release extends to all claims of every nature and kind whatsoever, known and unknown arising out of this activity.

Participant agrees to indemnify, defend and hold harmless Asheville Hot Air Balloons LLC from any and all actions, causes of actions, claims, judgments, loss, liability, damage or cost ( including attorney's fees) it may incur due to Participant's involvement in this activity.

Participant expressly agrees that this **Release of Liability and Assumption of Risk and this Indemnity Agreement** is intended to be as broad and inclusive as permitted by law and that if any portion thereof is held invalid, same shall not affect any other provision hereof, all of which other provisions shall remain in full force and effect. This agreement shall be governed by the laws of the State of North Carolina.

Participant certifies that I am eighteen (18) years of age or older and that I have no medical or mental condition that prevents me from participating in any part of this activity. I have carefully read this **Release of Liability and Assumption of Risk and this Indemnity Agreement** and I fully understand same.

This the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

**Signature:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Print Address:** \_\_\_\_\_

\_\_\_\_\_

**PASSENGER WARNING**

The hot air balloon in which you will fly cannot protect passengers from injury or death if any part of the balloon or basket is in contact with power lines. Warn your pilot if power lines are in vicinity of the balloon. Hot air ballooning can be hazardous for persons riding in the balloon and hard landings may result in injuries to occupants of the balloon. Normal takeoff and landing procedures and emergency procedures are explained in the Aircraft Flight Manual, which is on board the aircraft.

I (we), the undersigned, certify to the Pilots, Owners of Asheville Hot Air Balloons LLC, and Crew that I am in good health and do not have any condition which may prove dangerous during balloon operations.

I (we), the undersigned, have read the above information about the sport of ballooning and recognize there is risk of injury in making a balloon flight. I assume full responsibility for my own safety, and hold the pilot of the balloon, the owner of the balloon, and the manufacturer of the balloon harmless in the event I am injured as a result of making a balloon flight. I have fully read and understand this document. I acknowledge that I have been briefed by the pilot and /or crew chief regarding the information contained herein and the safety concerns of this flight.

**Signature:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# ASHEVILLE HOT AIR BALLOONS LLC

## Passenger Information Sheet

### Phone 828-667-9943

**CLOTHING:** Only flat-soled shoes may be worn. Work boots are preferred, as the landing field is often rough uneven ground where walking may be difficult. Boots also provide ankle support to help prevent twisting or spraining during ballooning activities. Long sleeves and long pants are highly recommended to protect from insects and weeds at the landing. Cotton or other non-synthetic clothing is recommended due to their flammability characteristics. Polyesters and fleece are not recommended. Hair spray is not recommended. It is very volatile/flammable, and in a hot air balloon there is a constant source of flame overhead. If hair spray is used, the head should be covered with a cap, helmet, or scarf.

Balloons usually land in unused fields which may be home for mud, weeds, poison ivy/oak, insects and small animals. If you are allergic to any plants or animals you should consider making your flight during the winter months, or in an area where the flora and fauna won't trouble you. If dangerously allergic to any plants, insects, chemicals, or medicines, the pilot should be notified. Dress appropriately for the morning temperatures of the season, preferably in layers. If you are comfortable on the ground in the morning, you will be comfortable in the air. Jackets and other items can be carried along or left in the chase vehicle but it is the passenger's responsibility to remember all personal items after the flight. Please, NO SKIRTS/DRESSES or HIGH HEELS.

**PRE-FLIGHT BRIEFING:** Your pilot will show you the control lines for venting and deflating the balloon. Please do not pull these lines unless requested by the pilot. Please do not turn any handles or valves on tanks, burners, or instruments unless requested by the pilot. Stand clear of all ropes, inflation fans, tanks and vehicles during inflation unless told otherwise by the pilot. Be sure to keep all loose clothing and long hair contained when near the inflation fans.

**INFLIGHT:** Do not lean out of the balloon. Do not touch controls (ropes and valves) unless requested by the pilot. Take care not to drop objects that may damage property on the ground. Asheville Hot Air Balloons LLC cannot be responsible for any objects thrown or dropped from the balloon at any time during the flight.

**SMOKING:** No Smoking is permitted during the flight and /or around the balloon.

**ALCOHOLIC BEVERAGES:** Alcoholic beverages are not permitted during the flight or in the chase vehicle. Obviously intoxicated passengers will not be permitted to fly.

**LANDINGS:** The pilot will brief the passengers on the proper places to hold on for landings, what direction to face, and how to flex knees to absorb shock.

Passenger(s) should pay close attention to this briefing, and make a practice hold-on before taking off. DO NOT hold onto any fuel hoses, ropes, burner frame, or suspension cables. The pilot will brief all passengers on approved hand holds for flight and landings.

Hold on tightly and bend knees, even during calm landings. It is important to prevent possible injuries. Nearly all landings cause a bounce or jolt which can cause the pilot and passengers to fall off balance if not properly braced. A correct landing position will minimize the chance of injury in any conditions. Any passengers unsure of the correct landing position should ask the pilot before launch for clarification.

**DO NOT ALLOW ANY PART OF THE BODY, INCLUDING HANDS, TO WRAP AROUND THE UPRIGHT POLES AND/OR EXTEND OUTSIDE THE BASKET DURING LANDINGS.**

**BASKET TIPPING OVER:** A normal landing in breezy conditions will often tip the basket onto the side and the envelope will pull the basket some distance across the ground either tilted or on its side. Passengers should not make the flight if you are not able to sustain a fall without

probable injury. Any previous injury to or weakness in the back, legs, or arms should be mentioned to your pilot, and you and your pilot should agree on where you will stand during the landing to prevent any recurrence of injury.

**DO NOT ALLOW ANY PART OF THE BODY, INCLUDING HANDS, TO WRAP AROUND SUSPENSION ROPES AND/OR EXTEND OUTSIDE THE BASKET DURING LANDINGS. BASKET TIPPING OVER: A normal landing in breezy conditions will often tip the basket onto the side and the envelope will pull the basket some distance across the ground either tilted or on its side. Passengers should not make the flight if you are not able to sustain a fall without probable injury. A common landing will result in an impact equivalent to jumping from a dining room chair to the floor. Any previous injury to or weakness in the back, legs, or arms should be mentioned when booking the flight, to your pilot before the flight, and you and your pilot should agree on where you will stand during the landing to prevent any recurrence of injury. DO NOT EXIT FROM THE BASKET UNTIL TOLD TO DO SO BY THE PILOT.**

When a person's weight is removed from the basket, the balloon may be having enough lift to rise again without adding more heat. Your premature exit from the balloon may cause the balloon to return airborne when the pilot is not prepared to continue the flight. If the balloon is rising, do not attempt to hold on unless told so by the pilot. NEVER let yourself leave the ground on the outside of the basket or holding on to a rope.

Passengers must be prepared for the possibility of the pilot becoming incapacitated during the flight or landing

. Ask your pilot to explain how the balloon responds to the burner and deflation lines before the flight commences. Passengers should be aware of how to use radios to communicate with the crew if necessary to receive instructions.

In short

, the deflation panel in the top of the balloon is opened by pulling the blue/white or yellow rope coming down from the envelope. This rope will dump large quantities of hot air rapidly when pulled hand-over-hand 6 or 7 times. In the unlikely event that the pilot for any reason becomes incapacitated during flight or landing when the basket is within about 20 feet of the ground, pull the deflation rope as hard and as quickly as possible. Above that altitude, do not pull the rope. Use short blasts of the burner to climb or slow a descent until reaching a safe landing option and then pull hard on the deflation rope and prepare all occupants for landing.

**EMERGENCY PROCEDURES:** Complete emergency procedures for the balloon are located in the Aircraft Flight Manual on board the balloon. If you wish you may read this manual at any time.

**AFTER THE LANDING:** The burner remains hot after landing. Do not touch or stand near.

The landing field is often rough/uneven terrain. Do not walk away from the balloon unless equipped with proper shoes.

There may be cattle or other livestock in the field. The cattle may be excited by the balloon. For security, remain with the balloon until the crew arrives. Do not attempt to agitate or damage and personal property on the ground including livestock, pets, plants or objects. When we land on personal property, we are very grateful to the owners and careful not to abuse this privilege and harm the property. Please be respectful of the land. Be sure to keep all trash and personal belongings taken care of properly and check the property for left items afterwards.

The information hereinabove is provided to make your flight safe, more enjoyable and secure. If you have any questions or concerns, please call us before the scheduled flight at (828) 667-9943 or ask for more details before and during the flight. Hot air ballooning is can be a safe and enjoyable experience but this information is provided in the interest of safety and readiness for everyone involved.