

RELEASE and WAIVER GUIDELINES

Safehold SPORTS SPORTS may provide sample documents, including sample release and waivers, for general informational purposes. It is not intended to be exhaustive, nor should it be construed as legal advice. Contact your legal counsel for legal advice regarding your particular situation.

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You acknowledge that you have had an opportunity to consult with your legal counsel regarding any waiver and release form, including any use in your particular jurisdiction. Any physical copies provided by Safehold SPORTS are samples and you are not required to use this particular form. Safehold SPORTS SPORTS will not be liable for any direct, indirect, or consequential damages resulting from your use of these samples.

I. INTRODUCTION

This Release and Waiver Guidelines booklet is intended to provide Motorsports track owners, operators and event promoters with a basic and quick reference to the various release and waiver forms currently being used. It provides samples of the current forms and basic instructions regarding their use. The forms may be revised from time to time and updates to this booklet will be made to reflect any such revisions in the forms or procedures.

The Release and Waiver is the primary factor in the insurability of your facility. Its importance and effectiveness in reducing the risk exposure at your facility cannot be overstated. The attached Guidelines Summary (See Section II) provides basic information on using ANY release and waiver. Please review it carefully. You are encouraged to distribute this summary separately to your employees and anyone else you desire.

Remember, Release and Waivers are required to be executed by EVERY person that is admitted to a Restricted Area. The definition of a restricted area is any area that the general public is not allowed to enter. This area may vary from track to track but the Restricted Area MUST include the competition area (starting line through shutdown area), advanced staging and burnout areas, return road and any other area within barriers, fences and/or structures separating the general public from the racing activities. It may or may not include the pit area depending upon whether the track requires everyone entering the pit area (or the entire facility) to sign the release.

Make sure all release and waiver forms are completely filled out (date of event and name of track) and witnessed.

Again, this booklet is intended to be a general guide and is not intended as the final, comprehensive resource on every aspect of release and waivers. If you have any questions, do not hesitate to contact Safehold SPORTS Special Risk, Inc. Safehold SPORTS may provide sample documents, including sample release and waivers, for general informational purposes. It is not intended to be exhaustive, nor should it be construed as legal advice. Contact your legal counsel for legal advice regarding your particular situation. Safehold SPORTS is not responsible for the content of the information provided or for consequences of any actions taken based on the information provided.

Add page to binding – if order paper copies, you acknowledge you have been advised to talk to counsel and this is not legal advice

- Use same form anytime they ask for paper copies

II. RELEASE AND WAIVER GUIDELINES SUMMARY

A. FOR ALL ADULT AND MINOR WAIVERS

1. Everyone who is to enter a "restricted area" (any area not open to the general public that MUST include at a minimum the advanced staging/burnout, competition, shutdown, and depending upon the track layout, the return road areas) must sign a release and waiver form.

III. The following forms are provided as samples:

1. WMS-DRAG (Edition 7 or 7A) - Adults only
Minor MS-N" or "Minor MS-N (All Events) – Minors only
2. All forms MUST be witnessed (on the applicable space on the form) by an **Adult Facility/Track Employee**. Try to have the same person or a small group of persons handle waiver execution at all events.
3. Every form must be **completely** filled out. The event date(s) and location(s) **must** be specified. **THIS IS CRITICAL!**

Retain Releases for at least one year past the statute of limitations for your state.

In most cases this will mean three years from the date of the event since most states have a 2 year statute of limitation. Some states statute of limitation is 3 or 4 years. In those states, releases will be retained for as long as 4 or 5 years.

Minor releases should be retained at minimum 2 years past the 18th birthday. In states with a longer statute of limitation, releases may need to be retained for 3 or 4 years past the 18th birthday.

B. MINOR WAIVERS

1. Minor waivers are executed by the parent(s)/legal guardian(s), **NOT the minor**. Do not have minors sign adult waiver forms.
2. "Minors" in almost all states is defined as anyone under 18. Check with your state's authorities if you are uncertain.
3. Waivers should be signed by **BOTH** parents or legal guardians. Both signatures are **required** for minors participating as drivers, passengers, and crew or in any other capacity where they will be permitted to enter a restricted area such as the advanced staging lanes. If your track has all persons entering the track sign a waiver, other minors who will not be entering a restricted area may be admitted on a per event basis with ONE parent's signature.
4. MS N (All Events) waiver is provided as a sample, which also requires **BOTH** signatures and is intended to be used as an "annual" waiver.

C. TRACK EMPLOYEE RELEASE AND WAIVER

We have provided a sample multi-event release and waiver form, which is intended to be signed each year by each employee. Generally, employees signing an employee release do not also need to sign an event release. Note that by signing any waiver, the employee is NOT waiving his or her rights to any statutory workers compensation benefits. This is a common concern of employees.

D. GENERAL MS-1

The "General MS-1" release and waiver form is a sample "multi-purpose" form for any non-drag events, such as events held at an oval track or road course. For example, if you are holding an approved special promotion or specialized motor vehicle competition such as motocross, monster truck exhibition, etc. that is not be held on the drag strip, you would use a multi-purpose form like this sample:

IV. SAMPLE WAIVER FORMS

SAFEHOLD SPORTS DOES NOT PROVIDE LEGAL ADVICE. You are advised to seek legal counsel regarding the use and form of any release and waiver. Any use of these forms is at your own risk. Safehold SPORTS will not be liable for any direct, indirect, or consequential damages resulting from your use of these samples.

- The following instructions are guidelines for completion as it relates to the sample forms.

WMS Drag (Edition 7/7A)

- This is the "standard" release and waiver form to be used for all adults at your drag racing facility. The "WMS-DRAG" release and waiver form includes a shaded box on the bottom for the witness information to be filled in. **The form requires you complete both the NAME OF TRACK AND/OR EVENT (if applicable), in addition to the EVENT DATE(S).** If the event runs for more than one day, write in all applicable dates, i.e. "February 2-5, 2026". **7A** includes a box "Track Use" to enter car #, if preferred.

MINOR MS-N AND MINOR MS-N (ALL EVENTS)

- This is the waiver to use for all minors (younger than 18 years old in all but a very few states where the age of majority is 21). It replaces all older minor forms, including the "Junior Drag" form. **The new Minor MS-N form may be used as a "multi-event" or "annual" waiver.** To use as such, the waiver form only needs to be completed once each year **IF** it is completely filled out by **both** parents or guardians and the event and date blanks on the top of the waiver are filled out as **"ALL [insert name of track] EVENTS"** and **"ALL DATES"** respectively. It is highly recommended that you produce and hand out a simple "Minor ID" card to each minor that has a fully completed waiver on file which the minor can show to track registration personnel in lieu of signing another waiver. A sample ID card is attached in Section V. Tracks may develop their own card, but it is recommended that it be a photo ID. (You can use a cut-down Polaroid head shot).
- **If only one parent has signed a single waiver, a new waiver must be signed for each event.**
- NOTE: The Minor MS-N form has a section at the bottom of form to be used for witnessing by an event official or for notarization. This is optional, however, it is highly recommended that a track official sign and print his/her name on the bottom of the waivers if the waiver is signed by the parent(s) at the track. IF the waiver is signed by the parent(s) away from the track, then the track **MAY** require the form to be notarized. For annual waivers signed away from the track, it is highly recommended that the track require notarization.

GENERAL MS-1 (04/10 EDITION)

- The "General MS-1" release and waiver form is a "multi-purpose" form to be used for any **non-drag events** such as events held at an oval track or road course. For example, if you are holding an approved special promotion or specialized motor vehicle competition such as a motocross, monster truck exhibition, etc. that is not being held on the drag strip, you would use this form.