

ELECTRIC PEDAL-ASSIST BICYCLE WAIVER & USE AGREEMENT

LIABILITY WAIVER & ACKNOWLEDGMENT

I, the undersigned, being at least eighteen years of age, voluntarily acknowledge and agree to the terms and conditions below in consideration of being permitted to use electric pedal-assist bicycles, owned by the State of Utah.

I acknowledge that the bicycles are intended to be available as a means of transportation to perform my employment duties in and around Salt Lake City, Utah.

I recognize that there are inherent dangers in utilizing the bicycles. I recognize that my use of the bicycles and the activities associated therewith may involve strenuous physical activity and may result in death, physical injury, and emotional distress to myself and others.

I have been informed that I should be examined by my physician prior to using the bicycles to determine if I have any physical or medical condition that may pose a threat to me or my health. I declare that I am sufficiently physically fit to utilize the bicycles.

I acknowledge that I have read the rules governing the use of the bicycles, and I agree to abide by those rules. I have also received training and have had the opportunity to have any questions answered by a knowledgeable individual regarding my use, and the rules governing my use, of the bicycles.

I voluntarily agree to waive, release, and hold forever harmless the STATE OF UTAH, its agencies, departments, officers, employees, and agents, from all liability, damages, injury, claims, demands, actions, and causes of action whatsoever for any loss, claim, injury, illness, attorney fees or harm of any kind or nature to me or my property that directly or indirectly arises from, or is in any way connected with, my PERSONAL USE of the bicycles. I further agree to hold harmless, and hereby release the above mentioned entities and persons from all liability for negligence, gross negligence, or breach of warranty associated, directly or indirectly, with injuries or damages from any claim by me, my family, estate, heirs, or assigns arising from, or in any way connected with, my PERSONAL USE of the bicycles.

ACKNOWLEDGMENT AND SIGNATURE

I have carefully read and understand the contents of this document, have had an opportunity to consult with my attorney regarding it, and acknowledge that I am signing this document knowingly and voluntarily.

Printed Name _____ Date _____

Signature _____

Work Telephone _____ Department _____

Email Address _____

BICYCLE USE RULES

The following rules govern the use of the bicycles. Violation of these rules may result in the loss of the privilege of use of the bicycles.

1. The use of the bicycles is limited to State employees whose principal workplace is located at one of the participating State facilities.
2. The bicycles may not be operated outside of Salt Lake City.
3. The bicycles may only be used Monday through Friday between the hours of 8:00 a.m. to 5 p.m. and when the participating State facilities are open to authorized State employees.
4. The bicycles may only be used for short trips to fulfill employment tasks and duties.
5. Any damage to, broken parts on, or operational and security issues with, the bicycles shall be immediately reported to the Utah Division of Fleet Operations (“DFO”) Vehicle Services Center (VSC) and the agency eBike administrator. The VSC’s phone number is printed on each of the electric pedal-assist bicycles.
6. Employees must use the bicycles safely and shall follow all applicable rules of the road in state law.
7. Employees may not use the bicycles until they have been instructed in their proper use by an individual or training program approved by DFO. Instruction may be arranged by contacting DFO.
8. Employees may not use earphones, earbuds, or other devices that affect the employees’ ability to hear while operating the bicycles.
9. Each user is responsible for cleaning the bicycles immediately after use. Disinfectant wipes or other disinfecting materials are supplied by DFO for use by employees.
10. Employees must supply and wear the following fitted protective equipment at all times while operating the bicycles: bicycle helmet and eye protection or glasses. DFO will supply the bicycle helmets and the eye protection for employees who do not wear glasses.
11. Employees may not operate the bicycles when the road surfaces are covered with snow or ice.
12. Employees will ensure the bicycles are securely locked immediately after each stage of use with locks provided by DFO.