



## 12-15 Passenger Van Use Waiver, Release, And Indemnity

The Trail Life USA (TLUSA) Health and Safety Guide specifies in Section VI under Transportation for Troop activities that, “If a vehicle is designed to carry 12 or more passengers, the driver must have a commercial driver’s license (CDL).”

However, in reliance upon the judgment of the Charter Organization (CO) and its full knowledge of the concerns and risks associated with the use of such vehicles as outlined in the resources referenced below, TLUSA defers to the CO to have the authority and discretion to allow the use of such vehicles on its Troop’s trips and activities and will grant a waiver for 12-15 passenger vans subject to the CO fulfilling the following requirements:

- The use and operation of such vehicle(s) by Troop leadership must comply with all local, state, and federal laws, and requires prior authorization by the CO through completion of the process outlined below.
- The CO, through its decision to allow the use of such vehicle(s) by its Trail Life Troop for its trips and activities, agrees to defend, indemnify, hold harmless and release TLUSA and all associated with TLUSA from any liability or claim arising out of or resulting from the use and operation of vehicles.
- The CO warrants and agrees to name TLUSA as an additional insured on any umbrella or supplemental liability insurance applicable to the ownership, use, or operation of its owned or leased vehicles.
- The CO will require the owners and all driver(s) of 12-15 passenger vehicle(s) to:
  - Sign a waiver, release, and indemnification;
  - Name TLUSA as an additional insured on any umbrella or supplemental liability insurance policy applicable to the ownership, use, or operation of owners vehicle(s);
  - Provide a copy of the driver(s) automobile insurance policy coverage limits to the CO, evidencing automobile liability insurance coverage of at least \$100,000 per person/\$300,000 per accident and \$50,000 property damage.

It is highly recommended that the Charter Organization fulfill the following requirements:

- Require \$1,000,000 liability insurance limit per accident on such vehicles;
- Provide adults and parents of youth riding in such vehicle(s) a copy of the NHTSA brochure referenced above;

- Require all drivers to read and follow the safety information found in the document titled [15 Passenger Van Driving Tips](#).

**Resources:**

The National Highway Traffic Safety Administration (NHTSA) produced a brochure called [15 Passenger Van Safety](#). Safety information can also be found [here](#) and at numerous other sites using an online search. Your organizations insurance carrier is another good resource for information.

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**To complete the waiver process:**

1. A waiver must be completed by a member of the Charter Organization who is authorized to sign legal documents for the Charter Organization.
2. Owners and all drivers of such vehicles for Troop trips and activities must sign a waiver.
3. Waivers must be completed by the Charter Organization before any waivers completed by drivers/owners will be considered.
4. Required CO, driver and owner Waivers must be filed no later than two weeks before desired usage.
5. The Charter Organization will be notified by TLUSA of any waiver applications filed for the Troop.

If you are an owner, driver or representative of the Charter Organization authorized to make legal, binding decisions for the Charter Organization, and are willing to comply with these guidelines please click [here](#) to continue to the online waiver.