

OPERATING INSTRUCTIONS FUNTOOLS - CARTS/SCOOTERS SUMMER SEASON 2018

1. When using Funtools – carts/scooters and equipment (the „**Funtools**“), the customer must behave in a way not to threaten life and health of himself/herself and of the others and not to cause damage to himself/herself or to the others.
2. The customer must use Funtools in a way so as to prevent the damage and to avert the imminent damage and to secure the Funtools against theft and to refrain from leaving the Funtools unobserved.
3. The customer shall be held liable for damage to the Funtools that occurs as a result of using the Funtool, loss, theft, damage or destruction in accordance with Section 420 et seq. of Act No. 40/1964 Coll. Civil Code, as amended. In the event of damage to the Funtools, the customer shall be obliged to reimburse the operator for an actual damage which results from negligence, destruction, loss or theft of Funtools.
4. The customer shall be obliged to notify the operator of any damage to the Funtools without undue delay on the day of such damage, otherwise the customer shall be held liable for damage which resulted from failure to comply with the liability to notify. If the damage is the result of theft of Funtools, the customer shall be obliged to notify a competent authority of such a theft without undue delay.
5. The customer is not allowed to change the Funtools constructions, nor may he/she carry out repairs and/or technical changes. If it is discovered that the Funtools construction has been changed, the customer shall be obliged to reimburse the operator for any costs related to the repair and bringing the Funtools back to its original conditions.
6. The customer shall be entitled and obliged to use Funtools for a usual purpose or purpose it is intended for, and to do so in a way that is reasonable as for the nature and determination of Funtools.
7. A person younger than 15 years of age may use Funtools only if accompanied by a person older than 18 years of age.
8. It is prohibited to consume alcoholic drinks or other intoxicating or psychotropic substances during the time of using the Funtools.
9. During the time of using Funtools, the customer must use protection equipment provided by operator, regardless of the age. It is **MANDATORY** to wear a safety helmet.
10. The customer enjoys Funtools at their own responsibility and risk.
11. The customer must adapt the speed and manner of riding to their abilities and possibilities, to the conditions of trails, individual obstacles and possibly dangerous sections. When riding, the customer must pay attention and observe the trail and surrounding roads. Forest machinery and motor vehicles move on the trails and roads and the customer must increase attention. The customer must observe and comply with the instructions given by operator, its employees and nature protection staff and forest guards. The customer must observe, comply with and respect any traffic and operation signs on a trail and nearby. In the event of ride with a front rider or in exceptional situations, the customer must observe instructions given by the front rider. **IT IS PROHIBITED TO OVERTAKE THE FRONT RIDER ANY TIME DURING THE RIDE.**
12. The customer must ride on the right side of a trails (road). The right of way applies to pedestrians, cyclist and motor vehicles. The surface of trails is made of asphalt or dust. The customer is alerted to the change of surface by means of vertical traffic and operating signs which are place approximately 15 metres before the trail surface changes. Before the different surface appears, the customer must decrease the speed and increase the distance from the rider in front of him/her or from another traffic participant and the customer must be more alert.
13. When riding the mountain scooter, it is necessary to lower the posture in order to bring the center of gravity to the back as much as possible. One (1) person only may ride the mountain scooter. **IT IS PROHIBITED TO RIDE WITH MORE THAN 2 PERSONS.**
14. When riding a cart, the customer must place feet on the steps, on the control axis of a front wheel. It is prohibited to remove feet away from the steps during the ride. The customer must brake using both brakes at the same time (left and right brake).
15. The customer puts on brakes, leaving a sufficient distance from the curve, obstacle or from the rider or another traffic participant in the front. When putting on the brake, the customer must have the posture as described by operator.
16. After using the Funtools, the client shall be obliged to return the Funtools in its original conditions, taking into account normal wear and tear, and it must be returned to the operator at a place as specified by operator.
17. In the event of unfavourable weather conditions (rain, storm, low visibility), the ride and use of Funtools is **PROHIBITED**.
18. The price for Funtools does not include the Mountain Rescue Team services.

19. During the time of using Funtools, it means from the moment of takeover, the customer himself/herself shall be held liable for any damage caused to the property, life or health of third parties or to environment. The operator shall not be held liable for such damage in any way. In the event of injury, the customer must provide first aid and notify a competent public authority of such injury (police, emergency service, etc.) and the operator without undue delay.
20. By purchasing and using the Funtools, the customer undertakes to observe instruction given by authorized members of staff of Operator, these Operating Instruction, as well as generally binding legal regulations related to the movement and behaviour of persons present at mountain resorts and to the traffic on roads, and when it comes to national parks, also Instructions for Visitors of national parks. By purchasing and using the Funtools, the customer declares that he/she is aware of any rules under the previous sentence and takes due note of thereof.
21. The operator reserves the right to refuse the client the provision of services or prevent the use of service, or to prevent the client from using the service or restrict any further use of the service in the event the client with the way he/she acts threatens or causes harm to property or interests of the operator or of third parties, or life, health or property of his/her own or of the operator and/or other visitors of the resort or of traffic participants, or the client ignores recommendations, instructions and restrictions given by operator's members of staff who are in charge or by other authorized persons. It applies also if the customer is under the influence of alcohol or other intoxicating or psychotropic substances at the time of purchase and/or use of the services.
22. The operation and operating times of Funtools shall be determined by company operator. The operator shall be entitled to unilaterally change the operating times, not to start, interrupt or terminate the provision of services for any reason whatsoever.
23. These Operation Instructions shall come into force and effect on 15.6. 2018 and shall be valid throughout the summer season 2018.

At Tatranská Lomnica on 15.6. 2018