

Eagle Rental's Damage Waiver Equipment Protection Plan

1. What is Damage Waiver?

Damage Waiver is a program offered by Eagle Rental which protects customers from having to pay for accidental damage to rental equipment.

2. How much does it cost?

The fee is 10% of your rental charges. The fee is not applied to sales, delivery charges or tax.

3. How does it work?

In exchange for this fee, Eagle Rental agrees to absorb the cost of **certain repairs** to rental equipment. Without Damage Waiver, you would be required to return equipment undamaged or if damaged, pay to have it repaired, up to the full replacement cost.

4. What does Damage Waiver cover?

Damage Waiver will cover all repairs expenses except those specifically excluded below. It covers the operation of equipment by the renting customer only! To be clear, if you rent it, unless otherwise approved by Eagle Rentals, you are the only individual authorized to operate the equipment and the damage waiver will not cover use by another party. In cases of commercial rentals for contractors, authorized employees' use is covered under the damage waiver.

5. What does Damage Waiver not cover?

The Damage Waiver will not apply if you violate the terms and conditions of your rental contract. The Damage Waiver will not cover theft, or disappearances of rented equipment. If the equipment is stolen or lost, the Damage Waiver will not apply. The Damage Waiver does not cover cleaning charges, broken glass, damage to glass, batteries, tires, tubes, tracks, booms, belts, straps, knobs, cords, covers and/or hoses. The damage waiver excludes all repair/replacement costs for damage to Covered Items exceeding \$10,000 in the aggregate across all Covered Item(s). The Damage Waiver also excludes damages caused by negligence or abuse.

6. What is negligence and abuse?

Negligence means the disregard of commonsense care which the renter would be expected to use if the equipment were his or hers. Examples include, but are not limited to: overturning towed equipment, operating machinery without oil, striking an overhead bridge with equipment in tow, not being observant of your surroundings or operating the equipment for a job it is not designed for. Essentially damage caused by negligence is damage that could have been avoided but for the renter's failure to properly transport, operate or maintain the equipment. Abuse is the misuse of equipment, this includes, but is not limited to, use for an unintended purpose, attempts to override safety features, failure to properly protect equipment from the weather, *e.g.*, leaving equipment out in the rain, as well as intentional damage. Also excluded are any damages caused while under the influence of Drugs or Alcohol.

7. Is there a deductible?

No. Damage Waiver is not insurance. It is a waiver by Eagle Rental of its legal right to have equipment returned in the same operating condition as when it left.