

ANDAMAN & NICOBAR ADMINISTRATION
DIRECTORATE OF TOURISM
A & N Islands

F.No. 2-31/M-TSM/ATV/2014

Port Blair Feb, 2019.

**Guidelines for
Operations of
All Terrain Vehicle
in
Andaman Nicobar
Islands**



Directorate of Tourism

पर्यटन निदेशालय

Andaman & Nicobar Administration

अण्डमान तथा निकोबार निदेशालय

Port Blair, dated Feb, 2019

GUIDELINES FOR OPERATION OF ALL TERRAIN VEHICLE IN A&N ISLANDS

1.0 PURPOSE OF GUIDELINES:

The guidelines for the All Terrain Vehicle are to ensure that the activity is performed with due regard to safety concerns of all and conservation of ecology and environment. The standards for equipments and operating procedures defined herein are intended to establish the minimum acceptable norms for safe and responsible operation of the activity in the Islands. Guidelines is in coherence with "Tourism Policy 2010" envisaging to encourage Self Regulation and established a simple system for operation of the activity as envisaged in Ease of doing Business.

2.0 GENERAL DEFINITIONS:

2.1 Administration means Andaman & Nicobar Administration, Port Blair.

2.2 Nodal Department means the Directorate of Tourism, A & N Administration, Port Blair.

2.3 Operating Area means the area permitted by the Administration for operation of All Terrain Vehicle recreational activity.

2.4 Operator means the firm/company/individual/organization who owns/runs/manages the All Terrain Vehicle recreational operations with a valid permit issued by the Nodal Department.

2.5 Site Manager means the person who shall be present at the "Operating Area" all the times to supervise the operations and equipments. He should be a certified Instructor an agency approved by Nodal Department. He shall also ensure the safety of users, cleanliness of the operation area, & prevent damage to wildlife/environment.

2.6 Driver means the assistance of track, maintenance of records person or tourists going to drive a All Terrain Vehicle.

3.0 Procedure for Registration/Renewal of All Terrain Vehicle- recreational activity

To facilitate Operators of All Terrain Vehicle Nodal Department will grant registration to Operator to undertake All Terrain Vehicle recreational activities in permitted areas only, in accordance with the following procedure:

3.1 Registration:

3.1.1 The firm/owner/operator, desiring to operate a All Terrain Vehicle in this Islands shall submit filled up application forms in the prescribed format along with the non-refundable application fee of Rs.15,000/-(Fifteen Thousand only) or as prescribed by the Nodal Department from time to time in the form of demand draft/pay order in favour of Sr. Accounts Officer (IP&T),

Directorate of Tourism, Andaman and Nicobar Administration, Port Blair, before the commencement of the operation.

3.2 Renewal:

- 3.2.1 The All Terrain Vehicle Operator may apply for renewal of permission with the prescribed non-refundable renewal fee, of Rs 10,000/- (Ten Thousand only) or as prescribed by the Nodal Department from time to time in the form of demand draft/pay order in favour of Sr. Accounts officer (IP&T), the Director (Tourism), Andaman and Nicobar Administration, Port Blair, 45 (Forty five) days before expiry of permission alongwith the non-refundable renewal fee Rs. 15,000/- (Fifteen Thousand only).
- 3.2.2 The application for renewal must be submitted to the Nodal Department along with required documents at least 45 days before the expiry of existing permission. The Nodal Department will not be responsible for delay in renewal if the application is submitted late. The permission will be granted for one year at a time.

3.3 Terms and Conditions of Registration/Renewal of All Terrain Vehicle

- 3.3.1 The All Terrain Vehicle along with associated equipments/accessories will be subjected to inspection by Nodal Department for clearance and periodic review as and when needed or at least once every year.
- 3.3.2 The Foreign Divers engaged by the firm/operator/owner should have work permit for Andaman Islands, from the Foreigner's Registration Office, Port Blair or from Ministry of Home Affairs, Govt. of India and shall enclose a copy of the same with their application form. The firm/operator will also furnish the details of works carried out by the foreigners in their firm.
- 3.3.3 The rates charged for the activity should be reasonable & linked with the duration of the activity. The rates should be properly displayed. Tax as applicable should be paid to the concerned authority and proof of the same should be submitted at the time of renewal of the permission. The rates and details of activity should not be changed without prior intimation to the Nodal Department.
- 3.3.4 The Permission of operation of All Terrain Vehicle recreational activity will be issued by Nodal Department within 30 working days of submitting all required documents.

3.4 Environmental Conditions

The operator shall follow the following instructions regarding environmental conditions:

- 3.4.1 All measures shall be taken by the Operator to ensure that the ecosystem is not disturbed or damaged.

4.0 AREA OF OPERATION

- 4.1 The Operator will get the "Operating Area" allotted from the competent authority.
- 4.2 In case the "Operating Area" is allotted by any department of A&N Administration, the Operator will have to pay the rent for the allotted space at the rate determined by the same Department from time to time and submit the proof to the Nodal Department.

- 4.3 In the event of availability of scheduled species as per wildlife protection act in the site identified for operation, approval of Chief Wildlife Warden will have to be obtained by the operator.
- 4.4 The operator before taking the guests, shall ensure, that there is no harmful elements or obstacle present in the operating area.
- 4.5 The activity shall be carried out strictly in the location and demarcated area as approved by the Nodal Department. There shall not be any change in the "Operating Area" of the activity without prior intimation to the Nodal Department.
- 4.6 The validity of the Permission is subjected to validity of all documents required for such permission.
- 4.7 Installation of CCTV camera is compulsory and install at the required positions / curve etc.

5.0 STANDARD OPERATING PROCEDURE(SOP)

5.1 Precaution to be taken by operator

- 5.1.1 All participants must wear a helmet, knee guard, elbow guard and other protective equipment.
- 5.1.2 Always keep both hands on the handlebars and both feet on the footrest of ATV during operation.
- 5.1.3 Avoid paved surface – ATVs are designed to be operated off paved roads.
- 5.1.4 Avoid public roads unless the machine has been specifically manufactured for this purpose and complies with the relevant automotive licensing requirements for road use.
- 5.1.5 Never allow riding under the influence of alcohol or drug.
- 5.1.6 Never carry a passenger unless the machine has been specifically designed and manufactured to do so.
- 5.1.7 Ride only on designated trails and at a safe speed as mandated by the manufacturer of the machine.

5.2 Information to be displayed

- 5.2.1 Sign boards shall be placed on **do's and don'ts** for the All Terrain Vehicle recreational activity at prominent places.
- 5.2.2 The Date of Expiry of Permission to conduct the All Terrain Vehicle recreational activity, applicable tariff/fee, duration and description of the activity shall be displayed prominently on the Launching Platform.
- 5.2.3 The name and contact numbers of Designated Officers of the Administration who can be contacted in the event of any emergency shall be Prominently displayed on the Launching Platform.
- 5.2.4 The timing of operation and availability of complaint register shall be displayed at prominent place on the Launching Platform.
- 5.2.5 "Emergency Action Plan" (EAP) as approved by the "Nodal Department" shall be displayed prominently on the Launching Platform.
- 5.2.6 The "Operator" shall put up Sign Boards of such specifications as may be prescribed by the Nodal Department in compliance of instructions at a prominent place.

6.0 GUIDES

Guides supervising participants on ATVs should be familiar with (and assessed on) the operating manual(s) of the ATV(s) which they operate and focus on the following topics:-

- 6.1 An introduction to the ATV machine, protective clothing, equipment and pre-ride inspections
- 6.2 Range signals, rules and warm up exercises
- 6.3 Controls and starting the engine
- 6.4 Starting out, shifting gears and braking
- 6.5 Turning

- 6.6 Riding strategies/risk awareness
- 6.7 Riding circles and figures of eight
- 6.8 Quicker turns
- 6.9 Sharp turns
- 6.10 Quick stop and swerves
- 6.11 Quick stop in a turn
- 6.12 Riding over obstacles
- 6.13 Safe and responsible driving practices
- 6.14 U-turns and traversing hills
- 6.15 Circuit or Trail rides

7.0 TRAINING OF DRIVER

- 7.1** ATV operators should always follow the instruction in their Owner's Manual for recommended operating techniques. All participants of an ATV tour must receive a basic training course before their tour commences. The basic minimum training course should cover the following:
 - 7.1.1 To mount and sit on the ATV correctly, locate and operate the controls, and dismount.
 - 7.1.2 To use the brake properly to bring ATV to a smooth, safe stop.
 - 7.1.3 To demonstrate basic turning skills by shifting weight properly to maintain balance and avoid the possibility of losing control of ATV.
 - 7.1.4 All participants pay attention to the instructions provided by their guides.

8.0 EQUIPMENT

- 8.1 ATV Machine:** ATVs are subject to considerable wear and tear owing to the nature of their use outdoors. Therefore, only use an ATV from a reputed manufacturer and maintenance is undertaken as per operating manual instruction.
- 8.2 Helmet:** The single most important piece of protective gear riders must wear is a helmet, which can help prevent serious head injuries. Wearing an approved motorcycle helmet does not reduce essential vision and hearing. Use either a full face or three-quarter (open-face) helmet. Helmets must be properly fitted to the participant – it should be snug, comfortable and securely fastened.
- 8.3 Face shield goggles:** If the ATV tour is in a jungle or in areas with dense foliage, a face shield or goggles should be used to prevent eye injuries.
- 8.4 Gloves:** Gloves should be of a quality that will help prevent your hands from getting sore, tired or cold, as well as offering protection in the event of a spill/fall. Off road style gloves, available at leading motorcycle and ATV dealerships, provide the best combination of protection and comfort. They are padded over the knuckles for added protection.
- 8.5 Footwear:** A pair of ankle length shoes or boots with low heels shall be provided to driver to driver to prevent feet from slipping off the footrests.
- 8.6 Spares & First Aid:** All guides shall carry an appropriate first aid kit and tool kit during an ATV tour. Examine the tool kit that came with your machine.

9.0 INSPECTIONS & MAINTENANCE PROCEDURES

- 9.1 Before commencing each trip, Guides must carry out an inspection of any ATV to be used by themselves or their customers, before each ride. An inspection will minimize the chance of injury or malfunction, ensure long-term usage of your ATV. The ASI uses the following basic T-CLOC checklist:

(T-CLOC stands for Tyres and Wheels, controls and Cables, Lights and Electrics, Oil and Fuel, Chain/Drive Shaft and Chassis).

9.2 A register should be maintained for record of each inspection.

10.0 SPECIAL ARRANGEMENTS FOR CHILDREN

- 10.1 Children under the age of 18 require parental consent to ride ATV and adult supervision.
- 10.2 ATVs are NOT toys and children aged below 18 years should only ride the right ATV for their age.
- 10.3 Always follow the manufacturer's minimum age recommendations which will be shown on the ATV or in the Operating Manual.

11.0 DOCUMENTATION

11.1 The following is the basic minimum documentation required.

- 11.1.1 ATV and associated equipment purchase documentation, including warranty service & maintenance history documentation.
- 11.1.2 Owner's/Operating Manual for each ATV
- 11.1.3 First aid certificates for all guides

12.0 RISK MITIGATION

- 12.1 A basic risk assessment should be conducted on any trail intended for the use of ATV tours before participants are permitted to use such a route.
- 12.2 An Emergency Action Plan must be in position and regular training imparted to be staff for the same.

13.0 EMERGENCISES AND RESCUES

- 13.1 A first aid kit must be available and the venue / route itself must be easily accessible. In addition, a detailed emergency procedure must be written that includes contact numbers of the available emergency services. Evacuation routes and emergency procedures must also be included in the company's risk assessment.
- 13.2 The operator must insure that he supervisor /observer lookout station on ATV is adequately experienced in operations it is also desirable for such person to have proficiency in handling of ATV so as to act in emergency situations.
- 13.3 The supervisor / observer must be stationed at launching point, who constantly watches out the movement of ATV.

14.0 SAFETY BRIEFING

- 14.1 A pre-ride safety, audio visual briefing covering all aspects of risks and action to be taken both by conducting staff and the participants should be covered in details, some aspects are highlighted below:
 - 14.1.1 Rules and speed limits.
 - 14.1.2 Wearing of protective gear.
 - 14.1.3 ATV controls, operation and pre ride checks
 - 14.1.4 Rider responsibilities and risk awareness.
 - 14.1.5 Group riding procedure to include lane position following other vehicle, head lights signals and parking.
 - 14.1.6 Handling dangerous surface and any special riding conditions
 - 14.1.7 Indemnity bond by participant.
 - 14.1.8 Avoiding alcohol prior to / during the ride.

14.1.9 Staying hydrated and rest stops

15.0 BASIC MINIMUM STANDARDS FOR GRANT OF RECOGNITION TO ATV OPERATORS

- 15.1 The agency must own minimum 4 Nos. ATV's and all accessories and safety gear as specified above. The ATV must be well maintained serviced and in perfect working order with the required documentation.
- 15.2 The agency must have at least two full time trained ATV guides duly qualified (Specified above/knowledgeable about conducting ATV activity safely, group dynamics, rules, communication skills and repairs/punctures etc. They must possess valid First Aid/CPR certification.
- 15.3 The operator must have defined documents of SOPs for conducting ATV trips and Emergency Action Plan for all trips.
- 15.4 A detailed risk assessment must be carried out prior to conducting ATV trips.
- 15.5 A list of hospitals in the vicinity of the tour should be carried by the ATV guides.
- 15.6 A details SOP for inspecting ATVs documentation and safety gear prior to conducting trips must be in position.
- 15.7 The agency must have a registered office
- 15.8 The agency must be registered with the local tourism authorities.
- 15.9 The company must follow a strict leave no trace policy and conform to high sustainability standards.

16.0 INSURANCE:

- 16.1 The Operation of All Terrain Vehicle recreational activity should have a public liability insurance of **Rs.20.00 lakh (Twenty Lakh) per accident** and a maximum coverage for four times i.e. Rs.80.00 lakh(Eighty Lakh) per annum.
- 16.2 There should also be a minimum **Personal Accident Insurance** cover **of Rs.10.00 lakh (ten lakh)** per person undergoing All Terrain Vehicle recreational activity at any point of time.
- 16.3 All the equipments vehicle", used by the operator for All Terrain Vehicle activity shall be insured.

17.0 PRE-OPERATION ACTIVITIES:

- 17.1 The Site Manager shall give necessary detailed briefing explaining entire operational part of this recreational activity, including demonstration, instructions and safety tips, before commencement of activity and shall ensure that all the instructions are understood by the drivers or guest. The "Operator/Site Manager/Firm" shall use audio-visual briefing for effective learning and shall contain, *inter alia* the following information:
 - 17.1.1 A description of the activity;
 - 17.1.2 Safety precautions to be taken while proceeding to the site and while driving;
 - 17.1.3 Safety and lifesaving equipment locations;
 - 17.1.4 Warnings and procedures for unexpected events in case of emergency;
 - 17.1.5 No participant shall enter or be in the water at the operation site any time, unless having been instructed to do so;
 - 17.1.6 No person of less than 15 years or as prescribed by the Nodal department from time to time shall be allowed to undertake the activity.

The operator will have to compulsorily submit an audio video film providing all pre-operation briefing as prescribed above at the time of registration. The final approval of registration will be considered only after vetting the contents of video viz a viz above mentioned pre-briefing information.

18.0 SAFETY:

18.1 The safety audit of operation of All Terrain Vehicle:-

- 18.1.1 The area earmarked for the All Terrain Vehicle activity is to be clearly demarcated by the operator. The operation may be suspended any time by Nodal Department, on grounds of security/administrative or any other reason deemed fit by the nodal department.
- 18.1.2 The 'Area of Operation' shall be utilized for *bona fide* purpose only, and same shall not be misused for any other purposes. The authorities/agency/Personnel authorized by Nodal Department in this behalf may inspect and check anytime to ensure that it is being used for authorized purpose only.
- 18.1.3 The operating hours for the activity shall start after sunrise and end before sunset.
- 18.1.4 **Road condition** - The "Operator"/"Site Manager" shall assess the road conditions throughout the day, to determine if conditions are safe for conduct of activity. The activity shall not be carried out during inclement weather condition.
- 18.1.5 The operator and the site manager shall be held responsible for any negligence or incident or accident during the activity;
- 18.1.6 All staff should be familiar with the "Emergency Action Plan" (EAP) to be followed in case of emergency.
- 18.1.7 Under no circumstances alcohol be brought onto the operational area/ base or consumed by any staff or participants engaged in the activity.
- 18.1.8 Safety distance requirement from one All Terrain Vehicle to another be maintained (**20 meter**).
- 18.1.9 The agency/committee/authority/person nominated by Nodal Department shall ensure implementation of safety standards.
- 18.1.10 The "Operator" must file an incident report to the "Nodal Department" immediately upon any incident involving injury or rescue which requires medical attention. The "Operator" must maintain a register of records of all such instances, including any minor incidents.
- 18.1.11 The maximum duration for the activity shall be 30 minutes.

19.0 SAFETY EQUIPMENT:

- 19.1 Operator shall use only provide specification for each equipments, which shall be in good working condition.
- 19.2 The operator/Site Manager shall ensure that annual maintenance of all equipments/accessories is carried out by the OEM (Original Equipment Manufacturer) or an engineer authorized by the OEM and a certificate of this effect to be submitted at the time of registration/renewal.
- 19.3 The operator shall ensure the following items shall be made available at all times during the activity/ operation.
 - 19.3.1 At least one reliable two way communication during the operation.

19.3.2 2 First Aid Kits (1 for emergency and 1 for day to day use);

19.3.3 A back up form of communication, such as a cellular phone;

19.4 The entire liability of safety and security of tourist undertaking such activities, including handling of emergency situation entirely lies with the operators who shall be, besides other action, be liable for criminal action in case of default.

20.0 FEEDBACK:

The “Operator” shall maintain and make available a serially numbered Complaint/Suggestion Register at the space accessible to the driver after the activities.

21.0 INSPECTIONS:

21.1 The “Operator” shall have a copy of all such documents available at the “Operating Area” which are submitted with application for Registration/Renewal.

21.2 **All Terrain Vehicle Log Book** –A log book should be kept available at the area of the operation and shall, inter alia, contain signature of the Site Manager.

21.3 All filled in liability waiver forms in original, for the last three months duly signed by the “Driver” and the “Site Manager” shall be kept available at the “Operating Area” for inspection by “the Safety Audit Team” / The Nodal Department.

22.0 PENALTY CLAUSE:

22.1 In the event of any breach of terms and conditions herein by the “Operator” or receipt of any complaint against the “Operator” which upon due enquiry if found to be true, the Nodal Department may, based on the gravity of violation, impose appropriate fine or cancel/suspend the permission granted for the operation of ATV and /or would also be at liberty to initiate any damage claims if it is established that image of “Brand Andaman” has been dented by any act of the operator/site manager/his staff.

22.2 Any operator who causes harm/injury/death to a tourists/general public/third party because of their actions/ inactions/irresponsible behavior/negligence or operation of the craft in unfit condition etc. shall also be punishable as per the existing relevant Penal Law in force. During the pendency of such trial, the permission of the operator for operating all adventure sport activities will remain suspended.

22.3 In case of default/breach/violation of any terms and conditions a minimum of Rs.25,000/- fine and 15 days suspension shall be imposed or otherwise as may be deemed fit by the competent authority of the “Nodal Department”.

23.0 APPEAL:

Any person aggrieved by an order made by the Director (Tourism) under section **22.0** of this chapter may, within fifteen days from the date of order, prefer an appeal to the Secretary(Tourism). The order issued by the Directorate will be in force till the appeal is decided unless otherwise directed by the Secretary (Tourism).

24.0 POWER TO REMOVE DIFFICULTIES:

If any difficulty arises in giving effect to the provisions of these guidelines or otherwise also the Director (Tourism) may, with the approval of the Secretary (Tourism), issue directions/instructions from time to time.

Sd/-

Director (Tourism)
Andaman & Nicobar Administration
Port Blair