

**TOUR PERMITS** – Leaders often ask how important is a tour permit? When do we need it?



### **HOW IMPORTANT AND WHY SHOULD YOU FILE?**

A Tour Permit is a checklist of those items a "prudent and conscientious" leader would do and uses to assure a safe trip. They'll know if your driver(s) have insurance and at what levels, the unit committee approves it, there is a pledge of performance, and transportation considerations. The tour permit reminds leaders that they need special certifications for certain program activities. The multiple signatures serve as a safeguard so nobody can just take Scouts out for an event without proper permission from the unit committee. It is then approved by the council, which documents that you have done everything a "prudent and conscientious" leader would do. This is important, especially in a worst-case situation where an accident results in legal action and a lawsuit.

Should a "tragedy" occur and the incident results in litigation, a tour permit does two VERY important things: First, it clarifies that the outing is **in fact** a Boy Scout approved outing. Very often, the boys in a Scout troop are also boys in a church group. If the leader takes these boys out and there's an incident that results in litigation, the tour permit is a legal document that shows that this is an approved Scout event and not a church event, thereby triggering the Boy Scout liability and accident insurance.

Second, it is a legal document to show to the court that the leader of the event took the basic, reasonable, and required steps to provide for a safe outing. Imagine being on trial and the opposing attorney asks you if you did everything that was reasonable and prudent as a leader. His next question is "And, did you file a tour permit?"

As a reminder, it is Council policy that one person on your trip must be youth protection trained and the top leader of your unit has completed basic training. National Tour Permits require all registered BSA adult leaders on the trip to have completed youth protection training.

A tour permit **does not** validate or invalidate the BSA liability or medical accident insurance. However, all insurance coverage provided through the Santa Clara County Council is limited to official Scouting activities. If a Tour Permit is required, but not filed, the activity is not an official Scouting activity and insurance coverage, accident/medical injury insurance as well as liability insurance could be jeopardized.

Tour permits require that the drivers' names and limits of automobile liability insurance carried are listed. Many units collect this information for all drivers annually. When chartering a bus or van, make sure to get a certificate of insurance from the owner. Be sure the minimum limits listed are provided. Youth, leaders, and parents must ride in the cab of trucks and not in the back. Every person must be provided with a seat belt.

### **WHEN IS A TOUR PERMIT REQUIRED?**

**A TOUR PERMIT is required when units (packs, troops, crews, patrols, dens) leave their normal meeting place, typically as a group.** This policy has been established by the council's risk management committee and is **stricter than the national guidelines**.

Travel to and from a Scouting activity is not considered part of the activity itself unless the transportation is planned as a part of the activity and a tour permit is filed as required. Transportation to and from a unit meeting, for example, is not part of the Scouting activity/meeting, so a tour permit is not required for every troop meeting. Typically, a tour permit is not required for service projects, like an Eagle Scout service project. In this case, the Scouts are being driven typically by parents and the travel is not part of the activity. Driving to a campout, however, would clearly require a tour permit. A den driving to a local fire station would not require filing a tour permit, the transportation is by parents and not part of the meeting. There is no harm, though, in filing one in any of these instances.

For trips and outings less than 500 miles, use the Local Tour Permit form. The council is authorized to approve local tour permits. For trips over 500 miles, a National Tour Permits is required and the council sends these to the regional office in Arizona for their review and approval. Normally, a Local Tour Permit can be approved and returned within 48 hours. A National Tour Permit must be filed at least two-weeks before the departure date. Both forms are available to be downloaded on the council website. The national council has announced that an on-line version will be available soon to be filed electronically.

**LOOK FOR ON-LINE TOUR PERMIT FILING SOON FROM THE NATIONAL COUNCIL.**