

4.9. Disclaimers, caveats, and warranties. You work for an agency that has developed a state-wide streams GIS database. At one of your regular staff meetings, the discussion shifts to this GIS database, and the notion of associating some sort of disclaimer, caveat, or warranty with the GIS database. You gather from the conversation that the group is very confused about the use of the terms disclaimer, caveat, and warranty. What guidance can you provide the group to help them understand the differences between the terms, and how the terms might be used in relation to the streams GIS database.

Disclaimers are statements that embody the legal position of the map creator with respect to map users. Disclaimers are used to distance the map creator from any legal responsibility for damages that could result from the use of the map.

Caveats are statements that warn others of certain facts in order to prevent misinterpretations of the maps. Caveats are less sweeping than disclaimers.

Warranties, on the other hand, are written guarantees of the integrity of a map, and include the creator's responsibility for the repair or replacement of incorrect maps.

Warranties are rarely used on maps. Caveats and disclaimers are more widely used in an attempt to warn users of the limitations of the map content.

In relation to using a streams GIS database, it is doubtful that damages would result from incorrectly located (or attributed) streams, although some state forest practices laws require certain streams to be protected. A disclaimer therefore might be used if the use of the map (and hence decisions based on errors in the map) might lead to legal proceedings. Caveats are more likely to be used, to inform others of the potential error (or variability) in the spatial features and associated attributes. These would allow the users to understand the accuracy of the streams GIS database. Would one place a warranty on a streams map? We're not sure, but if an organization feels it is necessary to fix and replace maps when errors are found, then the warranty provides the map user a method for obtaining the corrected maps.