



VOLUNTEER LITTER PICK UP EVENT AGREEMENT AND PERMIT

Applicant Name: _____, hereafter “Coordinator.”
Mailing Address: _____ Phone: _____
City: _____ State: _____ Zip _____ Alternate Phone: _____
Coordinator Authorized Agent: _____ Email Address: _____
Mailing Address: _____ Phone: _____
City: _____ State: _____ Zip _____ Alternate Phone: _____

Coordinator is committed to picking up trash and litter along the section of Highway _____, from milepost _____ to _____ and expects to have approximately _____ participants attend the volunteer trash pick-event, which is scheduled on the following date (and times): _____.

Coordinator (collectively including Coordinator’s Authorized Agent) has read and understands all provisions contained below and attached, and will abide by them and any other enumerated terms and conditions as required by the New Mexico Department of Transportation (NMDOT) for participation in the subject volunteer track pick-up activity for which Coordinator seeks permit. Coordinator is also responsible for ensuring such compliance by each of its group participants (Participants) during the scheduled clean-up event.

Agreement/Permit Provisions

1. Coordinator and Participants must review the safety guidelines and waiver included with this Volunteer Litter Pick Up Event Agreement and Permit (Permit) prior to any scheduled litter pick-up event. It is the responsibility of the Group Coordinator to review the safety guidelines and waiver with Participants before the event. Potential dangers involved while participating in this event can include, but are not limited to high speed traffic, potentially noxious plants, broken glass, hazardous materials, sharp metal, and potentially harmful wildlife such as snakes and skunks.
2. The scheduled Volunteer Litter Pick Up Event is permitted for the location and times above. Coordinator will timely notify the NMDOT Permit Coordinator of any need to reschedule, and do so no later than fourteen (14) days prior to a planned litter pick up event so that the NMDOT may coordinate trash bags removal in a timely manner.
3. Coordinator agrees to restrict program activities to the area of right-of-way off the traveled portion of the roadway. (Stay off the Asphalt!)
4. The purpose of the Volunteer Litter Pick Up Event is to beautify by litter abatement, highway roadsides and medians. While performing activities on the right-of-way, the method, manner, and appearance of the Participants must not in any way distract, disrupt, or adversely affect traffic. Participants shall not display messages, carry banners, or advertise their business affiliation or cause.
5. The NMDOT prohibits the possession, consumption, or being under the influence of alcohol or drugs while performing work or litter pick up on state highway right-of-way.
6. Coordinator shall provide one parent/guardian supervisor for every five (5) Participants between 12-17 years of age. Special arrangements need to be made with the NMDOT for Participants under the age of 12 years old. Non-Participants, including but not limited to non-participating minors are not allowed in the right-of-way.
7. Program activities will be between the hours of one hour after sunrise to one hour before sunset and not during inclement weather.
8. Coordinator will notify the NMDOT Permit Coordinator in the event of any Group Coordinator or Coordinator Authorized Agent name or address change within 30 days.
9. Trash collected needs to be placed in trash bags provided by NMDOT, and placed at the edge of the paved shoulder. The Coordinator shall notify the NMDOT Permit Coordinator of any discovered immovable hazards.



10. The Coordinator shall ensure that first aid, adequate water, and cell phone capability is available for the scheduled Volunteer Litter Pick Up Event. The Coordinator shall collect signatures and participant information on the attached waiver form and provide a copy to the NMDOT Permit Coordinator. No pets shall be present during the event.
11. It is mandatory that all Participants wear brightly colored clothing while they are picking up litter on stateright-of-way. (Bright yellow, orange and green are recommended.) Participants should also wear long pants, long-sleeved shirts, sun-protection including hats, thick-soled boots (as opposed to tennis sneakers), eye protection, and work gloves.
12. The New Mexico Department of Transportation:
 - a. May determine the specific section of right-of-way to be cleaned (and to be reflected above);
 - b. Installs and maintains traffic control signs and devices;
 - c. Provides group members with trash bags and safety vests;
 - d. Removes and disposes of filled trash bags;
 - e. Provides Safety Rules and Guidelines to Group Coordinator;
 - f. Requires the Coordinator provide a signed and executed waiver form containing names of all Participants; and
 - g. Reserves the right to cancel or rescind a scheduled Volunteer Litter Pick Up Event Permit at its discretion. Permit revocation will result in cancellation of all plans and permissions association with the Permit.
13. Tort Liability: Coordinator assumes all liability for damages to persons or property that may be incurred by reason of the activities permitted herein. Please check the appropriate box:
 - Non-Government, non-Public Entity, Indemnification and Hold Harmless Agreement:** Coordinator acting through its authorized agent, for consideration of the granted Permit, agrees to defend, protect, indemnify, and hold the New Mexico Department of Transportation harmless from any personal injury or property damage claim, or liabilities, damages, losses or expenses occasioned or caused by the Coordinator's agents, members or employees, and subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, Sections 41-4-1 *et seq.*, as amended or by common law, suffered by the Coordinator, its members and Participants, the State or by third parties resulting from the performance of litter control or beautification activities as granted by the subject Permit.
 - Tribal and Pueblo Governments:** Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Permit. Any liability incurred in connection with the Permit is subject to the immunities and limitations of tort liability. This paragraph is intended only to define the liabilities between the parties and is not intended to modify in any way, the parties' liabilities.
 - State, Municipal, County and Other Public Entities:** Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Permit. Any liability incurred in connection with this Permit is subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, Sections 41-4-1, *et seq.*, as amended. This paragraph is intended only to define the liabilities between the parties and is not intended to modify in any way, the parties' liabilities as governed by common law or the New Mexico Tort Claims Act.
14. Tort Waiver: Coordinator and Participants, as demonstrated by the attached waiver, shall assume responsibility for personal liability incurred as a result of each individual party's actions or omissions in connection with this Permit. All Participants, including the Coordinator, shall sign the attached volunteer waiver in order to participate in the event.

Name of Coordinator
Authorized Agent

Title of Coordinator's
Authorized Agent

Signature

Subscribed and sworn to before me

this ____ day of _____.

Notary Public

My Commission Expires: _____

NMDOT APPROVAL - Date: _____

NMDOT Permit Coordinator

District

Signature

NMDOT SAFETY RULES AND GUIDELINES FOR VOLUNTEER LITTER PICK UP

Prior to the scheduled Volunteer Litter Pick Up Event, the Coordinator shall read the following safety rules and guidelines to all Participants.

All Volunteer Participants Shall:

- Wear an assigned safety vest
- Wear appropriate gloves
- Wear bright-colored long-sleeved shirts that cover arms
- Wear long pants that cover legs
- Wear thick-soled closed-toed shoes or boots
- Wear clothing that will not divert attention of motorists during cleanup
- Wear clothing that will not impair vision or movement during cleanup
- Be at least 18 years of age to participate in a litter pick up, provided that Participants between the ages of 12 and 17 may participate only with written permission of a parent or guardian, and be in the company of a designated supervising adult for every 5 minors through the course of the litter pick up
- Stay at least five feet from the edge of the road (pavement)
- Obey all safety rules and guidelines
- Face oncoming traffic when picking up litter and look up often to ensure that no vehicle is encroaching your work area
- Stay well clear of any construction or work zone
- Stop work in inclement weather
- Drink plenty of fluids— take breaks— avoid overexertion
- Be alert for and avoid snakes, stinging insects and poisonous plants
- Be alert for and avoid hazardous litter, including sharp and pointed objects
- Notify the Coordinator or any NMDOT staff that may be present if you encounter hazardous or immovable litter, including broken glass, needles, objects, holes, wires or other hidden obstacles in or on the ground.
- Avoid contact with noxious weeds and areas where herbicides were applied
- Use proper lifting and bending techniques
- Notify the Coordinator of any injury
- Stay with the group and not venture ahead of the event or lag behind

Volunteer Participants Shall Not:

- Wear headphones, earbuds or anything that would impair the ability to hear warnings or oncoming vehicles
- Pick up trash on the road surface, or paved shoulders
- Pick up trash on bridges, overpasses or in tunnels
- Pick up what appears to be hazardous material or any type of container with unknown contents. Notify the Coordinator or any NMDOT staff that may be present if you encounter hazardous needles, objects, holes, wires or other hidden obstacles in the ground.
- Attempt to squeeze bags to make room for more trash (injuries from broken or jagged objects can result)
- Modify alter or change any traffic control device
- Perform activities outside of permitted area



NMDOT VOLUNTEER WAIVER FORM

Prior to participating in the scheduled Volunteer Litter Pick Up Event, all Participants must read and sign the Volunteer Waiver Form below.

1. The Undersigned Participant agrees to abide by all policies concerning the Volunteer Litter Pick Up Event that are provided or explained to the Participant;
2. The Undersigned recognizes that the Volunteer Litter Pick Up Event is not without risks. The undersigned agrees to help minimize those risks by exercising reasonable judgment and due care for his/her own safety and for the safety of any minors under his/her supervision. The Undersigned also recognizes that he/she is a volunteer and may choose not to perform a task requested by the NMDOT, the Coordinator, or volunteer activity personnel, especially if the request goes beyond the risks that the undersigned wishes to accept;
3. The Undersigned Participant agrees to release and hold harmless the NMDOT, its officers, employees and agents from any and all liability, cause of action, claims and/or demands for personal injuries to the Participant, the Participant's property, and with regards to minor children of the Participant parent or guardian that are caused by, arise from, or result from the Participant's participation in the scheduled Volunteer Litter Pick Up Event.
4. The Undersigned acknowledges he/she is not an employee of the NMDOT and is not provided workers' compensation coverage, salary, medical insurance, or any other benefit available to employees of the State of New Mexico. If a Participant is injured, suffers a loss or damages as part of the Participant's volunteer services, he/she has such rights, defenses and privileges subject to the New Mexico Tort Claims Act, NMSA 1978, Sections 41-4-1, et seq., as amended, and the Federal Volunteer Protection Act of 1997, 42 U.S.C. 14501, et seq., as amended.

EVENT: _____ DATE: _____

COORDINATOR: _____ PHONE NUMBER: _____

NAME OF GROUP / ORGANIZATION: _____

VOLUNTEER ACTIVITY AND LOCATION: _____

----- *Everyone in Group Must Sign* -----

	Name <small>(print legibly)</small>	Signature <small>(including Parent/Guardian if under 18)</small>	Age <small>(under18)</small>	In Case of an Emergency: Contact Name & Phone Number
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

Coordinator may make multiple copies of this waiver form to account for the number of Participants in the scheduled Volunteer Litter Pick Up Event. Copies of all signed waiver forms shall be provided to the NMDOT Permit Coordinator upon completion of the event.