



Port Authority Trans Hudson Corp.
Art in Transit Program

PATH Performs! Performer Application



Check One: Solo Performer Group/Band

Last name: _____ First name: _____ Middle Initial: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone Number: _____ Cellular Phone Number: _____

E-mail Address: _____

Date of Birth: _____

Group/Band Name: _____

No. of Band Members: _____

Names of Band Members: _____

Musical instruments to be used (attach additional sheet, if necessary):

Other equipment to be used (attach additional sheet, if necessary):

Briefly describe your performance background (e.g., training, performance experience, etc.) (attach additional sheet, if necessary):

Briefly describe your repertoire (e.g., jazz, classical, hip hop, poetry, etc.) (attach additional sheet, if necessary):

Please provide a short artist bio (attach additional sheet, if necessary):

Please add any social media or online outlet where you share your talent (attach additional sheet, if necessary; include performance link):

Check the times you are generally available to perform:

12:00 p.m. – 2:00 p.m. 4:30 p.m. – 6:30 p.m.

(with 10-minute half-time intermission)

Check the days when you are generally available to perform:

Monday Tuesday Wednesday Thursday Friday

Please check the sites you are available to perform: Harrison Journal Square Newport

Exchange Place Hoboken

Please provide two references (personal or business):

Name: _____ Phone number: _____

Address: _____

Name: _____ Phone number: _____

Address: _____

Please provide a contact in case of an emergency:

Name: _____ Phone number: _____

Relation: _____ Address: _____

By affixing my signature below, I attest that all of the above information is true and can be substantiated.

Solo Performer:

Applicant signature: _____ Date: _____

Band Members/Group:

Applicant signature: _____ Date: _____

Applicant signature: _____ Date: _____

Applicant signature: _____ **Date:** _____

Applicant signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

Applicant Signature: _____ **Date:** _____

(Add additional signature lines below if necessary)

Rules of Conduct for PATH Performs! Performers

Performers selected to participate in the PATH Performs! Program must comply with the Rules of Conduct outlined below. Performers who do not comply with program rules will be ineligible for further participation in the program.

1. Performers can perform only in designated areas at program-approved stations and are strictly prohibited from impeding the safe flow and the movement of customers entering and exiting stations.
2. Performances must take place only during the following times: 12:00 p.m. – 2:00 p.m. and 4:30 p.m. – 6:30 p.m. (with 10-minute half-time intermission). Performers are prohibited from extending their performance times beyond approved schedules.
3. Performers must wear attire appropriate for their performances.
4. No performers shall exhibit unsafe, rowdy or illicit behavior; performers must conduct themselves in a professional manner at all times.
5. Performances must be suitable for the general public.
6. Performers are prohibited from generating sound levels exceeding 86 dBA on the A weighted scale measured at 5 feet from the source of sound in any interior space. Live brass horn performances, unless muted to 86 dBA or below, are not allowed at PATH stations.
7. No performer shall make any sound that interferes with the ability of persons to hear any announcement made over the public address system of PATH, or by a police officer, or by an employee of the PATH, The Port Authority of New York and New Jersey or any subsidiary thereof.
8. Performers may accept gratuities during performance times only. At no other times are gratuities to be accepted.
9. Performers must keep the performance area clean and free of clutter and personal belongings and must remove all personal possessions at the conclusion of their performance.
10. Performers under the age of 18 must be accompanied by a parent or legal guardian.
11. No performer shall be under the influence of alcohol or controlled substances.
12. Performers must cooperate with PATH officials at all times to ensure their safety and the safety of PATH customers.
13. Performers must adhere to PATH Rules and Regulations. For additional information, visit: <https://www.panynj.gov/path/rules-regs.html>

THE PORT AUTHORITY TRANS HUDSON CORPORATION

HOLD HARMLESS AGREEMENT (Agreement)

(To be completed by organizations using Port Authority Trans Hudson Corporation (PATH) facilities)

***Each individual Group/Band member must complete and sign Agreement.**

BETWEEN THE PATH and

Participant/Individual/Name of Organization using the facility (Participant)

Address of Organization (Not Post Office Box)

Telephone Number of Organization

Type of Organization (Individual, Partnership, Non-Profit Corporation, Corporation, Public Entity)

THIS SECTION FOR PATH OFFICE USE ONLY

In consideration of the use of

_____ on the

(Location)

following dates and times:

for the purpose of:

The Participant agrees to indemnify and hold harmless, **PATH, the Port Authority of New York and New Jersey (“PANYNJ”)** and their Commissioners, Directors, Superintendents, Officers, Partners, Employees, Agents, successors or assigns”, from any and all liability, claims, costs and attorney's fees arising out of their voluntary participation and use of the property referred to above.

The Participant further indemnifies and holds harmless PATH and PANYNJ from any and all third party claims that arise under the Participant’s performance at the premises. The Participant shall not be required to indemnify or hold harmless PATH or PANYNJ for the negligence or willful misconduct of PATH or PANYNJ.

The Participant certifies that it has obtained all necessary intellectual property licenses for its performance at the premises, and the Participant indemnifies and holds harmless PATH and PANYNJ against its failure to obtain all necessary intellectual property licenses.

The Participant certifies that it is not the employee of PATH or PANYNJ for workers' compensation purposes, and therefore, the Participant is not entitled to workers' compensation benefits under PATH/PANYNJ policy coverage. The Participant waives any and all rights to file any claims against PATH or PANYNJ in the event an accident should occur while performing under this Agreement.

The Participant acknowledges that it has read and accepts PATH's Rules of Conduct and Rules and Regulations, and will abide by all of the terms contained within.

No alcohol will be sold, served or consumed by the Participant at the premises.

This Agreement shall remain in full force and effect for any continued, additional or postponed date for the event indicated.

As a requirement for entering into this Agreement, the Individual(s) or Organization(s) agrees to adhere to, the PATH Artistic and Musical Content Policy (included herein, below), and made a part hereof. PATH reserves the right to cancel or interrupt any event, if the representations set forth herein are not adhered to; or, if the PANYNJ determines that any occurrence which may lead to an adverse event, such as personal injury, property damage or a violation of law, or a violation of the PATH Artistic and Musical Content Policy is determined.

Signed this ____ Day _____ of 20__

The binding act in deed of

Participant: Name of Organization or Individual

Witness Signature

PATH Authorized Signature

PATH Print Authorized Name and Title

PATH Artistic and Musical Content Policy

PATH shall not pre-approve artistic and musical content, but requires that all artistic/musical content shall not fall into any of the below categories:

- (i) **Demeaning or disparaging.** The artistic or musical content contains material that demeans or disparages an individual or group of individuals. For purposes of determining whether artistic or musical content contains such material, the decision maker acting on behalf of PATH in accordance with these guidelines will determine whether a reasonably prudent person, using prevailing community standards, would believe that the image contains material that ridicules or mocks, is abusive or hostile to, or debases the dignity or stature of, an individual or group of individuals.
- (ii) **Profanity.** The artistic or musical content contains profane language.
- (iii) **Violence.** The artistic or musical content contains an image or description of graphic violence, including, but not limited to: (1) the depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement; and (2) the depiction of weapons or other implements or devices used in the advertisement in an act or acts of violence or harm on a person or animal.
- (iv) **Unlawful goods, services or conduct.** The artistic or musical content promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities, including but not limited to any unlawful or illegal action based on a person's race, color, religion, disability, national origin, ancestry, sexual orientation, marital or parental status, military service, discharge status or sources of income.
- (v) **Nudity.** The artistic or musical content displays unclothed or uncovered human genitals, buttocks or the female breast below a point immediately above the top of the areola.
- (vi) **Obscenity.** The artistic or musical content contains or depicts patently offensive or excretory activities so as to satisfy the definition of obscene material as contained in New York Penal Law § 235.00, as amended from time to time.
- (vii) **Prurient Sexual Suggestiveness.** The artistic or musical content represents or mimics sexual activities or depicts aspects of the human anatomy in a way that the average adult, applying contemporary community standards, would find appeals to the prurient interest of minors or adults in sex. For the purposes of these guidelines, the term "minor" shall mean a person under eighteen (18) years of age.
- (viii) **Political campaign, political issue or religious speech.** The artistic or musical content: (1)

refers to a specific ballot question, initiative petition, or referendum; (2) refers to any candidate for public office; (3) refers to any elected official; (4) refers to a political issue, regardless of viewpoint; or (5) contains or promotes a religious message, regardless of viewpoint.

- (ix) **Adverse to the Port Authority.** The artistic or musical content, is directly adverse to the commercial or administrative interests of the Port Authority, or that tends to disparage the quality of service provided by the Port Authority, or that tends to disparage public/mass transportation generally.
- (x) **Endorsement.** The artistic or musical content implies or declares an endorsement by PATH, the Port Authority, or either the States of New York or New Jersey, of any service, product, or point of view, without prior written authority of the Port Authority or PATH or a duly authorized representative of either the States of New York or New Jersey.
- (xi) **False, misleading, or deceptive speech.** The artistic or musical content, is false, misleading, or deceptive in any material respect.
- (xii) **Libelous speech, copyright infringement, violation of law.** The artistic or musical content, is libelous or an infringement of copyright, or is otherwise in violation of applicable law in the jurisdiction in which it is to be displayed.
- (xiii) **Unsafe behavior.** The artistic or musical content encourages or depicts unsafe behavior with respect to driving, flying, commuting or transit-related activities, such as the non-use of normal safety precautions in driving or flying, or awaiting, boarding, riding upon or disembarking from transit vehicles.

For PATH

Initialed:

For the Participant