

SmartWay Transport Partnership Canadian Affiliate Agreement

The SmartWay Transport Partnership is a public/private collaboration that helps freight shippers, carriers, and logistics companies improve fuel efficiency, reduce emissions and save money. Affiliate organizations play a key role in supporting these objectives.

SmartWay was created by the US Environmental Protection Agency (EPA) and is administered in Canada by Natural Resources Canada (NRCan).

With this agreement, _____ joins the SmartWay Transport Partnership as a Canadian SmartWay Transport Affiliate (please check Affiliate category):

SmartWay Non Profit

Trade and professional associations; membership, nongovernmental organizations; academic institutions and governmental agencies that educate their constituents about the SmartWay program.

SmartWay Tractor/Trailer Dealership

Dealerships promote and sell SmartWay Designated tractors or trailers and SmartWay verified technologies

If your organization does not meet one of the above Affiliate types, e-mail smartway.canada@nrca-nrcan.gc.ca for information on joining the SmartWay community. Put "SmartWay Community" in the subject line.

Following are suggested activities to help Canadian Affiliates support and promote SmartWay goals:

- Provide a link to the Canadian SmartWay website (www.smartway.nrcan.gc.ca) on the Affiliate's website.
- Inform and educate the Affiliate's members, constituents, or customers about specific components of SmartWay Transport Partnership.
- Distribute, feature and promote educational materials about the SmartWay Transport Partnership.
- Recruit new Partners from the Affiliate's membership or constituents, or assist other Affiliates with recruiting.
- Publish articles or other informational materials.
- Identify and provide opportunities for NRCan to communicate with the Affiliate's members.
- Train your sales staff on the benefits of SmartWay verified technologies.

SmartWay Transport Partnership – Canadian Office:

Telephone: 1-855-322-1564

Email: smartway.canada@nrca-nrcan.gc.ca

www.smartway.nrcan.gc.ca

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In return, NRCan agrees to:

- Educate SmartWay Transport Partners about the Affiliate's involvement.
- Publicize Affiliate's participation through SmartWay Transport Partnership events, the website, and listings in related educational, promotional and media materials. NRCan will obtain written consent from an Affiliate before publishing its name in a context beyond increasing public awareness of its participation as described above.
- Provide Affiliate with materials to market the SmartWay Transport Partnership including program materials, posters, articles for journals, presentations and talking points.
- Provide Affiliate with a copy of the EPA's SmartWay Graphics Standards and Usage Guide and logo use agreement so the Affiliate can request the EPA's permission (as owner of the SmartWay trademark) to use the SmartWay Affiliates Logo and the SmartWay name in the promotion of the SmartWay Transport Partnership and in the Affiliate's activities.
- Make NRCan representatives available to speak about SmartWay at Affiliate's conferences and meetings.
- Assist Affiliate in achieving program goals, by working to address challenges, create incentives, and provide technical assistance, and support related to the SmartWay Transport Partnership.

General Terms:

The Affiliate agrees that it will not claim or imply that its participation in the SmartWay Transport Partnership Affiliate Program constitutes NRCan, the EPA, the Government of Canada, or the Government of the United States' approval or endorsement of anything other than the Affiliate's commitment to the program. The Affiliate will not make statements or imply that NRCan, the EPA, the Government of Canada or the Government of the United States endorses the purchase or sale of the Affiliate's products and services or the views of the organization.

The Affiliate agrees to apply to the EPA for permission to use the SmartWay Affiliates Logo and/or the SmartWay name, and to comply with the terms of any logo use agreement signed with the EPA (EPA Agreement). (NRCan can supply a copy of the EPA Agreement.) The Affiliate acknowledges that NRCan may terminate this Agreement if the Affiliate uses the SmartWay Transport Partnership name inconsistently with the terms of this Agreement or the EPA Agreement. .

Either party can terminate the Agreement at any time without prior notification or penalties or any further obligation. NRCan and the Affiliate agree not to comment publicly regarding the withdrawal of an Affiliate. Upon termination, Affiliate agrees to no longer use the SmartWay name or any variation of the SmartWay mark.

All commitments made by NRCan are subject to the availability of appropriated funds. The Affiliate understands that it bears its own costs for participation in this program, that it participates without recourse to NRCan, and agrees not to submit a claim for compensation to NRCan or any other Federal department or agency on the basis of this agreement.

This Agreement does not direct or apply to any person outside Affiliate and NRCan and therefore does not create any right or benefit, substantive or procedural, enforceable by law or equity against the Affiliate or NRCan, their officers or employees, or any other person.

The parties enter into this Agreement voluntarily. Thus, except as explained in the preceding, NRCan is not imposing any legally-binding obligations on the Affiliate or any other entity through this Agreement, nor is the Affiliate imposing any legally-binding obligations on NRCan or on any other entity through this Agreement.

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Authorized Affiliate Official:

The undersigned, on behalf of _____
understands and agrees to the terms of the SmartWay Transport Partnership Affiliate Program.

Signature Title

Print Name Date

Affiliate Primary Contact:

Name Title

Address

City Province Postal Code

E-Mail Phone Fax

**Send a copy of the completed agreement to NRCan's SmartWay Transport Partnership office by fax:
613-960-7340 or by email: smartway.canada@nrcan-rncan.gc.ca**

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