



Interurban Transit Partnership

The Rapid's Transit Advertising Policy

Purpose:

The purpose of this policy is to establish the limited types of advertising permitted on The Rapid's transportation vehicles and the corresponding procedure by which such limited postings may be submitted to and approved.

Policy Content:

I. PURPOSE

The purpose of this policy is to establish a policy ("Advertising Policy") as to the limited types of advertising which may be permitted in or on The Interurban Transit Partnership ("The Rapid") transportation vehicles and the corresponding procedure by which such limited postings may be submitted to and approved. The Rapid's Board is ultimately responsible for the adoption of this Advertising Policy and any amendments thereto. The Rapid's Board intends that it is operating in a proprietary capacity and its vehicles constitute non-public forums that are subject to the viewpoint-neutral restrictions set forth below.

The Rapid's Board of Directors has approved the concept of commercial advertising on its vehicles as a means of raising revenue for The Rapid. Revenue generated from commercial advertising is returned to the general operating budget and used to supplement local contributions to fund operations.

In order to realize the maximum benefit from the sale of advertising space, the program will be managed in a manner that produces as much revenue as practical, while ensuring that advertising does not:

- a. Discourage the use of the transit system.
- b. Diminish The Rapid's reputation in the service area.
- c. In any way interfere with operations or jeopardize the safety of passengers, The Rapid's employees, and the general public.
- d. Cause offense to its customers and the general public.

The exterior of The Rapid's vehicles is reserved for commercial advertising only. The Rapid may also designate free space on the interior of its vehicles for public service advertising space for certain non-profit organizations.

The Rapid may also use exterior and interior vehicle advertising itself to promote public awareness of transit programs, services, and promotions. This type of advertising may include the display of flyers, brochures, posters, and advertisements.

II. APPLICABILITY:

This Advertising Policy is applicable to members of The Rapid's Board of Directors, employees of The Rapid, and companies that contract with The Rapid for the leasing of advertising space on The Rapid vehicles.



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III. DEFINITIONS:

- a. Commercial Advertising – Advertising for the sole purpose of selling or renting services or property for a profit.
- b. Political Advertising – Any advertising that supports or opposes the election of any candidate or group of candidates, or any ballot question, initiative, petition, or referendum issue, including bond issues, constitutional amendments, or proposed legislation.
- c. Non-Profit Organizations – Organizations that meet the requirements for a tax-exempt organization under Section 501 (c) (3) of the Internal Revenue Code and that: 1) have a physical office within The Rapid’s service area; 2) provide social welfare services; and 3) serve the needs of The Rapid’s passengers.
- d. Public Service Announcements (PSA) – Non-commercial and non-political advertising by Non-Profit Organizations promoting their social services.

IV. COMMERCIAL ADVERTISING STANDARDS:

Advertising displayed on the exterior of The Rapid’s vehicles shall be strictly commercial in nature and purpose. Commercial advertising also is available on the interior of The Rapid’s vehicles.

Because The Rapid serves persons of all backgrounds and strives to create a comfortable and enjoyable experience for all passengers, the following types of advertising are prohibited:

- a. Materials that contain false, misleading, libelous, slanderous, or deceptive images.
- b. Advertising for tobacco, tobacco-related products, and illegal drugs under any federal and/or state law.
- c. Advertising for adult products, services or entertainment directed to sexual stimulation.
- d. Advertising of contraceptive products or hygiene products of an intimately personal nature.
- e. Advertising that depicts sexually explicit, obscene and/or pornographic images or words.
- f. Advertising that portrays graphic violence.
- g. Advertising that contains discriminatory, derogatory, negative or personal attacks against individuals, groups, or organizations.
- h. Political Advertising.
- i. Advertising that promotes or opposes any identifiable or specific religion, religious viewpoint, or message.



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- j. Advertising that is directed to inciting or producing imminent lawless action, or is likely to incite or produce such action, including, but not limited to, unlawful actions.
- k. Advertising that promotes illegal activity of any kind.
- l. Advertising that encourages persons to refrain from using The Rapid or public transit.
- m. Advertising that explicitly and directly promotes or encourages the use of means of transportation in direct competition with public transit.
- n. Advertising messages that conflict with the mission of The Rapid.
- o. Advertising that contains The Rapid's name, brand logo, slogans, or other graphic representations of the transit system, unless written consent from The Rapid is obtained prior to use.

V. PRODUCTION AND PLACEMENT GUIDELINES:

Advertising materials will be produced at the advertiser's expense, and must be of good quality and conform to standards for size, weight, material, and other physical characteristics as set forth by The Rapid.

Advertisers must pay for installation and removal of advertising from vehicles. Costs will be determined by The Rapid and will coordinate installation or removal of advertising. It is the advertiser's responsibility to deliver or reclaim materials in a timely fashion or such materials may be disposed of at the discretion of The Rapid.

All advertisements placed on The Rapid's vehicles are subject to approval by The Rapid's Chief Executive Officer.

VI. COMPLIANCE RESPONSIBILITY:

The Rapid will determine the interior and exterior spaces that will serve as appropriate locations for commercial and/or non-profit advertisements. The Rapid reserves the right to modify, change, or alter the locations and sizes of the available advertisement spaces in its sole discretion. The placement and size of any advertisement shall at be the sole discretion of The Rapid. Appeals of The Rapid's decisions regarding placement and size of advertisements may be appealed in accordance with Section VIII below.

VII. ADVERTISING FOR NON-PROFIT ORGANIZATIONS:

Advertising on the interior of vehicle may be allowed and available to Non-Profit Organizations to display PSA materials free of charge at the discretion of The Rapid. Guidelines for the acceptance of non-profit advertising are as follows:

- a. PSA materials will be produced at the non-profit organization's expense, and must be of good quality and conform to standards for size, weight, material, and other physical characteristics as set forth by The Rapid and its advertising contractor.
- b. PSA's must be non-commercial, non-partisan, and non-political.



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- c. PSA's are prohibited from advertising if the type of advertising is prohibited under the "Commercial Advertising Standards" section above.
- d. PSA space may be available on the interior of vehicles only, provided display space is available.
- e. PSA's will be accepted on a first come, first served basis, and may be displayed for up to ninety (90) days.
- f. The sponsor of the PSA shall pay the applicable labor costs for the installation and removal of the PSA as charged by The Rapid.

VIII. APPEAL OF REJECTION OF PROPOSED ADVERTISEMENT OR PSA:

Within ten (10) days after The Rapid has rejected a proposed advertisement or PSA, and an agreement regarding revisions acceptable to The Rapid cannot be reached, the aggrieved party may file a written appeal with The Rapid's Board of Directors. The written appeal must specifically state the word "appeal" and identify the reason or reasons for reversing the rejection of the advertisement or PSA. The appeal will be heard at The Rapid's Board of Directors meeting immediately following the filing of the appeal, but not later than thirty (30) days following the filing of such appeal. The decision of The Rapid's Board of Directors regarding the appeal shall be final.

IX. LEGAL RESERVATION

It is the express intention of The Rapid and The Rapid's Board in accepting this Policy that The Rapid's Transportation Vehicles have traditionally been, and shall continue to be designated as a non-public forum. The Rapid's acceptance of commercial and/or public services postings shall not provide or create a traditional or designated public forum for expressive activities.