

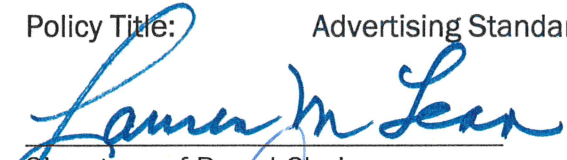
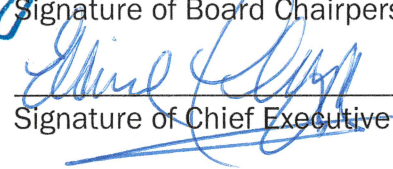


This policy supersedes all prior policy statements written, verbal, or otherwise.

Policy Number: 1.23.04

Resolution Number: VBD24-013

Policy Title: Advertising Standards Policy

 _____ Signature of Board Chairperson	<u>1-10-24</u> _____ Date
 _____ Signature of Chief Executive Officer	<u>1-10-24</u> _____ Date

STATEMENT OF POLICY

VRT's primary purpose is to provide a safe and efficient public transportation system. As such, VRT places great importance on maintaining safe, secure, comfortable and convenient busses in order to retain existing riders and attract new users of VRT's bus services.

The VRT Board has approved the concept of commercial and other limited advertising on the exterior and interior of its busses and other transit assets as a means of raising revenue for the VRT's transit system, facilities and services. Revenue generated from advertising is returned to the general operating budget and used to reduce local contributions to fund operations.

In order to realize the maximum benefit from the sale of advertising space while accomplishing VRT's main purpose, VRT will accept advertising on its transit assets only if such advertising complies with this advertising policy.

POLICY

Designation of Forum

VRT's acceptance of advertising does not provide or create a general public forum for expressive activities nor does VRT intend by its acceptance of transit advertising to convert VRT's transit assets into public forums for public discourse and debate. Instead, as noted, VRT's sole purpose and intent is to accept advertising as an additional means of generating revenue to support its transit operations. In furtherance of that discreet and limited objective, VRT retains strict control over the nature of the advertisements accepted for posting on or in its transit assets and maintains its advertising space on VRT transit assets as a nonpublic forum.

In VRT's experience, certain types of advertisements interfere with VRT's sole purpose of generating revenue to benefit the transit system. This policy advances the advertising program's revenue-generating objective and preserves the forum's primary transit purposes

by prohibiting advertisements that interfere with and divert resources from transit operations, that detract from transit purposes by creating substantial controversy, and/or that pose significant risks of harm, inconvenience, or annoyance to transit passengers, operators and vehicles. Such advertisements create an environment that is not conducive to achieving increased revenue for the benefit of the transit system or to preserving and enhancing the security, safety, comfort and convenience of its operations. The viewpoint neutral restrictions in this policy thus foster the maintenance of a professional advertising environment that maximizes advertising revenue and protects the interests of the captive audience that uses VRT's bus services.

This policy is intended to provide clear guidance as to the types of advertisements that will allow VRT to generate revenue and enhance transit operations by fulfilling the following important goals and objectives:

- Maximizing advertising revenue.
- Maintaining a position of neutrality and preventing the appearance of favoritism or endorsement by VRT.
- Preventing the risk of imposing objectionable, inappropriate or harmful views on a captive audience.
- Preserving the value of the advertising space.
- Maximizing ridership and maintaining a safe environment for transit customers and other members of the public.
- Avoiding claims of discrimination and maintaining a non-discriminatory environment for riders;
- Preventing any harm or abuse that may result from running objectionable, inappropriate or harmful advertisements.
- Reducing the diversion of resources from transit operations that is caused by objectionable, inappropriate or harmful advertisements.
- Preserving VRT's business reputation as a professional, effective and efficient provider of public transit services.

As such, VRT's transit assets are a nonpublic forum and VRT will only accept advertising specified in this viewpoint neutral policy and that satisfies all other access requirements and restrictions provided herein.

Scope of Advertising Policy

This advertising policy applies to the posting of all new advertisements on VRT transit assets as of the date this policy is adopted by the VRT Board. VRT, in its sole discretion, will determine the space on VRT transit assets for the purpose of placement of advertisement. Any naming rights or sponsorship of VRT routes or facilities will be governed by separate policies and programs.

Permitted Advertising Content

Subject to the limitations in the prohibited advertising, VRT will permit the following classes of advertising on VRT's transit assets:

- Commercial Advertising. Advertising proposing, promoting, or soliciting a commercial transaction for the sale, rent, lease, license, distribution or availability of goods, property, services, or events for the advertiser's commercial or proprietary interest, or more generally promoting an entity or entities that engage in such activities.

- Government Advertising. Advertising by a federal, state or local governmental entity that advances specific governmental purposes.
- Nonprofit Public Service Announcements. Advertising that is sponsored by a nonprofit organization that is exempt from taxation under Section 501(C)(3) of the Internal Revenue Code and has provided documentary proof of such status, that is directed to the general public or a significant segment of the general public, and that relates to the:
 - Prevention or treatment of illnesses or promotion of personal health;
 - Education, training or employment services;
 - Arts, culture, or special events;
 - Provision of children and family services;
 - Provision of services and programs that provide support to low income citizens, senior citizens, or people with disabilities; or
 - Solicitation by broad-based contribution campaigns that provide funds or goods to charitable organizations active in the above-listed areas.

Prohibited Advertising Content

Advertising is prohibited on or in VRT transit assets if it falls within one or more of the following classes:

- Political Speech. Advertising that promotes, or opposes a political party, any person or group of persons holding federal, state or local government elected office, the election of any candidate or group of candidates for federal, state or local government offices, or initiatives, referendums or other ballot measures.
- Public Issue Speech. Advertising that non-incidentally expresses or advocates or appears to express or advocate an opinion, position or viewpoint on a matter of public debate about economic, political, public safety, religious or social issues.
- Religious. Advertising that promotes or opposes any identifiable or specific religion, religious viewpoint, message or practice.
- Prohibited Products, Services or Activities. Any advertising that (i) promotes or depicts the sale, rental, or use of, participation in, or images of the following products, services or activities; or (ii) that uses brand names, trademarks, slogans or other material that are identifiable with such products, services or activities:
 - Tobacco: Tobacco products, tobacco-related products, and products that simulate smoking or are modeled on the tobacco products, including but not limited to cigarettes, cigars, smokeless (e.g., chewing) tobacco, and electronic cigarettes or vaping devices.
 - Alcohol: Beer, wine, distilled spirits or any alcoholic beverage licensed and regulated under Idaho state law.
 - Cannabis: Cannabis, cannabis products, cannabis businesses, or cannabis services.
 - Firearms: Firearms, ammunition or other firearms-related products.
 - Adult/Mature Rated Films, Television or Video Games: Adult films rated "X" or "NC-17", television rated "MA" or video games rated "A" or "M".
 - Adult Entertainment Facilities: Adult bookstores, adult video stores, nude dance clubs and other adult entertainment establishments.
 - Other Adult Services: Adult telephone services, adult internet sites and escort services.

- Nudity, Sexual and/or Excretory Subject Matter: Advertising depicting nudity, sexual conduct or sexual excitement is not permitted. The terms "sexual conduct," and "sexual excitement" have the same meaning herein.
- False or Misleading: Any material that is or that the sponsor reasonably should have known is false, fraudulent, misleading, deceptive or would constitute a tort of defamation or invasion of privacy.
- Copyright, Trademark or Otherwise Unlawful: Advertising that contains any material that is an infringement of copyright, trademark or service mark, or is otherwise unlawful or illegal.
- Illegal Activity: Advertising that promotes any activity or product that is illegal under federal, state or local law.
- Profanity and Violence: Advertising that contains any profane language, or portrays images or descriptions of graphic violence, including dead, mutilated or disfigured human beings or animals, the act of killing, mutilating or disfiguring human beings or animals, or intentional infliction of pain or violent action towards or upon a person or animal, or that depicts weapons or devices that appear to be aimed or pointed at the viewer or observer in a menacing manner.
- Disparaging: Advertising that is intended to be (or reasonably could be interpreted as being) disparaging, disreputable, or disrespectful to persons, groups, businesses or organizations, including advertising that portrays individuals as inferior, evil or contemptible.
- Adverse to VRT: Advertising, or any material contained in it, that is directly adverse to the commercial or administrative interests of VRT, or that tends to disparage the quality of service provided by VRT, or that tends to disparage public transportation in general.
- VRT Graphics and References: Advertising that contains VRT graphics, logos, representations without the express written consent of the VRT.
- Insulting, Degrading or Offensive: Any material directed at a person or group that is so insulting, degrading or offensive as to be reasonably foreseeable that it will incite or produce lawless action in the form of retaliation, vandalism or other breach of public safety, peace and order.
- Harmful or Disruptive to Transit System: Any material that is so objectionable under contemporary community standards as to be reasonably foreseeable that it will result in harm to, disruption of or interference with the transportation system.
- Unsafe Transit Behavior: Any advertisement that encourages or depicts unsafe behavior with respect to transit-related activities, such as non-use of normal safety precautions in awaiting, boarding, riding upon or disembarking from transit vehicles.

END OF POLICY

Adoption Date: 8/24/2004

Effective Date: 8/24/2004

Last Revised Dates: 09/23/2019, 01/08/2024

Last Reviewed Dates: 09/23/2019, 01/08/2024

Replaced: N/A

Supporting Documents: N/A