

SPOKANE TRANSIT AUTHORITY (STA)
Vehicle and Facilities Advertising Policy
July 2006

I. Purpose and Intent

The purpose of this policy is to create definite, uniform standards for the display of advertising on STA buses, facilities, and any other revenue vehicles or facilities owned, leased, controlled or operated by Spokane Transit Authority. This policy is intended to be an objective and enforceable standard for advertising that is consistently applied, and which is consistent with the free speech guarantees of the constitutions of the United States and the State of Washington.

It is STA's declared intent and purpose to take into account interests which are of importance to the operation of Spokane Transit's transportation system. These interests include:

- 1) Maximizing revenues by advertising;
- 2) Maintaining an orderly administration and operation of Spokane Transit's transportation system, which includes maximizing revenues by attracting and maintaining the patronage of passengers;
- 3) Maintaining the safety of passengers;
- 4) Protecting minors who travel on Spokane Transit's transportation system; and
- 5) Avoiding any potential identification of Spokane Transit with the viewpoints expressed in advertisement on vehicles.

Spokane Transit reserves the right to amend these policies and standards at any time. Any revisions or amendments to this policy will be in writing and supplied to all advertising contractors. Any member of the public may obtain a copy of these standards at any time, upon request.

II. Advertising Standards and Restrictions

It is the intent of STA to encourage advertising that meets and/or exceeds high quality standards of art and design as exemplified in the industry.

- A. Disclaimer. Spokane Transit reserves the right, in all circumstances, to require an advertisement on or in its Property to include a disclaimer indicating that it is not sponsored by, and does not necessarily reflect the views of Spokane Transit. It is to be noted that bus benches located throughout the region are NOT property of STA except in bus shelters and therefore not a part of this policy.
- B. Limitations Upon Advertisements. Spokane Transit intends that its advertising venues constitute nonpublic forums that are subject to the viewpoint-neutral restrictions set forth below. Certain forms of paid and unpaid advertising will not be permitted for placement or display on or in Spokane Transit Property. No advertisement will be displayed or maintained if the advertisement or information contained in it falls within one or more of the following categories:

- 1) False, misleading, or deceptive commercial speech. The advertisement proposes a commercial transaction, and the advertisement, or any material contained in it, is false, misleading, or deceptive.
- 2) Unlawful goods or services. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, the use or possession of unlawful or illegal goods or services.
- 3) Unlawful conduct. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities.
- 4) Endorsement. The advertisement, or any material contained in it, implies or declares an endorsement by Spokane Transit of any service, product or point of view, without prior written authorization of Spokane Transit (through its CEO).
- 5) Obscenity or Nudity. Contains any nudity, obscenity, sexual content, sexual excitement, or sadomasochistic abuse as those terms are defined in Washington State statutes.
- 6) Prurient sexual suggestiveness. The advertisement contains material that describes, depicts, or represents sexual activities or aspects of the human anatomy in a way that the average adult, applying contemporary or community standards, would find appeals to the prurient interest of minors or adults in sex.
- 7) Tobacco. The advertisement promotes the sale or use of tobacco or tobacco-related products.
- 8) Demeaning or disparaging. Advertising that includes language, pictures, or other graphic representations that are derogatory or defamatory of any person or group because of race, color, national origin, ethnic background, age, disability, ancestry, marital or parental status, military discharge status, source of income, religion, gender or sexual orientation.
- 9) Profanity. The advertisement contains profane language.
- 10) Violence. The advertisement contains as image or description of graphic violence or the depiction of weapons or other implements or devices associated in the advertisement with an act or acts of violence or harm on a person or animal.
- 11) “Adult” – oriented goods or services. The advertisement promotes or encourages, or appears to promote or encourage, adult book stores, nude dance clubs and other adult entertainment establishments, adult telephone services, adult Internet sites and escort services.

III. Advertising Program and Administration.

- A. Administration. Spokane Transit shall select an “Advertising Contractor” who shall be responsible for the daily administration of Spokane Transit’s advertising program, in a manner consistent with these guidelines. Spokane Transit shall designate a “Contract Administrator” on its staff to be the primary contact for Spokane Transit with the Advertising Contractor.

B. Procedure. The Advertising Contractor shall review each advertisement submitted for display on or in Spokane Transit's property to determine whether the advertisement falls within the adopted standards and guidelines. If it appears the advertisement may be questionable; the Contractor shall notify the Contract Administrator at Spokane Transit before the advertisement is approved and installed.

- 1) The STA Contract Administrator will review the advertisement to determine whether the advertisement meets the adopted standards and guidelines set forth in Section II of this policy.
- 2) If the STA Contract Administrator determines that the advertisement does not meet the adopted standards and guidelines, or where there is uncertainty as to whether or not a particular advertisement meets such guidelines, the Contract Administrator shall refer the matter to the CEO for a determination. If the CEO finds the advertisement does not violate the standards, he or she will inform the Contract Administrator who will advise Contractor(s) Program Manager of the determination. The CEO is the final authority.