
TRANSBAY JOINT POWERS AUTHORITY

Board Policy No. 016

Category: Financial Matters

ADVERTISING POLICY

I. Introduction

The TJPA may from time to time chose to make limited, designated TJPA property (“Advertising Space”) available for posting of print, electronic, or other forms of advertisements (“Advertising”). All such Advertising Space is a nonpublic forum. All Advertising must strictly comply with the terms and conditions of this Policy.

The primary purpose of TJPA property is to provide public transportation services to paying passengers. Most passengers use TJPA property to commute to and from home, work, and school, and to engage in retail, professional services, and other commercial transactions. Many passengers that use TJPA property have limited alternative methods of transportation. Many passengers that use TJPA property are minors.

II. Objectives

The purposes and objectives of this Policy are to:

- (1) Maximize revenue for the Transbay Program. The class and consumer friendliness of Advertising directly relates to the goal of maximizing revenue.
- (2) Promote the Transbay Program and ridership on the public transportation systems that partner with the TJPA.
- (3) Maintain a safe and welcoming environment for passengers, particularly minors, using TJPA property and riding the public transportation systems that use TJPA property by encouraging a minimum level of decorum.
- (4) Maintain the TJPA’s position of neutrality on issues not directly related to the Transbay Program.
- (5) Not promote illegal activity.

III. General Policy

In order to advance the above purposes and objectives, Advertising shall not:

- (1) concern a political campaign or candidate, ballot measure, initiative, or other legislation;
- (2) contain false, misleading, or deceptive commercial speech;
- (3) contain profanity;

- (4) be libelous, slanderous, or defamatory;
- (5) contain nude, obscene, or pornographic images, by community standards;
- (6) advocate or promote the use of illegal goods or services, or unlawful conduct;
- (7) depict graphic violence;
- (8) contain or use a graffiti style to convey a message;
- (9) infringe on any copyright, trademark, or other protected intellectual property;
- (10) demean or disparage an individual or group;
- (11) conflict with the requirements of the TJPA's funding partners, including the US Department of Transportation, or any applicable federal, state, or local law;
- (12) contain, imply, or declare an endorsement by the TJPA, except as expressly permitted by the TJPA.

The TJPA reserves the right to require that any Advertising identify the entity posting the Advertising in clearly visible type.

The TJPA reserves the right to require that any Advertising include the following statement in clearly visible type: "The views expressed in this advertisement do not necessarily reflect the views of the Transbay Joint Powers Authority."

Any contract granting the right to advertise in the Advertising Space shall attach this Policy and require compliance with this Policy, as it may be amended from time to time. The TJPA reserves the right to review and approve all proposed Advertising prior to posting to ensure consistency with this Policy. Upon written demand by the TJPA, the contractor must promptly remove any Advertising that is in violation of this Policy at the contractor's sole expense.

The TJPA Board may amend this Policy at any time without prior written notice to any entity that purchases or sells Advertising in the Advertising Space.