

To: Marketing, Planning & Legislative Committee

Date: 7/2/2019

From: Melody Reeb, Manager of Planning

Reviewed by: WC.

SUBJECT: Advertising Policy Review

Background:

County Connection's advertising policies for both interior and exterior advertising were first adopted in 1983 and have not been revised since 1994. In addition to establishing the procedures and responsibilities of County Connection and its advertising services contractor, the policies define the types of content that are prohibited and are used when evaluating the content of proposed advertising. Staff will be releasing an Request for Proposals for bus advertising services later this year, and these policies establish the types of advertising that potential vendors may or may not sell.

Content Policies:

County Connection's current content policies create a relatively open forum and only prohibit the following types of content:

- Liquor and tobacco products
- Political advertising (*interior only*)
- Advertising copy that is false, misleading, deceptive, and/or offensive to the moral standards of the community or contrary to good taste

Staff reviewed the advertising policies of other Bay Area transit agencies, including AC Transit, SamTrans, and VTA. In addition to the content types listed above, these agencies also prohibit the following types of content:

- Demeaning or disparaging material
- Unlawful goods or services
- Unlawful conduct
- Promoting sale or use of firearms
- Promoting sale or use of marijuana
- Religious advertisements
- Unauthorized endorsements
- Directly discouraging the use of public transportation
- Sexually suggestive content

Staff has been working with legal counsel to determine the feasibility of adding additional content restrictions to County Connection's advertising policy. As this would be a significant policy change, staff is seeking feedback and direction from the Committee on whether such changes to the policy should be pursued.

Financial Implications:

None.

Recommendation:

For information only.

Attachments:

Interior Advertising on CCCTA Transit Vehicles Policy
Exterior Advertising on CCCTA Transit Vehicles Policy

SUBJECT: Interior Advertising on CCCTA Transit Vehicles

- POLICY:
1. Liquor, tobacco, and political advertising will not be allowed on the interior of the Authority vehicles.
 2. The contractor will not display advertising copy that is false, misleading, deceptive, and/or offensive to the moral standards of the community or contrary to good taste. Copy which might be contrary to the best interest of the transit system, or which might result in public criticism of the advertising industry and/or transit advertising, will not be acceptable.
 3. All advertising material is subject to approval by the Authority prior to installation on Authority vehicles. Rough sketches, with proposed copy, should be provided for this purpose.
 4. The Authority will retain two card spaces on the interior of each bus to display Authority information.
 5. The contractor will allow the Authority to utilize unsold space for cards, furnished by the Authority, containing the Authority's own institutionalized advertising/information.
 6. It should be agreed by all parties that the rights and privileges granted, and the obligations imposed, shall also apply to any new method, type or technique of advertising not contemplated here, but which may be created or developed in the future for advertising use in Authority buses. If an advertising display opportunity of a unique nature, or as not contemplated here, arises, the details of such opportunity shall be presented, in writing, to the General Manager of the Authority for approval.
 7. The Authority will provide the contractor reasonable access to its facility and its vehicles at the discretion of the Authority, for the purpose of conducting associated contract business.
 8. The Authority will agree that no advertising displayed properly on the interior of transit vehicles will be removed or obscured by the Authority without prior knowledge of the contractor, or as provided by the contract.
 9. The Authority will expect a minimum guarantee of advertising revenue from the contractor.
 10. The Authority shall have the right to examine and inspect the books and other records of account between the Authority and contractor. The contractor shall furnish an unqualified report, certified by a certified public accountant, of its operation under the contract.
 11. The contractor will be expected to administer all public, educational or charitable advertisements as a part of the contract.

DATE OF ADOPTION: November 17, 1983

DATES OF REVISION: November 19, 1987
June 16, 1994

SUBJECT: Exterior Advertising on CCCTA Transit Vehicles

- POLICY:
1. Advertising of liquor and tobacco products will not be allowed on the exterior of Authority vehicles.
 2. The contractor will not display advertising copy that is false, misleading, deceptive, and/or offensive to the moral standards of the community or contrary to good taste.
 3. All advertising material is subject to approval by the Advertising Agency for conformance with the Authority policy prior to installation on Authority vehicles.
 4. It should be agreed by all parties that the rights and privileges granted, and the obligations imposed, shall also apply to any new method, type or technique of advertising not contemplated here, but which may be created or developed in the future for advertising use in or upon Authority buses. If an advertising display opportunity of a unique nature, or as not contemplated here, arises, the details of such opportunity shall be presented, in writing, to the General Manager of the Authority for approval.
 5. The Authority will provide the contractor reasonable access to its facility and its vehicles at the discretion of the Authority, for the purpose of conducting associated contract business.
 6. The contractor will allow the Authority to utilize unsold exterior space for cards, furnished by the Authority, containing the Authority's own institutional advertising/information at the Authority's discretion.
 7. The Authority will agree that no advertising displayed properly on the exterior of transit vehicles will be removed or obscured by the Authority without knowledge of the contractor, or as provided by the contract.
 8. The Authority will expect a minimum guarantee of advertising revenue from the contractor.
 9. The Authority shall have the right to examine and inspect the books and other records of account between the Authority and contractor. The contractor shall furnish an unqualified report, certified by a certified public accountant, of its operation under the contract.
 10. The contractor will be expected to administer all public, educational or charitable advertisements as a part of the contract.

DATE OF ADOPTION: November 17, 1983

DATE OF REVISION: June 16, 1994