



## **Solano County Transit**

### **SOLTRANS ADVERTISING POLICY**

#### **POLICIES AND STANDARDS FOR ADVERTISING ON SOLTRANS FACILITIES**

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#### **I. PURPOSE**

SolTrans owns and operates buses, bus shelters, and other properties (collectively referred to as “transit facilities”) in conjunction with its regional transit system. It is in the public interest to make advertising space available, upon payment of rent in accordance with SolTrans’ adopted rental fee schedule, on certain designated transit facilities to generate revenue and assist in funding the operation of the regional transit system or upon acceptance of the advertising as unpaid public advertising or public service announcements in accordance with this policy in order to support public agencies and community non-profit services.

The primary purposes of SolTrans’ transit system are to provide safe and efficient public transportation within its service area. Consistent with these purposes, SolTrans places great importance on maintaining secure, safe, comfortable and convenient Transit Facilities in order to, among other things consistent with the provision of effective and reliable public transportation, retain existing riders and attract new users of public transit services. To generate additional revenue while also accomplishing the primary objectives of transit operations, SolTrans will accept advertising on its transit facilities only if such advertising complies with this Advertising Policy.

#### **II. NON PUBLIC FORUM**

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By allowing limited types of advertising on or within the transit facilities, it is SolTrans' express intention to not create a public forum for public discourse, expressive activity or to provide a forum for all types of advertisements. Rather, as noted, SolTrans fundamental purposes 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, SolTrans retains strict control over the nature of the ads accepted for posting on or in its transit facilities and maintains its advertising space as a non-public forum. All advertising shall be subject to this uniform, viewpoint-neutral policy.

### **III. PERMITTED ADVERTISING**

Subject to the viewpoint-neutral standards contained in these policies and standards, SolTrans will accept "Permitted Advertising" for display or placement. For the purposes of these policies, "Permitted Advertising" is advertising that generally relates to the economic interests of the advertiser and its audience, while ensuring that the advertising is of a type that:

1. Does not discourage the use of the transit system;
2. Does not interfere with the presentation/communication of transit information necessary for the safe and efficient use of the SolTrans system;
3. Does not diminish SolTrans' reputation in the communities it serves or the good will of its customers; and,
4. Is consistent with the principal purposes of providing safe, reliable, efficient and quality public transportation.

### **IV. PERMITTED LOCACTIONS**

SolTrans or its designated agent will make space on or within its transit facilities available for limited types of "Permitted Advertising", currently consisting of advertising on:

1. Interior and exterior of SolTrans buses;
2. SolTrans bus shelters with designated advertising space in the service area;
3. SolTrans facilities with available space such as the Vallejo Transit Center, Sereno Transit Center, and the SolTrans Curtola Park & Ride Hub;
4. Printed literature;
5. and SolTrans website.

### **V. PUBLIC SERVICE ANNOUNCEMENTS**

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SolTrans may make advertising space available for advertising proposed by governmental entities, academic institutions or tax-exempt nonprofits. Non-profit entities must document their tax-exempt status. On a limited basis, SolTrans may make unpaid advertising space available for public service announcements. Costs associated with the design, production, installation and removal of public service announcements are the responsibility of the group or organization requesting the public service announcement. The advertising and public service announcements permitted under this section cannot contain displays or messages that qualify as “Excluded Advertising” and must comply with these advertising policies and standards. Unless the source of the advertising or public service announcement is obvious from the content or copy, the advertisement or public service announcement must specifically identify the sponsor of the advertisement or the message.

### **III. EXCLUDED ADVERTISING**

Advertising cannot be displayed or maintained on transit facilities/vehicles if information contained in the advertisement, either by language or graphics, falls within one or more of the following categories of Excluded Advertising:

1. False, misleading, deceptive or relates to an illegal activity;
2. Advocacy or portrayal of violence or crime;
3. Infringement of intellectual property including piracy or infringement of copyright, service mark, title or slogan;
4. Defamatory or likely to hold up to scorn or ridicule a person or group of people;
5. Unauthorized endorsement which is defined as advertising that implies SolTrans endorsement of a product, service, or program, etc.;
6. Obscene (i.e., patently offensive sexual material lacking literary, social, artistic and/or political value, that appeals to the prurient interest of a person of average sensibilities), pornographic, sexual, or containing excretory organs
7. Adult/mature films, television or video games (i.e. Adult films rated “X” or “N-17”, television rated “MA” or video games rated “A” or “M”);
8. Adult entertainment facilities (i.e. Adult book stores, adult video stores, nude dance clubs and other adult entertainment establishments);
9. Other Adult Services (i.e. Adult telephone services, adult internet sites and escort services);
10. Firearms, ammunition or other firearm-related products;
11. Promotes alcohol, tobacco, tobacco products, vaping and/or cannabis products;
12. Religious advertisements;
13. Political advertising or campaign speech (i.e. advertising that promotes, or opposes a political party, the election of any candidate or group of candidates or federal, state or local government offices or initiatives, referendums or other ballot measures.);
14. Objectification of a person or a particular group of people;

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15. Harmful or disruptive to the transit system (i.e. material that is so objectionable as to be reasonably foreseeable that it will result in harm to, disruption of or interference with the transportation system. For purposes of determining whether an advertisement contains such material, SolTrans will determine whether a reasonably prudent person, knowledgeable of SolTrans ridership and using prevailing community standards, would believe that the material is so objectionable that it is reasonable foreseeable that it will result in harm to, disruption of or interference with the transportation system);
16. Lights, noise and special effects. (i.e. flashing lights, sound makers, mirrors or other special effects that interfere with the safe operation of the transit vehicles or the safety of the riders, drivers of other vehicles or the public at large.);
17. Unsafe transit behavior. Any advertisement that encourage or depicts unsafe behavior with respect to transit-related activities, such as non-use of normal safety precautions in awaiting, boarding, riding upon or debarking from transit vehicles.

By not accepting excluded advertising, SolTrans can:

1. Maintain a professional advertising environment that maximizes advertising revenues and minimizes interference or disruption of the commercial aspects of its regional transit system;
2. Maintain an image of neutrality on political matters and other noncommercial issues that are the subject of public debate and concern;
3. Protect passengers, employees and SolTrans facilities from harm or damage that can result from some individual's reactions to political or controversial materials; and
4. Build and retain transit ridership.

## IV. DEFINITIONS & STANDARDS

For purposes of this Policy, the following definitions apply:

### Unauthorized Endorsement Advertisements

Defined as advertising that implies or declares that SolTrans endorses a product, service, point-of-view, event or program. The prohibition against endorsements does not apply to advertising for a service, event or program for which SolTrans is an official sponsor, co-sponsor or participant.

### Religious Advertisements

Defined as advertisements that contain any direct or indirect reference to religion, or to any religion, or to any deity or deities, or which includes the existence, nonexistence or other characteristics of any deity or deities, or to any religious creed, denomination, belief, tenet, cause or issue relating to (including opposing or questioning) any religion. This prohibition shall include

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the depiction of text, symbols, or images commonly associated with any religion or with any deity or deities, or any religious creed, denomination, belief, tenet, cause or issue relating to (including opposing or questioning) any religion.

### Political Advertisements

Defined as advertisements that contain political speech referring to a particular ballot question, initiative, petition, referendum, law, candidate, political party or social issue or expresses or advocates opinions or positions upon any of the foregoing. This prohibition includes any advertisement referring to or depicting a candidate for public office in any context.

### Space Availability

SolTrans limits the amount of space on its transit facilities available for advertising and does not represent that it can accommodate all requests for advertising space. Advertising space will be made available only on facilities designated by SolTrans. No advertising, signs and other types of postings or messages may be displayed, posted or placed on any other SolTrans transit facilities

### Reservation of Rights

SolTrans reserves the right to amend these policies and standards at any time. Subject to any contractual obligations, SolTrans reserves the right to discontinue advertising on SolTrans transit facilities and discontinue accepting advertising for display or posting on SolTrans transit facilities. SolTrans reserves the right to limit the availability of advertising space on its transit facilities and reject or remove advertising that does not comply with these advertising policies and standards, subject to any contractual obligations.

## **V. ADMINISTRATION & ENFORCEMENT OF POLICY**

### Initial Reviews

SolTrans' Executive Director, staff designee, or other designated agent will make decisions about accepting or rejecting proposed advertising. The decisions will be based on the terms, definitions, and standards contained in this Advertising Policy.

### Determination & Notification to Advertiser

SolTrans will send written notification to the advertiser of the acceptance or rejection of the advertisement and will include in that notification a copy of this policy and if rejected, written specification of which standard or standards with which the advertisement fails to comply. SolTrans' Executive Director, staff designee, or designated agent will work with advertisers to resolve issues about advertisements that do not comply with these policies and procedures. Resolution may include modification of the art, copy, or both.

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### Appeals of Advertising Decisions

An advertiser may appeal a decision to reject or remove an advertisement by filing a written appeal with the Executive Director within seven (7) business days after receipt of the rejection or removal decision. The advertiser's written appeal must state why the advertiser disagrees with the decision in light of SolTrans' Advertising Policy. The Executive Director will review the basis for the rejected or removed advertisement and will consider the advertiser's reasons for filing the appeal. The Executive Director will make a decision on the appeal and will notify the advertiser of his/her decision in writing within fifteen (15) business days after receiving the advertiser's appeal.

### Further Review by SolTrans Board of Directors and Legal Counsel

In the event that the Executive Director's decision requires additional scrutiny, appeals to the Board of Directors may be appropriate. Such appeals to the Board, however, may not occur until after an advertiser has exhausted the appeal process with the Executive Director and received a decision in writing from them. In these situations, the Board may uphold or reverse the Executive Director's decision, or require the exploration of other remedies.

In the event of any appeal to the Board of Directors, Legal Counsel shall provide guidance on the legality of any claims made by an advertiser.

## **VI. APPLICATION PROCESS**

Advertising applications may be accepted throughout the year. Applicants should submit their advertising requests a minimum of four (4) months in advance of the dates they would like their advertisements to run. Written requests can be sent via email, facsimile or mail to:

ATTENTION: FINANCE AND ADMINISTRATION MANAGER  
Solano County Transit "SolTrans"  
311 Sacramento Street  
Vallejo, CA 94590  
T: 707.648.4046 F: 707.648.4260  
Email: [Info@soltransride.com](mailto:Info@soltransride.com)

Applications must include:

1. Full name, address, and contact person for the organization
2. Contact information such as: email, phone, and fax numbers
3. Artwork in a PDF, JPEG or other file type for approval
4. Dates and locations for desired advertisements
5. If ad is for an event; date, name and summary of the event being advertised
6. Additional information upon request by SolTrans

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Upon receipt of a written request, SolTrans will tentatively schedule a booking into the overall allotment of advertising space and will review the request for completeness. All submittal requirements shall be submitted at one time. Please note that the timeliness of a complete submittal will help ensure the success of the proposed advertising time table. SolTrans will give priority to advertisers who submit timely applications. At the conclusion of an advertising campaign, all copies must be removed within 72 hours or penalties may apply.

NOTE: Due to limited staffing resources, SolTrans reserves the right to outsource the management of advertising activities to a third party contractor. SolTrans further reserves the right to delay the acceptance and approval of applications from advertisers until such time that a 3<sup>rd</sup> party contractor is obtained.

### **VII. RENTAL FEE SCHEDULE**

SolTrans offers transit advertising as a source of revenue to help offset system operating costs. Advertising rates are set by the SolTrans Board of Directors. Please contact SolTrans via phone, email, facsimile, or mail as identified under Section VI, Application Process.

Adopted: March 21, 2013

Revised: March 20, 2014

2<sup>nd</sup> Revision: April 5, 2019