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Metropolitan Transportation Authority

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**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 21, 2013**

SUBJECT: ADVERTISING POLICY

ACTION: REVISE CONTENT GUIDELINES OF METRO'S ADVERTISING POLICY

RECOMMENDATION

Revise the Advertising Content Guidelines contained in the Board-approved Metro System Advertising policy (COM 6) to prohibit advertising content that is adverse to Metro's commercial or administrative interests, and to clarify restrictions regarding vulgarity. Exact changes to policy language are shown in Attachment A.

ISSUE

Metro accepts paid advertising on its bus and rail system according to the Content Guidelines contained in its advertising policy. While the current guidelines place specific restrictions on content involving such subjects as tobacco and alcohol products, adult entertainment and illegal activity, the recommended addition would allow Metro greater flexibility in restricting advertising content that is deemed to be injurious to Metro's commercial or administrative interests.

DISCUSSION

Metro's current advertising policy was adopted in March 2000; its Content Guidelines were last revised in June 2013. Staff recently learned that several other transit agencies include a provision in their advertising policies regarding content that is adverse to those agencies' commercial or administrative interests. Staff believes Metro should adopt a similar position.

Staff also recommends clarifying the policy's current restriction regarding content that is vulgar to apply to images as well as language.

DETERMINATION OF SAFETY IMPACT

Revision of the Content Guidelines does not affect the incidence of injuries or healthful conditions for patrons or employees. Therefore, approval of these revisions will have no impact on safety.

FINANCIAL IMPACT

The staff cost involved with administering the Metro System Advertising Policy and its Content Guidelines is contained in the FY14 budget in Cost Center 7140 Customer Communications, Account 53131, under Project 100002 Governmental & Oversight Activities, Task 01. No additional cost is required to administer the policy revisions discussed in this report. Since this is a multi-year project, the cost center manager and Chief Communications Officer will be accountable for budgeting the cost in future years.

Impact to Budget

The Project 100002 Governmental & Oversight Activities funding source in FY2014 is from the general fund, including Proposition A Administration funds and Proposition C Administration funds.

ALTERNATIVES CONSIDERED

The alternative is to refrain from making the recommended revisions to the Content Guidelines. This is not recommended as the recommended revisions add greater specificity to the policy's content restrictions and protect Metro's commercial and administrative interests.

NEXT STEPS

Staff will work with County Counsel as necessary to finalize policy language according to the direction of the Board and implement the revised policy immediately.

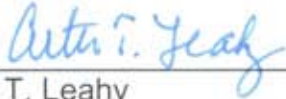
ATTACHMENTS

A. Current Advertising Content Guidelines including Recommended Revisions

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Noelia Rodriguez
Chief Communications Officer



Arthur T. Leahy
Chief Executive Officer

ATTACHMENT A

METRO SYSTEM ADVERTISING POLICY - CONTENT GUIDELINES

1. Alcohol and Tobacco Advertising

Advertising of all alcohol and tobacco products is prohibited. All products that simulate and/or encourage the act of smoking also are prohibited.

2. Non-Commercial Advertising

Metro does not accept advertising from non-governmental entities if the subject matter and intent of said advertising is non-commercial. Specifically, acceptable advertising must promote for sale, lease or other form of financial benefit a product, service, event or other property interest in primarily a commercial manner for primarily a commercial purpose.

Exception 1: Governmental Agencies, meaning public agencies specifically created by government action located in Los Angeles County or a Federal or State of California Governmental Agency, may purchase advertising space for messages that advance specific government purposes. The advertising must clearly, on the face of the advertising, identify the Governmental Agency. It is Metro's intent that government advertising will not be used for comment on issues of public debate.

Exception 2: Metro will accept paid advertising from non-profit organizations that partner with a Governmental Agency (as defined in Exception 1 above) and submit advertising that advances the joint purpose of the non-profit organization and the Governmental Agency, as determined by each of them. In order for advertising to qualify under this exception, the advertising must clearly, on the face of the advertising, identify the Governmental Agency and indicate that the Governmental Agency approves, sponsors, or otherwise authorizes the advertising. The non-profit organization must also provide a Statement of Approval (attached) from the Governmental Agency describing the joint purpose to be advanced and setting forth a statement acknowledging support and approval for the submitted advertising. Any message displayed under this exception must adhere to all other content restrictions stated in this policy.

3. Other Subject Matter Restrictions

Advertising may not be displayed if its content involves:

- Illegal activity - Promotes or relates to an illegal activity.

- Violence - Contains images, copy or concepts that promote guns/firearms or gun violence, or that depict weapons or other devices in an act of violence or harm on a person or animal, or contain any material that incites or encourages, or appears to incite or encourage, violence or violent behavior.
- Demeeaning or disparaging matter - Contains images, copy or concepts that actively denigrate, demean or disparage any individual or group.
- **VULGARITY Vulgar language** - Contains **IMAGES, COPY OR CONCEPTS THAT ARE language which is** obscene, vulgar, crude, sexually suggestive, **INDECENT**, profane or scatological.
- Obscene matter - Contains obscene matter as defined in the Los Angeles County Code, Chapter 13.17, Section 13.17.010, or sexually explicit material as defined in the Los Angeles County Code, Chapter 8.28, Section 8.28.010D.
- Adult entertainment – Promotes or displays images associated with adult book stores, video stores, dance clubs or other adult entertainment or sexually-oriented establishments, telephone services, internet sites, films, video games or escort services.
- Political endorsements – Contains messages that are political in nature, including messages of political advocacy, that support or oppose any candidate or referendum, or that feature any current political office holder or candidate for public office, or take positions on issues of public debate.
- Religion - Contains images, content or copy related to religion or religious ideas or viewpoints.
- Negative connotations of public transit - Contains images, copy or concepts that actively denigrate public transportation.
- Unsafe transit behavior – Contains images, copy or concepts that depict unsafe behaviors aboard buses or trains, or in or around transit stations or railroad tracks.
- **INJURIOUS TO METRO’S INTERESTS – PROMOTES PRODUCTS, SERVICES OR OTHER CONCEPTS THAT ARE ADVERSE TO METRO’S COMMERCIAL OR ADMINISTRATIVE INTERESTS.**
- Metro’s endorsement – Contains images, copy or concepts that inaccurately state or imply Metro’s endorsement of the subject of the advertisement.
- Harmful or disruptive to transit system – Contains 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.

4. Metro's Right of Rejection

Beyond the above, Metro's vendors may review advertising content according to their own guidelines of acceptability. Metro does not screen individual ads submitted to its vendors prior to posting unless specifically requested to do so by the vendors. Nevertheless, in all contracts Metro reserves the right to reject any advertising content submitted for display on its properties and/or to order the removal of any advertising posted on its properties. Decisions regarding the rejection or removal of advertising are made by the Chief Communications Officer or their designee based upon the criteria in this policy statement.