



2020 ADVERTISING POLICY

ANAHEIM TRANSPORTATION NETWORK

MISSION STATEMENT

The Anaheim Transportation Network provides a menu of transportation services for the general public in the Orange County, CA area. These programs include Anaheim Resort Transportation, a network of 23 transit and MicroTransit lines, that serve popular destinations within The Anaheim Resort®, Platinum Triangle and CtrCity Anaheim, as well as several other destinations in the Orange County area. Our goal is to provide transportation programs and services that foster a positive environment for everyone who lives, works or visits the greater Anaheim area

Adopted: January 2013
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I. PURPOSE AND INTENT

The purpose of this policy is to create definite, uniform standards for the display of advertising on Anaheim Transportation Network's (ATN) inventory of revenue-generated advertising mediums controlled by ATN. 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 California.

ATN's acceptance of transit advertising does not provide or create a general public forum for expressive activities. In keeping with its proprietary function as a provider of public transportation, ATN does not intend its acceptance of transit advertising to convert its transit assets, digital or printed materials into open public forums for public discourse and debate. Rather, ATN's fundamental purpose and intent is to accept advertising as an additional means of generating revenue to support its transit operations. In furtherance of this discreet and limited objective, ATN retains strict control over the nature of the ads accepted for posting on or in its transit assets, digital platforms and printed materials and maintains its advertising space as a limited public forum.

In the ATN's experience, certain types of advertisements interfere with the program's primary purpose of generating revenue to benefit the transit system. This policy advances the advertising program's revenue-generating objective by prohibiting advertisements that could detract from that goal by creating substantial controversy, interfering with and diverting resources from transit operations, and/or posing significant risks of harm, inconvenience, or annoyance to transit passengers, operators and vehicles. Such advertisements create an environment that is not conducive to achieving increased revenue for the benefit of the transit system or to preserving and enhancing the security, safety, comfort and convenience of its operations. The viewpoint neutral restrictions in this policy thus foster the maintenance of a professional advertising environment that maximizes advertising revenue.

This policy is intended to provide clear guidance as to the types of advertisements that will allow the ATN to generate revenue and enhance transit operations by fulfilling the following goals and objectives:

- Maximizing advertising revenue;
- Preventing the risk of imposing demeaning or disparaging views on a captive audience;
- Maintaining a position of neutrality on controversial issues;
- Preserving marketing potential of the advertising space by avoiding content that the community could view as demeaning, disparaging, objectionable, inappropriate or harmful to members of the public generally or to minors, in particular;
- Maximizing ridership;
- Avoiding claims of discrimination and maintaining a non-discriminatory environment for riders; and



- Preventing any harm or abuse that may result from demeaning, disparaging or objectionable advertisements.

The ATN's transit assets, digital mediums and printed materials are a limited public forum and, as such, the ATN will accept only that advertising that falls within the categories of acceptable advertising specified in this viewpoint neutral policy and that satisfies all other access requirements and restrictions provided herein.

The ATN reserves the right to suspend, modify or revoke the application of any of the standards in this policy as it deems necessary to comply with legal mandates, to accommodate its primary transportation function, or to fulfill the goals and objectives identified above. All of the provisions in this policy shall be deemed severable.

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

1. Maximizing revenues by advertising;
2. Maintaining an orderly administration and operation of ATN'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 ATN's transportation system;
5. Avoiding any potential identification of ATN with the viewpoints expressed in advertisement on vehicles;
6. Does not discourage the use of the transit system;
7. Does not interfere with the presentation/communication of transit information necessary for the safe and efficient use of the ATN system;
8. Does not diminish ATN's reputation in the communities it serves or the good will of its customers; and
9. Is consistent with the principal purposes of providing safe, reliable, efficient and quality public transportation.

ATN 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

A. Permitted Advertising Content

It is the intent of ATN to permit commercial advertising for products and services, and to provide advertising space for public service announcements. All Commercial and Promotional Advertising and Public Service Announcements must meet or exceed high quality standards of art and design as exemplified in the industry and as determined by ATN or its authorized Advertising Contractor as defined herein.

1. Commercial and Promotional Advertising. Commercial and promotional advertising promotes or solicits the sale, rental, distribution or availability of goods, services, food, entertainment, events, programs, transaction, donations, products or property for commercial purposes or more generally promotes an entity that engages in such activity.
2. Public Service Announcements. An advertisement shall satisfy the following criteria in order to qualify as a Public Service Announcement (PSA):
 - a. The sponsor of a PSA must be a government entity or a nonprofit corporation that is exempt from taxation under §501c(3) of the Internal Revenue Code.
 - b. The PSA must be directed to the general public or a significant segment of the public and relate to:
 - i. Prevention or treatment of illness
 - ii. Promotion of safety, health or personal well-being
 - iii. Provision of family or child social services
 - iv. Solicitation by broad-based employee contribution campaigns which provide funds to multiple charitable organizations (e.g. United Way)
 - v. Provision of services and programs that support low income citizens or persons of disability
 - c. A PSA may not include a commercial message or mention a festival, show, sporting event, concert, lecture, or event for which an admission fee is charged.
3. Disclaimer. ATN reserves the right, in all circumstances, to require an advertisement to include a disclaimer indicating that it is not sponsored by, and, does not necessarily reflect the views of ATN.
4. Additional Requirement. Any advertising in which the identity of the sponsor is not readily and unambiguously identified must include the following phrase to identify the sponsor in clearly visible: *“Advertisement paid for by [Sponsor’s Name].”*



B. Prohibited Advertising Content.

ATN 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 by ATN. 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 laws.
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 under local, state or federal laws.
4. Unlawful possession. The advertisement, or any material contained in it, implies or declares possession of unlawful or illegal goods or services under local, state or federal laws.
5. Endorsement. The advertisement, or any material contained in it, implies or declares an endorsement by ATN of any service, product or point of view, without prior written authorization of ATN (through its Executive Director).
6. Obscenity or Nudity. Contains any nudity, obscenity, sexual content, sexual excitement, or sadomasochistic abuse.
7. 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.
8. Tobacco. The advertisement promotes the sale or use of tobacco or tobacco-related products.
9. 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.



10. Profanity. The advertisement contains profane language.
11. Violence. The advertisement contains any 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.
12. "Adult" - oriented goods or services. The advertisement promotes or encourages, or appears to promote or encourage, adult bookstores, nude dance clubs and other adult entertainment establishments, adult telephone services, adult Internet sites and escort services.
13. Political. Advertising promoting or opposing:
 - a. A political party;
 - b. The election of any candidate or group of candidates for federal, state or local government offices;
 - c. Any legislation, initiative, referendum or ballot measure; or
 - d. A political action committee, political campaign or political philosophy, viewpoint on matters of public debate about economic, political, religious or social issues.
14. Regulated Substances. Advertising that promotes the sale or use of substances licensed and regulated under California law. This prohibition shall not prohibit advertising that includes the name of a restaurant/venue that is open to minors.
15. Firearms. Advertising that promotes or solicits the sale, rental, distribution or availability of firearms or firearms-related products.
16. Harmful or Disruptive to Transit System. Any material that is so objectionable under contemporary community standards as to be reasonably foreseeable that it will result in harm to, disruption of or interference with ATN's transportation system.

III. Advertising Program and Administration

A. Administration

ATN will make space on or within its transit facilities available for limited types of permitted advertising currently consisting of advertising on:

1. ATN fleet - interior and exterior spaces in, both, hard copy and digital platforms;
2. ATN facilities;
3. Printed literature and collateral materials;
4. Mobile Assets



5. Naming Rights
6. Other advertising mediums that may become technologically available to the ATN

ATN designated staff will be responsible for the daily administration of ATN's advertising program, in a manner consistent with these guidelines

B. Procedure.

Information about all ATN advertising opportunities shall be available on ATN's website. All applicable terms and conditions, including the latest tariff schedule, shall be available to potential advertising partners. ATN tariff schedule shall be reviewed and updated annually and consistent with the ATN budgetary preparation and adoption process.

ATN shall review each advertisement opportunity for display on or in ATN's assets to determine whether the advertisement complies with the adopted standards and guidelines. If it appears the advertisement may be not be appropriate; a determination and approval of Director of Brand Awareness and Business Development shall be required prior to approval and fulfillment of the advertising agreement term(s).

1. Director of Brand Awareness and Business Development will review the advertisement to determine whether the advertisement meets the adopted standards and guidelines set forth in this policy;
2. Director of Brand Awareness and Business Development has authority to execute all Revenue Agreements associated with the sale of advertising on ATN assets;
3. If ATN Director of Brand Awareness and Business Development 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 Director of Brand Awareness and Business Development shall refer the matter to the Executive Director for a determination The Executive Director is the final authority.