

Attachment B

Luzerne County Transportation Authority (LCTA) Advertising Policy

The Luzerne County Transportation Authority (LCTA) operations are funded by federal, state and local funds including grants as well as fare box revenue. Advertising revenues are an important additional source of revenue that supports the LCTA operations. As such the LCTA will accept advertising on its transit vehicles, facilities and publications.

It shall be the policy of the LCTA to accept commercial advertising for posting in and on LCTA vehicles and other property owned or controlled by LCTA, of its sole choosing, with the objective of maximizing revenue while maintaining standards of decency and good taste without infringing on First Amendment rights of Prospective Advertisers.

Accordingly, LCTA will not accept advertisements that are obscene, unlawful, misleading, libelous or fraudulent. Further, LCTA will not accept advertisements that are non-commercial; that appeal to prurient interests that are or may be offensive to riders; that glamorize or otherwise promote violence, or sexual conduct, or that are reasonably determined not to be in good taste.

This policy is intended to be an objective and enforceable standard for advertising that is consistently applied. It is also LCTA's declared intent not to allow any of its Transit Vehicles or Property to become a public forum for dissemination, debate or discussion of public issues. **LCTA makes final decision on all advertisements.**

County of Lebanon Transit Authority (LT)



LEBANON TRANSIT ADVERTISING POLICY **(Guidelines Governing Commercial Advertising)**

Purpose

Lebanon Transit (LT) operates a public transportation system and may make designated advertising space available on its vehicles, shelters, schedules, publications, digital platforms, and other transit property for the purpose of generating revenue and supporting the operation of public transportation services.

LT understands that advertising is not necessary for public transit vehicles as our main purpose is the transportation of its customers.

LT's advertising program is intended to provide a commercial advertising opportunity and is not intended to create a public forum for the discussion or debate of political, religious, ideological, or other public issues.

The following guidelines establish the types of advertising that may and may not be accepted for display on LT property. The guidelines are intended to be applied consistently and, in a viewpoint, - neutral manner.

General Advertising Standards

- **Compliance with Law**
All advertising must comply with applicable federal, state, and local laws and regulations. LT will not accept advertising that is unlawful or that promotes an activity that is prohibited by applicable law.
- **Truthful and Non-Misleading Advertising**
Advertising must not be false, misleading, deceptive, fraudulent, or otherwise likely to mislead a reasonable person.
- **Commercial Nature of Advertising**
LT's advertising program is primarily intended for advertisements promoting or offering a lawful product, service, business, event, or commercial activity, subject to the restrictions contained in this policy.
- **Contests and Promotions**
Advertisements involving contests, sweepstakes, promotions, premiums, gifts, or similar offers must comply with applicable laws and regulations and must not contain representations that are false, deceptive, or misleading.
- **Testimonials and Endorsements**
Testimonials must be genuine and accurately represent the opinions or experiences of the person providing the testimonial. Advertisers shall be responsible for obtaining all necessary permissions and authorizations concerning testimonials, endorsements, photographs, names, likenesses, trademarks, and other intellectual property appearing in an advertisement.
- **Intellectual Property**
Advertising may not use the name, likeness, photograph, trademark, service mark, copyrighted

material, or other intellectual property of another person or entity without appropriate authorization.

- **Safety**

Advertising may not encourage or depict conduct that unreasonably disregards generally recognized safety practices or that encourages unlawful or dangerous activity.

- **Authority Endorsement**

Advertisements shall not state or imply that Lebanon Transit, its Board of Directors, employees, or representatives endorse or sponsor a product, service, business, organization, position, or message unless LT has expressly authorized such endorsement in writing.

- **Advertising Appearance and Format**

Advertisements, including all graphics, photographs, illustrations, wording, and other representations, must comply with LT's applicable specifications concerning size, format, placement, legibility, and appearance.

Prohibited Advertising

Lebanon Transit will not accept advertising that falls within any of the following categories:

- **Tobacco, Nicotine, and Alcohol**

Advertising for tobacco products, nicotine products, vaping products, alcoholic beverages, or businesses whose primary purpose is the sale or distribution of such products is prohibited.

- **Illegal Drugs and Controlled Substances**

Advertising for illegal drugs or unlawful controlled substances, or for activities involving the unlawful sale, distribution, manufacture, or use of such substances, is prohibited.

- **Weapons**

Advertising for firearms, weapons, ammunition, explosives, or other weapons, or advertising that advocates for or against the use, ownership, or regulation of weapons, is prohibited.

- **Sexually Explicit Material**

Advertising that contains sexually explicit material, pornography, or graphic depictions of sexual activity is prohibited.

- **Obscene or Profane Material**

Advertising containing obscene material or excessively vulgar or profane language is prohibited.

- **Violence**

Advertising that depicts or promotes violence, violent criminal activity, or the commission of acts of violence is prohibited.

- **Defamatory or Disparaging Material**

Advertising that is defamatory, unlawfully threatening, or that falsely disparages an identifiable person or business is prohibited.

- **Illegal, Fraudulent, or Deceptive Activities**

Advertising that promotes unlawful conduct, fraud, scams, fraudulent business practices, or other illegal activities is prohibited.

- **Political Advertising**

Advertising that expressly supports or opposes a political party, political organization, ballot initiative, referendum, or candidate for public office is prohibited.

- **Religious Advertising**

Advertising that expressly promotes, opposes, advocates for, or seeks to persuade the public regarding a particular religion, religious belief, religious practice, or lack of religious belief is prohibited.

- **Issue Advocacy and Public-Policy Advocacy**

Advertising primarily intended to advocate for or against a political, social, ideological,

governmental, or public-policy position, including advertisements seeking to influence public opinion or government action on a controversial public issue, is prohibited.

- **Discriminatory or Hateful Material**

Advertising that unlawfully discriminates against, threatens, or promotes violence toward an individual or group on the basis of a characteristic protected by applicable law is prohibited.

- **Material That May Create Liability for LT**

Advertising may be rejected when its display would reasonably be expected to expose LT to civil or criminal liability or violate an applicable legal obligation.

Administration and Review

Consistent Application

These guidelines shall be applied consistently and without regard to the viewpoint expressed by an advertiser within a category that LT has determined to be prohibited.

No Public Forum Created

LT's acceptance of commercial advertising does not constitute an invitation to use LT property as a public forum for political, religious, ideological, or public-policy debate.

Advertising Review

LT shall review proposed advertising for compliance with this policy before the advertisement is displayed. LT may request clarification, supporting documentation, or a revised advertisement when reasonably necessary to determine whether the advertisement complies with these guidelines.

Authority to Reject Advertising

LT reserves the right to reject advertising that does not comply with these guidelines or applicable law.

Existing Advertising

LT may remove advertising that is subsequently determined to violate this policy or applicable law.

No Requirement to Accept Advertising

LT's decision to sell advertising space does not create an obligation to accept every advertisement submitted for display. Advertising space is subject to availability, applicable specifications, this policy, and the terms of LT's advertising agreement.

Policy Interpretation

Questions concerning the interpretation or application of this policy shall be reviewed by the Executive Director or the Executive Director's designee. Where appropriate, LT may consult with legal counsel before making a final determination.

SCTA Advertising Policy

WHEREAS, the South Central Transportation Authority (SCTA) is a municipal authority established by Lancaster and Berks Counties, which operates public transit agencies;

WHEREAS, SCTA seeks to utilize this policy for advertisements involving the Red Rose Transit Authority and Berks Area Regional Transit Authority for advertisements on buses and/ or shelters and/ or other advertisement media;

WHEREAS, SCTA seeks to clarify and set forth the types of advertisements it will and will not accept for sale to be displayed on its property;

WHEREAS, SCTA has decided to sell space for advertising on its vehicles, route schedules and other literature, bus shelters, or other property, for the sole purpose of generating revenue for SCTA while at the same time maintaining or increasing its ridership.

SCTA will **not** accept advertising:

- For tobacco or alcohol or for businesses that primarily traffic in such goods;
- That promotes the use of firearms or firearm-related products or for businesses that primarily traffic in such goods;
- That are obscene, pornographic, or promotes or depict sexually oriented goods or services or for businesses that primarily traffic in such goods or services or that appeal to prurient interests;
- That promotes violence or sexual conduct;
- That are deemed defamatory, illegal, fraudulent, misleading or false;
- That promotes a transaction or activity that is prohibited by federal, state or local law;
- That exploit the likeness, picture, image or name of any person, and/ or trademark, trade name, copyrighted materials or other intellectual property of a third party, without adequate proof of express written authorization to do so;
- That contains, employ or imply profane or vulgar words;
- That demeans or disparages a person, group of people, business or group of businesses;
- That, if permitted, could reasonably subject SCTA to civil or criminal liability;
- That are political in nature or contain political messages, including advertisements involving political figures or candidates for public office, advertisements involving political parties or political affiliations, and/ or advertisements involving an issue reasonably deemed by SCTA to be political in nature in that it directly or indirectly implicates the action, inaction, prospective action, or policies of a governmental entity;

- That promote the existence or non-existence of a supreme deity, deities, being or beings; that address, promote, criticize or attack a religion or religions, religious beliefs or lack of religious beliefs; that directly quote or cite scriptures, religious text or texts involving religious beliefs or lack of religious beliefs; or are otherwise religious in nature.

It is SCTA's declared intent to maintain its advertising space on its property as a nonpublic forum and not to allow its transit vehicles or property to become a public forum for the dissemination¹ debate, or discussion of public issues or issues that are political or religious in nature.

SCTA's Advertising Policy is intended to be an objective and enforceable standard for advertising that is consistently applied.

SCTA shall maintain exclusive authority and control over where advertisements in general shall be displayed on its property.

All third-party advertisements appearing on SCTA property must contain the following disclaimer: //The views and/or opinions expressed by the advertiser are not necessarily those of *SCTA*.'' This disclaimer shall appear in a consistent form and manner on all third-party advertisements.

By accepting any material art or copy for advertising under this policy, SCTA does not endorse any goods, products, or services or agree with the message conveyed by the advertisement. Advertisers are solely responsible for the content of their advertisements.

Nothing in this Advertising Policy shall be interpreted or construed to prevent SCTA from displaying messages or information on its property promoting or supporting public transit or SCTA.

RESOLUTION 2412 FACT SHEET

Guidelines Governing Commercial Advertising

The following advertising guidelines have been developed based upon input from the public. A survey of riders and the general public has concluded that the following guidelines represent commercial content, in a non-public forum, that fairly represents offensive and/or acceptable speech on transit vehicles and in transit amenities. Periodically, additional surveys will take place to ensure the Authority is properly understanding what types of speech are offensive and may lead to service disruption, violence or altercations. The agency understands that advertising is not necessary for public transit vehicles as the Transit Agency's main purpose is the transportation of its customers. Therefore, the speech that may be included in advertisement is not a traditional public forum and appropriate rules for such speech are included below. Any of the following regulations are intended to regulate content as opposed to any particular viewpoint.

1. All advertising shall comply with the spirit of all applicable laws and regulations of the various jurisdictions in which it is displayed unless the inconsistencies among the various jurisdictions prevents such compliance. Advertising will not be accepted that is false, misleading or deceptive. Generally, advertisements will be considered when selling a product or service with the limitations outlined in this policy.
2. Advertisers promoting contests shall insure the contest is being conducted with fairness to all entrants and complies with all applicable laws and regulations.
3. Testimonials should be authentic and shall honestly reflect the response of the person making them. (The sales contract shall provide for the indemnification of the Authority against action by any person quoted or referred to in any advertisement placed in the Authority's system).
4. Medical and health-related messages will be accepted only from government health organizations, or by other advertisers if the substance of the message is currently accepted by the American Medical Association and/or the Food and Drug Administration.
5. Advertisers shall avoid illustrations or references which disregard normal safety precautions.
6. Advertising offering premiums or gifts shall avoid representations which would enlarge the value of the item in the minds of the viewers.

7. Use of graphics or representations in advertising is subject to approval by The Authority and shall fit within these guidelines.
8. No implied or declared endorsement of any product or service or message by **The Authority** is permitted.
9. Advertisements regarding issue oriented matters intended to influence members of the public or influence public policy regarding an issue on which there are varying opinions are prohibited. Such an example of issue oriented advertisements may include, but not limited to, a particular position for or against a particular gender ideology or initiative.

A distinction may be made by the Authority for making advertisement determinations, under this particular section, based upon whether a product is endorsed as opposed to simply an ideology.

10. The advertisement of weapons or advocacy for or against any weapons is prohibited.
11. Advertisements of tobacco, vaping and/or alcohol products are prohibited. Further, the advertisement of drugs that are prohibited by Federal Law are prohibited.
12. Advertisements that support or oppose any political party or candidate for office of any kind are prohibited.
13. Advertisements that promote or oppose any religion, religious practice or belief are prohibited. For purpose of this section, religion shall mean any language, imagery or symbols showing a belief in or reverence for a God or deity.