

SFMTA Advertising Policy Effective October 16, 2013

1. Purpose

The San Francisco Municipal Transportation Agency (SFMTA) operates the seventh largest public transit system in the country and exercises authority under the San Francisco Charter to manage the use by all modes of the City's transportation network. The SFMTA authorizes advertising on and in SFMTA facilities and property (including, but not limited to, buses, light rail vehicles, trolley cars, stations, parking garages, street furniture, cable cars, historic railcars and fare media) and under SFMTA contracts (hereafter "on SFMTA property") for the purpose of generating significant revenue to support SFMTA operations. Advertising shall not interfere with the SFMTA's delivery of transit or other services to the public or with the SFMTA's performance of its many other duties in maintaining the City's transportation network. Advertising on SFMTA property shall be consistent with the Agency's Strategic goals to:

- a. Create a safer transportation experience for everyone.
- b. Make transit, walking, bicycling, taxi, ride-sharing and car-sharing the preferred means of travel.
- c. Improve the environment and quality of life in San Francisco.
- d. Create a workplace that delivers outstanding service.

In keeping with its proprietary function as a provider of public transportation, the SFMTA does not intend by accepting advertising to convert its property into an open public forum for public discourse, debate or expressive activity. Rather, the SFMTA's fundamental purpose is to provide transportation services, and the SFMTA accepts advertising as a means of generating revenue to support its operations. In furtherance of this discreet and limited objective, the SFMTA retains control over the nature of advertisements accepted for posting on SFMTA property and maintains its advertising space as a limited public forum. As set forth in Section 2, this Policy prohibits advertisements that could detract from the SFMTA's goal of generating revenue or interfere with the safe and convenient delivery of SFMTA services to the public. Through this Policy, the SFMTA intends to establish uniform, viewpoint-neutral standards for the display of advertising on SFMTA property.

2. Advertising Standards

- a. SFMTA advertising contractors shall not post any advertisement that concerns a declared political candidate or ballot measure scheduled for consideration by the voters in an upcoming election or an initiative petition submitted to the San Francisco Department of Elections.

- b. SFMTA advertising contractors shall not post any advertisement that infringes on any copyright, trade or service mark, title or slogan.
- c. SFMTA advertising contractors shall not post any commercial advertisements that are false, misleading or deceptive.
- d. SFMTA advertising contractors shall not post any advertisement that is obscene or pornographic.
- e. SFMTA advertising contractors shall not post any advertisement that is clearly defamatory or advocates imminent lawlessness or violent action.
- f. SFMTA advertising contractors shall not post any commercial advertising of alcohol, tobacco or firearms.
- g. SFMTA advertising contractors shall post the following language with every advertisement, in a size and location approved by the SFMTA: "The views expressed in this advertisement do not necessarily reflect the views of the San Francisco Municipal Transportation Agency."

The SFMTA reserves the right, from time to time, to amend, suspend, modify or revoke the application of any or all of these standards as it deems necessary to comply with legal mandates, or to facilitate its primary transportation function, or to fulfill the goals and objectives referred to herein. All provisions of this advertising policy shall be deemed severable.

3. Advertising Administration

SFMTA advertising contractors shall be responsible for the daily administration of the SFMTA's advertising in a manner consistent with this Policy and with the terms and conditions of their agreements with the SFMTA.

This Policy shall be effective upon adoption but shall not be enforced to impair the obligations of any contract in effect at the time of its approval. It shall be incorporated into any new contract for advertising on SFMTA property. SFMTA contracts granting advertising rights shall include this Policy as an attachment and require the following:

- a. Any advertising contractor must comply with the advertising standards set forth in this Policy, as they may be amended from time to time.
- b. Any advertising contractor must display only those advertisements that are in compliance with the Policy.
- c. Any pilot programs or experimental advertisements must be approved by the SFMTA in advance.