



## FREDERICKSBURG REGIONAL TRANSIT

### ADVERTISING POLICY

#### **PURPOSE**

Fredericksburg Regional Transit (FRED) provides fixed route and route deviation transit service throughout the greater Fredericksburg Region. FRED's mission is to provide accessible, affordable, dependable, and safe transportation for people who reside, work, or visit within our service area. For the accomplishment of this mission, funding is provided by a combination of federal, state, and local funds by participating jurisdictions and farebox revenues. Advertising revenues can be an important additional source of revenue that can be used to support transit operations. FRED accepts transit advertising on its transit vehicles in order to generate revenue to augment the aforementioned funding sources.

In keeping with its function as a provider of public transportation, FRED does not intend its acceptance of transit advertising to convert its transit vehicles into forums for discourse and debate. Rather, FRED's sole purpose and intent is to accept advertising as an additional means of generating revenue to support its transit operations. In furtherance of that limited objective, FRED retains strict control over the nature of the advertisements accepted for posting on or in its Transit Vehicles. For the purpose of this policy, Transit Vehicles shall include all FRED passenger buses and vehicles.

#### **ADVERTISING STANDARDS**

##### **1.1 GENERAL STANDARDS**

Advertising space will be used for commercial purposes only, including the promotion of goods and services offered for purchase, subject to exceptions for government activities as provided in this policy.

FRED 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.

Because FRED serves persons of all ages and backgrounds and strives to create a comfortable and enjoyable experience for all passengers, the following types of advertising are prohibited:

- A. Materials that contain false, misleading, libelous, slanderous, or deceptive statements or images.
- B. Advertising for tobacco, tobacco-related products, and illegal drugs.
- C. Advertising for firearms, ammunition or other firearm related products.
- D. Advertising for adult products, services, or entertainment directed to sexual stimulation.



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- E. Advertising that depicts sexually explicit, nude, obscene and/or pornographic statements or images.
- F. Advertising that portrays graphic violence.
- G. Advertising that contains discriminatory, derogatory, negative or personal attacks against individuals, groups, or organizations; including, but not limited to race, color, religion, national origin, ancestry, gender, age, disability or sexual orientation.
- H. Advertising that is directed to inciting or producing imminent lawless action, or is likely to incite or produce such action; including, but not limited to unlawful actions.
- I. Advertising that promotes illegal activity of any kind.
- J. Advertising that contains FRED's name, brand logo, slogans or other graphic representations of the transit system, unless written consent from FRED is obtained prior to use.
- K. Advertising that contains any material that infringes upon a copyright, trademark, or service mark, or is otherwise unlawful.

Advertisements that include websites, quick response (QR) codes, and telephone numbers that may appear in posted ads and direct viewers to external sources of information must also comply with the Advertising Standards herein.

Acceptance of an advertisement is at the sole discretion of FRED. FRED's acceptance of an advertisement does not constitute all future acceptance of the same or similar content.

### 1.2 ALCOHOL ADVERTISING STANDARDS

Advertising for alcohol products shall be subject to the following restrictions:

- A. Advertising related to the sale of alcoholic beverages shall contain a statement, occupying at least 3% of the area of the advertisement, that indicates the legal drinking age in Virginia and warns of the dangers of alcohol consumption during pregnancy, or in connection with the operation of heavy machinery, or while driving.
- B. Advertising related to the sale of alcoholic beverages cannot contain any statement, symbol, depiction, or reference that:
  - 1. Would tend to induce minors to drink, or would tend to induce persons to consume to excess;
  - 2. Would tend to induce minors to drink, or would tend to induce persons to consume to excess;
  - 3. Incorporates the use of any present or former athlete or athletic team or implies that the product enhances athletic prowess; except that, persons granted a license to sell wine or beer may display within their licensed premises point-of-sale advertising materials that incorporate the use of any present or former professional athlete or athletic team, provided that such advertising materials: (i) otherwise comply with the applicable regulations of the appropriate federal agency and (ii) do not depict any athlete consuming or about to consume alcohol prior to or while engaged in an athletic activity, do not depict an athlete consuming alcohol while the athlete is



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operating or about to operate a motor vehicle or other machinery, and do not imply that the alcoholic beverage so advertised enhances athletic prowess;

4. Is false or misleading in any material respect;
5. Implies or indicates, directly or indirectly, that the product is government endorsed by the use of flags, seals or other insignia or otherwise;
6. Makes any reference to the intoxicating effect of any alcoholic beverages;
7. Constitutes or contains a contest or sweepstakes where a purchase is required for participation; or
8. Constitutes or contains an offer to pay or provide anything of value conditioned on the purchase of alcoholic beverages, except for refund coupons and combination packaging. Any such combination packaging shall be limited to packaging provided by the manufacturer that is designed to be delivered intact to the consumer;
9. and further, must be in compliance with all restrictions set forth in Virginia Administrative Code 3VAC5-20-10 in its entirety.

<http://law.lis.virginia.gov/admincode/title3/agency5/chapter20/section10>).

C. Advertising related to sale of alcoholic beverages shall be limited as follows:

1. No outdoor alcoholic beverage advertising shall depict persons consuming alcoholic beverages, use cartoon characters in any way, or use persons who have not attained the minimum drinking age as models or actors.
2. No alcoholic beverage manufacturer, importer, or wholesale licensee may engage in cooperative advertising, as defined in 3VAC5-30-80, on behalf of any retail licensee.

**1.3 ADDITIONAL ADVERTISING STANDARDS**

Any advertising in which the identity of the sponsor is not readily and unambiguously identifiable must include the following phrase to identify the sponsor in clearly visible letters (no smaller than 72 point type for exteriors and 24 point type for interiors):

Paid for by: \_\_\_\_\_

**2. GOVERNMENT SPEECH**

The provisions of this policy do not apply to the speech of any government entity, including the City of Fredericksburg, the Commonwealth of Virginia, or any of their respective agencies. The City of Fredericksburg reserves the right to use all advertising types on Transit Vehicles to communicate any message deemed appropriate by the City, including to promote City-sponsored events, activities, and initiatives, and to permit other government entities to do the same.

**3. PRODUCTION GUIDELINES**

Advertising materials will be produced at the advertiser's expense and must be of good quality and conform to standards for size, weight, material and other physical characteristics as set forth by FRED.

It is the advertiser's responsibility to deliver or reclaim materials in a timely fashion or they may be disposed of at FRED's discretion.



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### 4. **ADMINISTRATION AND ENFORCEMENT OF ADVERTISING POLICY**

All proposed transit advertising must be submitted to FRED management, or designee, for initial compliance review. FRED management, or designee, will perform an evaluation of the submission to assess its compliance with this Policy and make the decision to approve or reject the proposed advertisement.

### 5. **APPLICATION OF POLICY**

This Advertising Policy applies to the posting of all new advertisements on Transit Vehicles on or after the Effective Date. Any advertisements which would be prohibited under this Policy, but which were posted pursuant to the terms of a fully executed advertising contract prior to the Effective Date of this Policy, will be allowed to remain posted for the duration of that contract.

### 6. **DISCLAIMER OF ENDORSEMENT**

FRED's acceptance of an advertisement does not constitute express or implied endorsement of the content or message of the advertisement, including any person, organization, products, services, information or viewpoints contained therein, or of the advertisement sponsor itself. This endorsement disclaimer extends to and includes content that may be found via internet addresses, quick response (QR) codes, and telephone numbers that may appear in posted ads and that direct viewers to external sources of information.