

## TRANSFORT ADVERTISING POLICY

Transfort desires to maintain a safe environment for its transit customers and to maintain and encourage ridership. In setting standards for advertising on Transfort bus exteriors and interiors, benches, and shelters, as set forth more fully below, Transfort seeks to maintain a professional advertising environment that will maximize advertising revenue and minimize interference with or disruption to its transit system. Advertising space on Transfort bus interiors and exteriors, benches, and shelters and this Advertising Policy do not provide or create a public forum.

All advertising content displayed on bus exteriors and interiors, as well as on bus shelters and benches, shall be limited to:

- (1) advertising that proposes a commercial transaction;
- (2) publication of information about Transfort services, rules, Code of Conduct, programs, or products, including co-sponsorships with commercial or governmental third parties that are intended by Transfort to increase ridership or otherwise support Transfort's mission ("Transfort Advertising"); or
- (3) publication of public service information about federal, state, or local government programs and activities when requested specifically by federal, state and local entities, including advertising from non-profit organizations that are partnering with such entities ("Government Speech").

All advertisements must be approved by Transfort in writing before production or placement of the advertisement on a bus exterior, interior, bench, or shelter. Transfort shall retain the right to reject any proposed advertising or order the removal of advertising whenever Transfort, in its sole discretion, determines that the proposed advertisement does not comply with this policy. Transfort reserves the right to discontinue and have the Service Provider remove any preauthorized and installed advertisements within 24 hours of written notification.

This policy is intended to ensure that permitted advertising does not include obscene, false, misleading, or defamatory advertisements; advertisements which violate copyright, trademark, or other intellectual property rights; advertisements that promote unsafe or violent behavior; or advertisements that may adversely impact the safety or reliability of the Transfort system or its passengers and personnel.

To further those goals, the following prohibitions on advertising shall apply to:

### **PROHIBITED PRODUCTS, SERVICES OR ACTIVITIES:**

This policy prohibits the display by the Service Provider of noncommercial advertising (except for Transfort Advertising or Government Speech) or any commercial advertising that promotes or depicts the sale, rental, use of, or participation in the following products, services, or activities, or that uses brand names, trademarks, slogans, or other material that identify with such products or activities:

- **Alcohol, Tobacco, Nicotine, and/or Cannabis products:** Advertising of alcohol, tobacco, nicotine, and/or cannabis related products, and products that simulate smoking or other use of such products or are modeled on such products, including but not limited to cigarettes, cigars, electronic cigarettes and vaping implements, and smokeless (e.g., chewing) tobacco;

- **Illegal Activities, Products, or Services:** Advertising that promotes illegal activities, products, or transactions under federal, state, or local law;
- **Materials in violation of Copyrights, Trademarks, Intellectual Property, or otherwise Unlawful:** Advertising that contains any material that infringes upon copyrights, trademarks, service marks, or is otherwise unlawful.
- **False, Misleading, or Defamatory Information, or that which Invades Another's Privacy:** Any material that is misleading or deceptive, or that constitutes a public nuisance, or that the sponsor reasonably should have known is false, fraudulent, misleading, deceptive, or which reasonably would constitute a tort of defamation or invasion of privacy;
- **Sexual, Sadomasochistic, and/or Excretory Subject Matter:** Advertising that contains or involves any material that describes, depicts, represents, or relates to sexually explicit nudity, sexual conduct, sexual excitement, sadomasochistic abuse, excretory organs or subject matter, or any other materials identified as harmful to children as codified at C.R.S. § 17-7-501;
- **Adult/Mature Only Products, Entertainment, and/or Services:** Advertising of adult films rated "X" or "NC-17"; television or electronic content (e.g., online, downloadable, or app content) rated "MA"; electronic (video, computer, or app) games rated "A" or "M"; and similar adult/mature content regardless of platform or type; adult bookstores, adult video stores, nude dance clubs, and other similar adult entertainment establishments; and/or other Adult Oriented Uses, including but not limited to, adult telephone services, online adult sites, escort services, and other similar adult services;
- **Profanity, Obscenity, and Violence:** Advertising that contains any profane or obscene language or images, or portrays images or descriptions of graphic violence, including dead, mutilated or disfigured human beings or animals, the act of killing, mutilating, or disfiguring human beings or animals, or intentional infliction of pain or violent action towards or upon a human being or animal; and
- **Subject Matter that is Adverse, Harmful, or Disruptive to Transfort Operations, Equipment, Staff, and/or Customers:** Material that depicts or advocates conduct in violation of Transfort's Code of Conduct; or 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 the transportation system, its equipment, staff, and/or customers.
- **City Sign Code:** Advertising that is not in compliance with City sign code (found online at <https://www.fcgov.com/zoning/banners>) at any time, as the same may be modified or supplemented by the City Council or City.
- **Residential:** No advertising in residential areas.