

1.0. SUBJECT TITLE: Guam Regional Transit Authority, Transit Advertising Policy

1.1. EFFECTIVE DATE: Upon Signature

1.2. KEY WORDS: (1) Transit; (2) Advertising

2.0. PURPOSE:

2.1. Guam Regional Transit Authority. The Guam Regional Transit Authority (GRTA) has exclusive franchise for the furnishing of public transportation within Guam and on its roads and highways. Except for private parking facilities and parking facilities maintained and operated by J.D. Leon Guerrero Commercial Port of Guam and the A.B. Won Pat International Airport Authority, Guam, GRTA has the exclusive franchise within the Government of Guam to collect and administer fees for the furnishing, operation, and maintenance of public parking on Guam. The advertising program is intended solely to generate revenue to support the transit system.

2.2. Advertising as Revenue Source. The Authority's transit operations are funded through the Guam Highway Fund, Public Transit Fund, and Federal Funds from the Federal Transit Administration (FTA). The purpose in implementing transit advertising is to generate additional source of revenue to further expand on the Authority's operating budget.

The mission of the Authority is to provide reliable, accessible and cost effective public transportation services to the general public and individuals with disabilities on the territory of Guam. To generate additional revenue while also aligning with the authority's mission for transit operations, the Authority will accept advertising on its bus shelters and transit vehicles only if such advertising complies with this policy.

2.3. Nonpublic Forum Status. The Authority does not permit the use of advertisement in providing or creating a general public forum for expressive activities. The Authority's bus shelters and transit vehicles is not intended to be converted into public forums for discourse and debate. The Authority will maintain guidelines to control the nature of advertisements and assure advertising space as a nonpublic forum.

Transit advertisements that interfere and divert resources of the Authority, create substantial controversy, pose significant risks of harm, inconvenience, or annoyance to transit riders, operators, and vehicles are prohibited. The Authority must comply with a viewpoint neutral policy by satisfying the following goals and objectives:

- Maximize advertising revenue.
- Maintain a position of neutrality and prevent the appearance of favoritism and endorsement.
- Prevent the risk of imposing objectionable, inappropriate, or harmful views on a captive audience.
- Preserve the value of the advertising space.

- Maximize ridership while maintain an environment that is safe for the general public and individuals with disabilities.
- Maintain a non-discriminatory environment.
- Prevent harm or abuse that is a result of using objectionable, inappropriate, or harmful advertisements.
- Reduce the diversion of resources for the Authority as a result of using objectionable, inappropriate, or harmful advertisements.
- Preserve the Authority's reputation as a professional, effective, and efficient provider for public transit services.

The Authority 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.

2.4. Application of Policy. This Transit Advertising Policy applies to the Authority's board members and its employees, and companies that contract with the Authority for the purpose of leasing for advertising space in the bus shelters and transit vehicles.

2.5. Disclaimer of Endorsement. The Authority's acceptance for advertisement does not constitute express or implied endorsement of the content or message of the advertisement, including any person, organization, produces, services, information or viewpoints contained therein, or of the advertisement sponsor itself. This disclaimer also extends to and includes content found via internet address, quick response (QR) codes, and telephone numbers that may appear in the advertisements and that direct viewers to external sources of information.

3.0. ORGANIZATIONS AFFECTED: Guam Regional Transit Authority

4.0. DEFINITIONS:

4.1. Bus Shelters. A structure used in fixed route for the purpose of sheltering riders while they wait for the transit vehicles.

4.2. Transit Vehicles. The Authority's buses and vans used to transport riders to their destinations on Guam.

5.0. POLICIES:

5.1. Permitted Advertising Content: The following classes of advertisements are authorized on or in the Authority's bus shelters and transit vehicles.

5.1.1. Commercial Advertising. Advertising proposing, promoting, or soliciting a commercial transaction for the sale, rent, lease, license, distribution or availability of goods, property, services, or events for the advertiser's

commercial or proprietary interest, or more generally promoting an entity or entities that engage in such activities.

5.1.2. Government Advertising. Advertising by a federal, state or local governmental entity that advances specific governmental purposes.

5.1.3. Nonprofit Public Service Announcements. Advertising that is sponsored by a nonprofit organization in which their advertisements are directed to the general public and may relate to the following:

- Prevention or treatment of illness or promotion of personal health
- Education, training or employment services
- Arts, culture, or special events
- Provision of children and family services
- Provision of services and programs that provide support to low income citizens, senior citizens, or people with disabilities
- Solicitation by a broad-based contribution campaigns that provide funds or goods to charitable organizations.

5.2. Prohibited Advertising Content: Advertising is prohibited on or in the Authority's bus shelters and transit vehicles if it contains one or more of the following:

5.2.1. Political Speech. Advertising that promotes, or opposes a political party, any person or group of persons holding federal, state or local government elected office, the election of any candidate or group of candidates for federal, state or local government offices, or initiatives, referendums or other ballot measures.

5.2.2. Public Issue Speech. Advertising that non-incidentally expresses or advocates or appears to express or advocate an opinion, position or viewpoint on a matter of public debate about political, public safety, religious or social issues.

5.2.3. Religious. Advertising that promotes or opposes any identifiable or specific religion, religious viewpoint, message or practice.

5.2.4. Prohibited Products, Services or Activities. Any advertising that promotes or depicts the sale, rental, or use of, participation in, or images of the following products, services or activities; or that uses brand names, trademarks, slogans or other materials that are identifiable with such products, services or activities:

- Tobacco products, which is not limited to cigarettes, cigars, smokeless (e.g. chewing) tobacco.
- Alcohol, such as beer, wine, stillled spirits or any alcoholic beverage licensed and regulated under Guam law.
- Cannabis, cannabis products, cannabis businesses, or cannabis services.

- Firearms, ammunition, or other firearms-related products.
 - Adult films rated “X” or “NC-17”, or video games rated “A”, or theatrical presentations recommended by the sponsor for persons 18 years or older.
 - Adult book stores, adult video stores, dance clubs that promote nudity and other adult entertainment establishments.
 - Adult telephone services, adult internet sites and escort service.
- 5.2.5. Sexual and/or Excretory Subject Matter. Any advertising that contains or involves any material that describes, depicts or represents sexual or excretory organs or activities in a manner that is inappropriate for the public transit environment, including people who are under 18 years old.
- 5.2.6. False or Misleading. Any material that is or that the sponsor reasonably should have known is false, fraudulent, misleading, deception or would constitute a tort of defamation or invasion of privacy.
- 5.2.7. Copyright, Trademark or Otherwise Unlawful. Advertising that contains any material that is an infringement of copyright, trademark or service mark, or is otherwise unlawful or illegal.
- 5.2.8. Illegal Activity. Any advertising that promotes any activity or product that is illegal under federal, state or local law.
- 5.2.9. Profanity and Violence. Advertising that contains any profane language or employs the use of miscellaneous characters or symbols as a substitute for profane language, 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 violence action towards or upon a person or animal.
- 5.2.10. Threatening Harm. Advertising that contains any threat, implied or direct, to harm a particular individual or group of individuals.
- 5.2.11. Harmful or Disruptive to Transit System. Advertising that contains material that is so objectionable as to be reasonably foreseeable that it may result in harm to, disruption of, or interference with, the operation, or business reputation of the transit system.
- 5.2.12. Adverse to Transit. Advertising that is directly adverse to the commercial or administrative interests of the transit system, that tends to criticize the quality of service provide by the transit system, or that tends to criticize public transportation generally.

5.2.13. Lights, Noise and Special Effects. Flashing lights, sound makers, mirrors or other special effects that interfere with the safe operation of the bus or the safety of bus riders, drivers of other vehicles or the public at large.

5.2.14. Unsafe Transit Behavior. Any advertisement that encourages or depicts unsafe behavior with respect to transit-related activities, such as non-use of normal safety precautions in awaiting, boarding, riding upon or debarking from transit vehicles.

5.3. Additional Requirements:

5.3.1. Sponsor Attribution and Contact Information. 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 _____

“Teaser ads” that do not identify the sponsor will, however, be allowed so long as a similar number of follow up advertisements are posted within eight weeks of the initial teaser ads that do identify the sponsor of those initial ads.

6.0. ADVERTISING RATES:

Exterior Bus Signage: Kings (144” x 30”)

| Number of Displays | 12 Months Each Sign | 6 Months Each Sign | 1 to 3 Months Each Sign |
|---------------------------|----------------------------|---------------------------|--------------------------------|
| 1 to 10 | \$180 | \$200 | \$220 |
| 11 to 20 | \$175 | \$195 | \$215 |
| 21 & up | \$170 | \$190 | \$210 |

Exterior Bus Signage: Queens (108” x 30”)

| Number of Displays | 12 Months Each Sign | 6 Months Each Sign | 1 to 3 Months Each Sign |
|---------------------------|----------------------------|---------------------------|--------------------------------|
| 1 to 10 | \$162 | \$180 | \$198 |
| 11 to 20 | \$157 | \$175 | \$193 |
| 21 & up | \$152 | \$170 | \$188 |

6.1. Production and Placement 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 by the Authority.

Advertisers must pay for installation and removal of advertising from vehicles. Costs will be determined by the Transit Advertisement Program Manager, which will

arrange for the installation and removal of advertising. It is the advertiser's responsibility to deliver or reclaim materials in a timely fashion or they may be disposed of at the Authority's discretion.

7.0. PROCEDURES:

| Action By: | Action: |
|---|--|
| Transit Advertising Program Manager | 6.1 All transit advertising applications must be submitted to the Transit Advertising Program Manager for initial compliance review. The manager performs a preliminary evaluation of the submission to assess its compliance with this policy. The manager may at any time discuss with the entity proposing the advertisement one or more revisions to an advertisement, which, if undertaken, would bring the advertisement into conformity with this Advertisement Policy. |
| Authority's Interim Executive Manager | 6.2 The Authority's interim executive manager shall conduct a final review of proposed advertising after the initial review by the Transit Advertising Program Manager. The decision of the executive manager to approve or reject any proposed advertising shall be final. |
| Transit Advertising Program Manager and Authority's Interim Executive Manager | 6.3 The Transit Advertising Program Manager or the Authority's Interim Executive Manager may consult with the legal counsel, board members, or other employees, at any time during the review process. Approval or rejection of a proposed advertisement must be made within 15 days of when the request and all associated documents are received by the Authority. |

8.0. RESPONSIBILITIES: The Transit Advertising Program Manager and Authority's Interim Executive Manager are responsible for the implementation of this Transit Advertising Policy.

Effective Date:

Approved By: _____
CELESTIN C. BABAUTA
GRTA's Interim Executive Manager