



**ALEXANDRIA TRANSIT COMPANY (DASH)
ADVERTISING POLICY**

I. PURPOSE, INTENT, AND RESERVATION OF RIGHTS

- A. The purpose of this Policy is to establish consistently applied standards governing the display of viewpoint-neutral advertising on Alexandria Transit Company, herein referred to as “DASH,” buses and ride guide brochures, herein referred to as “Property.” These standards will allow DASH to generate revenue and enhance transit operation by:
- Generating revenue,
 - Preventing the appearance of favoritism by DASH,
 - Maximizing ridership,
 - Preventing the risk of imposing views on a captive audience,
 - Maintaining a position of neutrality on controversial issues,
 - Preserving the marketing potential of the advertising space by avoiding content that the community could view as offensive, inappropriate or harmful to the public,
 - Maintaining a safe and welcoming environment for all DASH employees and customers, including minors,
 - Avoiding claims of discrimination and maintaining a nondiscriminatory environment for riders.
- B. In keeping with its proprietary function as a provider of public transportation, DASH does not intend its acceptance of transit advertising to convert its transit vehicles or ride guide brochure into forums for discourse and debate. Rather, the fundamental purpose and intent is to accept advertising as an additional means of generating revenue to support transit operations.
- C. DASH retains strict control over the nature of the advertisements permitted to be displayed in and on the Property by subjecting all proposed advertisements to the Advertising Standards below. DASH reserves the right to amend the Policies, to have DASH’s own advertisements and notices take priority over non-DASH advertising (subject to contractual provisions), to determine whether and where advertising space is available, and to ban all non-DASH advertising.
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II. ADVERTISING STANDARDS

A. Advertising Requirements

- 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 prevent such compliance.
- All advertising must be of professional quality; may not contain any rotating, revolving, flashing, or noise-making device, or any other illuminated, reflective, back-lit, or moving parts; and may not interfere with traffic or conflict with any traffic control device.

- Advertisers promoting contests shall ensure the contest is being conducted with fairness to all entrants and complies with all applicable laws and regulations.
- Advertising offering premiums or gifts shall avoid representations which would enlarge the value of the item in the minds of the viewers.
- Testimonials should be authentic and shall honestly reflect the response of the person making them. (The sales contract shall provide for the indemnification of DASH against action by any person quoted or referred to in any advertisement placed on the Property.)
- Medical and health-related messages will be accepted only from government health organizations, or if the substance of the message is currently accepted by the American Medical Association and/or the Food and Drug Administration.
- Advertisers shall avoid illustrations or references which disregard normal safety precautions.

B. Permitted Advertising

DASH may display advertisements that fall under one or more of the following categories:

1. **Commercial advertising.** Paid advertisements that propose, promote, or solicit the sale, rent, lease, license, distribution, or availability of, or some other commercial transaction concerning, goods, products, services, or events for the advertiser's commercial or proprietary interest, or more generally promote an entity that engages in such activities.
2. **Governmental advertising.** Notices or messages from DASH that promote DASH or any of its functions or programs, and also paid notices or messages of the United States government, the Commonwealth of Virginia and its agencies, the City of Alexandria and its departments, or of any of the local County governments that advance specific governmental purposes.
3. **Public service announcements.** Public service announcements not otherwise prohibited under Section II.C. of this Policy, which are sponsored by either a government entity or a nonprofit organization, and which are directed to the public, such as but not limited to the following:
 - Prevention or treatment of illnesses,
 - Promotion of safety or personal well-being,
 - Education or training,
 - Art or culture,
 - Provision of children and family services,
 - Provision of services and programs that provide support to low-income citizens, senior citizens, or people with disabilities, or
 - Solicitation by broad-based contribution campaigns that provide funds to multiple charitable organizations active in the above-listed areas.

C. Prohibited Advertising

All advertisements are subject to the viewpoint-neutral restrictions set forth below.

- Advertising will not be accepted that is false, misleading, or deceptive, or that contains other non-protected speech.
- No implied or declared endorsement of any product or service or message by DASH is permitted.
- Advertisements intended to influence members of the public regarding an issue on which there are varying opinions are prohibited.
- Advertisements of alcohol or tobacco products, tobacco-related products, or e-cigarettes are prohibited.
- Advertisements that support or oppose any political party or candidate are prohibited.
- Advertisements that include imagery or language that is discriminatory based on age, race, disability, sexual orientation, gender identity, or national origin.
- Advertisements that promote or oppose any religion, religious practice or belief are prohibited.
- Advertisements that support or oppose an industry position or industry goal without any direct commercial benefit to the advertiser are prohibited.
- Advertisements that are intended to influence public policy are prohibited.
- Advertisements that promote unlawful or illegal goods, services, activities, or involve other unlawful conduct are prohibited.
- Advertisements that depict or describe in an offensive manner sexual or excretory activity so as to satisfy the definition of obscene material under applicable law are prohibited.
- Advertisements for hiring bus drivers and mechanics for providers of bus services other than DASH are prohibited.
- Advertisements that disparage DASH, any other transit agency, or the use of public transportation in general are prohibited.

D. Additional Provisions Relating to Advertisements

All advertisements shall clearly, conspicuously, and unambiguously identify the person or entity that has sponsored, paid for, or caused the advertisement to be placed on DASH Property to avoid identification of DASH with messages or images contained within advertisements displayed in and on the Property. An advertiser may, at DASH's discretion, be required to include in the advertisement a statement explicitly identifying the person, corporation, or entity paying for the advertisement. An advertiser may also, at DASH's discretion, be required to incorporate additional language to avoid the appearance of DASH endorsement. 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 24-point type): **Paid for by:** _____

III. APPLICABILITY

This Policy is applicable to all persons (including DASH employees and independent contractors), groups, and organizations that contract with DASH or its contractor(s) for the placement of advertisement in DASH Property.

IV. USE OF DASH’S NAME

Use of DASH’s name, logo, slogans, or other graphic representations requires advance approval by DASH. DASH does not endorse or imply endorsement of any product or service.

V. SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this Policy is, for any reason, declared invalid, in whole or in part, by any court of competent jurisdiction, in a final, non-appealable decision, such portion shall be deemed severable, and such invalidity shall not affect the validity of the remaining portions of this Policy, which remaining portions shall continue in full force and effect.

VI. APPEAL PROCESS

A. An advertiser may appeal a decision to reject or remove an advertisement by filing a written Request for Reconsideration with DASH’s advertising contractor. The Contractor may then file the Request with the DASH Project Manager (“PM”) within 10 business days after DASH’s rejection or removal decision. The advertiser's request must state why the advertiser disagrees with the decision considering DASH’s Advertising Policy.

B. The PM will review the basis for the rejected or removed advertisement, consult with DASH’s legal counsel, if necessary, and consider the advertiser's reasons for filing the request. The PM will notify the advertiser of the final decision in writing within 15 business days after receiving the advertiser's Request for Reconsideration.

VII. APPLICATION OF POLICY

This Advertising Policy applies to the posting of all new advertisements on DASH Property 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.

VIII. DISCLAIMER OF ENDORSEMENT

DASH’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.

IX. EFFECTIVE DATE

This Advertising Policy is effective as of May 12, 2021.