

Motion Director Yaroslavsky

In March 2000, the MTA Board adopted a policy for Metro System Advertising. One of the key elements of this policy is the prohibition on non-commercial advertising, including public service announcements. Specifically, advertising must promote for sale, lease or other form of financial benefit a product, service, event in primarily a commercial manner for primarily a commercial purpose. Part of reason for this limitation was to ensure that our buses, trains and transit facilities are not deemed public forum. However, there is concern regarding the consequences of the policy.

The policy's prohibition on non-commercial advertising includes advertising for non-profit organizations. The policy's prohibition on non-commercial advertising provides an exception for governmental entities that advance specific government purposes. That exception does not apply to non-profit organizations. As a result, we are presently prohibited from accepting advertising for events such as The March of Dimes Walk, United Way, AIDS Walk Los Angeles, Susan G Komen Breast Cancer Walk, etc.

Very often, non-profit organizations partner with, or are supported by, governmental entities. While our policy may be well intended, the current application of the language prohibits non-profit organizations that are partnered with or supported by governmental entities from advertising on our system. For our collective best interest, we need to reevaluate our policy.

I, THEREFORE, MOVE that the board direct staff to review the current Metro Advertising Policy and report back to the Board in 60 days on how the current policy may be amended consistent with the concerns outlined above while preserving the non-public forum status of our system.