

## TRANSPORTATION SERVICES ADVERTISING POLICY

### **I. Only Internal and Commercial Advertisements Allowed.**

Transportation Services will allow the sale and placement of, and only of: (1) internal advertisements by Texas A&M University (“TAMU”); and (2) commercial advertisements by commercial entities.

### **II. Definitions.**

The term “internal advertisements” refers to advertisements placed by TAMU relating to TAMU classes, programs, events, and similar TAMU-related activities. This term does not include Student Organizations as described in Texas A&M University Student Rule 41.

The term “commercial entities” refers to any for-profit corporation, partnership, limited partnership, proprietorship, sole proprietorship, firm, enterprise, franchise, or association that is primarily engaged in commercial activity.

The term “commercial advertisements” refers to advertisements the primary purpose of which is to promote a commercial product or service.

The term “commercial” refers to things of, relating to, or involving the buying and selling of goods or services for purpose of making a profit.

### **III. Additional Restrictions.**

Transportation Services also reserves the right to refuse to display or maintain any advertisement that contains any of the following:

- a. **Demeaning or disparaging.** The advertisement contains material that demeans or disparages an individual or group of individuals on the basis of race, color, religion, national origin, ancestry, gender, age, disability, ethnicity, marital or parental status, military discharge status, source of income, or sexual orientation.
- b. **Alcohol, tobacco and firearms.** The advertisement promotes the sale or use of alcohol, tobacco or firearms, or alcohol, tobacco, or firearms related products, including depicting such products.
- c. **Profanity.** The advertisement contains profane language, i.e., language containing certain of those personally reviling epithets naturally tending to provoke violent resentment or language that under contemporary community standards is so grossly offensive to members of the public who actually hear it as to amount to a nuisance.
- d. **Violence.** The advertisement contains an image or description of violence, including, but not limited to (1) the depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or

- disfigurement, and (2) the depiction of weapons or other implements or devices used in the advertisement in an act of violence or harm on a person or animal.
- e. **Unlawful goods or services.** The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, the use or possession of unlawful or illegal good or services.
  - f. **Unlawful conduct.** The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities.
  - g. **Obscene or nudity.** The advertisement contains legally obscene material or depicts nudity or sexual intercourse or other sexual acts. For purposes of these standards, the terms “obscene” shall have the meaning contained in Tex. Penal Code Sec. 43.21.
  - h. **False, misleading, or deceptive commercial speech.** The advertisement proposes a commercial transaction and the advertisement, or any material in it, is false, misleading, or deceptive.
  - i. **Libelous speech, copyright infringement, etc.** The advertisement, or any material contained in it, is libelous or an infringement of copyright, or is otherwise unlawful or illegal or likely to subject Transportation Services to litigation.
  - j. **Disregard for Transit Safety.** Advertising cannot encourage persons to refrain from using safety precautions normally used in transit-related activities, such as awaiting, boarding, riding upon, or debarking from transit vehicles.
  - k. **Unclear identification of the advertiser.** The advertisement is such that (1) the message or sponsorship of the advertisement cannot reasonably be determined without reference to a web site or telephone number that is listed in the advertisement, and (2) that web site prominently contains, or that telephone number directs callers to, material that violates these guidelines.
  - l. **Non-paid advertising.** Transportation Services requires all advertising to be contracted according to the pricing set forth in the current published advertising rates as set by the Transportation Services Marketing Team. Trade agreement (in which, in lieu of cash, Transportation Services accepts products or services that are deemed useful to it) may be accepted upon approval by the Transportation Services Marketing Team.
  - m. **Exclusive Sponsorships.** Transportation Services reserves the right to reject an advertisement in situations where accepting the advertisement would put TAMU in breach of a contract or an exclusive sponsorship agreement with another entity.

#### IV. Examples.

The following are examples of advertisements that will not be accepted under TAMU’s Transportation Services Advertising Policy:

- An advertisement by a nonprofit organization to sell t-shirts stating: “Support Our Organization.” A nonprofit organization is not a qualifying “commercial entity.” Also, the primary purpose of the advertisement is to support the organization’s mission—the sale of t-shirts is merely incidental to that purpose.
- An advertisement by the Peace Corps stating: “Join the Peace Corps.” The Peace Corps is not a for-profit commercial entity and the advertisement does not promote a commercial product or service.

The following are examples of advertisements that may be accepted under TAMU’s Transportation Services Advertising Policy.

- An advertisement from a College Station-based Italian restaurant seeking to promote its new reduced price for a slice of pizza. Restaurants are for-profit businesses, and the primary purpose of the advertisement is to promote a product sold at the restaurant.
- An advertisement by a College Station-based apartment complex stating: “Life is Better at Our Apartments.” Apartment complexes are for-profit businesses, and the primary purpose of the advertisement is to promote the sale and lease of apartments.

**V. Suspension/Modification of this Policy.**

Transportation Services reserves the right to suspend, modify, or revoke the application of any or all of these standards as it deems necessary to comply with legal mandates, to accommodate its primary transportation function, and to fulfill the goals and objectives of TAMU and Transportation Services. All of the provisions of the standards shall be deemed severable.