

**Washington Metropolitan Area Transportation Authority
Board Action/Information Summary**

<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information	MEAD Number:	Resolution: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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PURPOSE

The purpose of this action is to request Board of Directors approval of a resolution revising The Regulation Concerning the Use by Others of WMATA Property to expand advertising inventory in Metrorail stations, railcars, wallscapes, and WMATA's web site.

DESCRIPTION

The FY08 Metro operating budget assumes \$3 million in advertising revenue. Staff recommends that the board of Directors adopt revisions to Appendix A of the Use Regulation to allow additional advertising inventory in the following areas: 1) Metrorail stations including station pylons and pillars, floor graphics, trash receptacles, wall projects and larger backlit dioramas, 2) Railcars including exterior railcars king-size displays, interior railcar doors (excluding bulkhead doors), railcar ceilings, 3) Wallscapes, and 4) WMATA's web site.

FUNDING IMPACT

The FY08 Metro operating budget assumes \$3 million in advertising revenue resulting from the increased advertising inventory.

RECOMMENDATION

That the Board of Directors approve the resolution revising The Regulation Concerning the Use by Others of WMATA Property.

PRESENTED & ADOPTED:

SUBJECT: Revisions to The Regulation Concerning the Use by Others of WMATA Property

PROPOSED
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, In 1980, the Board adopted Board Resolution #80-19, in which it declared that it would allow the use of WMATA property by others for a limited number of activities, including some commercial activity, but clearly stated its intent to closely monitor/control commercial use; and

WHEREAS, In 1987, the Board adopted Board Resolution #87-02, adopting the Regulation Concerning the Use By Others of WMATA Property (the Use Regulation), codifying the policy expressed in Board Resolution #80-19, but allowing some additional activities; and

WHEREAS, The Use Regulation prohibits any uses of WMATA property that are not approved therein, and specifically requires Board approval of advertising inventory; and

WHEREAS, Staff wishes to generate revenue by adding new areas to the existing advertising inventory; and

WHEREAS, Staff recommends that the Board adopt revisions to Appendix A of the Use Regulation, attached hereto as Exhibit A, to allow additional advertising inventory in the following areas, subject to Staff obtaining any permits required:

- (1) Metrorail stations: station pylons and pillars, floor graphics, trash receptacles, wall projections and larger backlit dioramas;
- (2) Railcars: exterior railcars king-size displays, interior railcar doors (excluding bulkhead doors), railcar ceilings; and
- (3) Wallscapes; and

WHEREAS, Staff also proposes that WMATA allow commercial advertising on WMATA's Web site; and

WHEREAS, Due to the importance of promoting access by all to WMATA's web site in order to provide quality service, Staff proposes that web site advertising be restricted to noncontroversial commercial advertising that is not contrary to the best interests of the transit system and that does not place WMATA in a negative light or otherwise result in public criticism of WMATA; now, therefore, be it

RESOLVED, That the Board of Directors of the Washington Metropolitan Area Transit Authority revises Appendix A of the Use Regulation, attached hereto as Exhibit A, to expand WMATA's advertising inventory to include the following areas, subject to Staff obtaining any required permits:

- (1) Metrorail stations: station pylons and pillars, floor graphics, trash receptacles, wall projections and larger backlit dioramas;
- (2) Railcars: exterior railcar king-size displays, interior railcar doors (excluding bulkhead doors), railcar ceilings;
- (3) Wallscapes; and
- (4) WMATA Web site; be it further

RESOLVED, That the Board of Directors amend the Preamble and Section 100.9 of the Use Regulation, attached hereto as Exhibit B, to allow WMATA web site advertising, but restrict such advertising to noncontroversial commercial advertising that is not contrary to the best interests of the transit system and that does not place WMATA in a negative light or otherwise result in public criticism of WMATA; be it further

RESOLVED, That by allowing commercial advertising on the WMATA web site, the Board of Directors does not intend to designate the web site as a public forum; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency.



Carol B. O'Keeffe
General Counsel

Appendix A

LIST OF BOARD APPROVED ADVERTISING INVENTORY

A. Buses

- (1) Queen-size frames
- (2) King-size frames
- (3) Rear frames
- (4) Exterior Headliners
- (5) Video monitors
- (6) Partial exterior wraps
- (7) Interior bus cards

B. Railcars

- (1) Interior car cards (21" x 22")
- (2) Interior Headliners
- (3) Video monitors
- (4) Partial exterior wraps
- (5) Exterior railcar King-size displays (**New Item**)
- (6) Interior railcar doors (excluding bulkhead doors) (**New Item**)
- (7) Railcar Ceilings (**New Item**)

C. Metrorail Stations

- (1) Dioramas (back-lighted advertising display)
- (2) Two-Sheet Posters (non-backlighted advertising display)
- (3) Station banners

- (4) Larger dioramas (New Item)
- (5) Pylons and Pillars (New Item)
- (6) Floor Graphics (New Item)
- (7) Trash Receptacles (New Item)
- (8) Wall Projections (New Item)

D. Tunnels

E. Bus Shelters

F. Wallsapes (New Item)

G. Web Site Advertising (New Item) -- for Commercial Advertising only in accordance with Section 100.9 (c).

PART 100
REGULATIONS CONCERNING THE
USE OF WMATA PROPERTY
PREAMBLE

* * *

Because advertising is a source of significant revenue to the Authority, advertising will be allowed in/on Board-approved inventory of buses, bus shelters, railcars and Metrorail stations, including tunnels. Bus shelter advertising will be conditional on obtaining the necessary authorizations from the surrounding jurisdictions. Advertising will also be allowed on the Authority's web site, but such advertising will be restricted to noncontroversial commercial advertising that is not contrary to the best interests of the transit system and that does not place the Authority in a negative light or otherwise result in public criticism of the Authority.

Section 100.9 Advertising on Metrobus and Metrorail Systems and the Authority Web Site

(a) Activities: This section applies to the following activities.

(1) Advertising on the Authority's Metrobus and Metrorail systems installed in Board approved advertising inventory of buses, bus shelters, railcars, and Metrorail stations and on the Authority's web site.

(c) Web Site Advertising. Advertising on the Authority's web site shall be restricted to noncontroversial commercial advertising that is not contrary to the best interests of the transit system and that does not place the Authority in a negative light or otherwise result in public criticism of the Authority. Pop ups and other similar features are prohibited. Such web site advertising shall also comply with subsection (b) of this section, including the Guidelines Governing Commercial Advertising.

PRESENTED & ADOPTED:

SUBJECT: Revisions to The Regulation Concerning the Use by Others of WMATA Property

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OF THE
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WHEREAS, In 1980, the Board adopted Board Resolution #80-19, in which it declared that it would allow the use of WMATA property by others for a limited number of activities, including some commercial activity, but clearly stated its intent to closely monitor/control commercial use; and

WHEREAS, In 1987, the Board adopted Board Resolution #87-02, adopting the Regulation Concerning the Use By Others of WMATA Property (the Use Regulation), codifying the policy expressed in Board Resolution #80-19, but allowing some additional activities; and

WHEREAS, The Use Regulation prohibits any uses of WMATA property that are not approved therein, and specifically requires Board approval of advertising inventory; and

WHEREAS, Staff wishes to generate revenue by adding new areas to the existing advertising inventory; and

WHEREAS, Staff recommends that the Board adopt revisions to Appendix A of the Use Regulation, attached hereto as Exhibit A, to allow additional advertising inventory in the following areas, subject to Staff obtaining any permits required:

- (1) Metrorail stations: station pylons and pillars, floor graphics, trash receptacles, wall projections and larger backlit dioramas;
- (2) Railcars: exterior railcars king-size displays, interior railcar doors (excluding bulkhead doors), railcar ceilings; and
- (3) Wallscapes;
- ~~(4) WMATA Web site and~~

WHEREAS, Staff also proposes that WMATA allow commercial advertising on WMATA's Web site; and

WHEREAS, Due to the importance of promoting access by all to WMATA's web site in order to provide quality service, Staff proposes that web site advertising be restricted to noncontroversial commercial advertising that is not contrary to the best interests of the transit system and that does not place WMATA in a negative light or otherwise result in public criticism of WMATA; now, therefore, be it

RESOLVED, That the Board of Directors of the Washington Metropolitan Area Transit

Authority revises -Appendix A of the Use Regulation, attached hereto as Exhibit A, to expand WMATA's advertising inventory to include the following areas, subject to Staff obtaining any required permits:

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- (3) Wallscapes; and
- (4) WMATA Web site; ~~and~~ be it further —

RESOLVED, That the Board of Directors amend the Preamble and Section 100.9 of the Use Regulation, attached hereto as Exhibit B, to allow WMATA web site advertising, but restrict such advertising to noncontroversial commercial advertising that is not contrary to the best interests of the transit system and that does not place WMATA in a negative light or otherwise result in public criticism of WMATA; be it further

RESOLVED, That by allowing commercial advertising on the WMATA web site, the Board of Directors does not intend to designate the web site as a public forum; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

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