

BRATS ADVERTISING GUIDELINES

Allowed ads

- **Commercial ads.** These promote a commercial transaction or an advertiser's brand.
- **Governmental notices.** These are from BRATS or are paid for by the federal, state, county, or city government.
- **Public service announcements.** These are from government or nonprofit entities that are informational and relate directly to education, arts or culture, the prevention or treatment of illnesses, and other similar categories in Baldwin County.

Ads that do not fall under these three categories will not be allowed. Ads that abide by the guidelines above can still be prohibited for other reasons as outlined below. BRATS reserves the right to remove ads that are found to violate these rules at any time.

Prohibited Ads

- **All tobacco products, electronic cigarettes** and non-tobacco products or services that share a name, emblem, or other feature with a tobacco product, rolling papers and filters.
- **Political ads.** This includes ads that promote or oppose a political party, a candidate, a ballot referendum, political fundraising, political position, or changes to public policy.
- **Public issue ads.** This includes ads that express or advocate an opinion, position, or viewpoint on matters of public debate such as economic, religious, or social issues.
- **Comply with applicable law.** Ads shall comply with applicable federal, state, and local advertising and regulatory laws including the Federal Trade Commission Act and the FD&C Act.
- **Disruptive or harmful ads.** Advertising must not contain material that is so objectionable under contemporary community standards as to be reasonably foreseeable that it will result in harm to, disruption of, or interference with the transportation system. Examples of harm, disruption and interference include, but are not limited to, vandalism, violence, and reduced ridership.
- **False, deceptive, or misleading ads.** Ads must be truthful. False, deceptive, or misleading ads are not permitted.
- **Illegal activity, lawlessness, violent action.** Ads must not advocate or promote illegal activity, imminent lawlessness, or violent action. Ads must not contain images or descriptions of violence, lawlessness, or illegal activity 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.

- **Nudity, sexual or obscene content.** Ads must not contain or depict legally obscene material, nudity, sexual subject matter, or any material that the average adult, applying contemporary community standards, would find appeals to the prurient interest.
- **Profanity.** Ads must not contain profanity or implied profanity.

BRATS reserves the right to reject advertising if advertising space is unavailable due to the campaign format or limited advertising inventory. All the provisions of the guidelines shall be deemed severable.

How the review process works

BRATS may relay on a Third-Party Vendor for the initial review of ads. BRATS reserves the right to approve or reject all advertising, and their manner of presentation in accordance with these guidelines regardless of whether the advertising was previously approved by the Third-Party Vendor. Reasonable proof or clarification of statements contained in any advertisement may be required by BRATS or its Third-Party Vendor.

The Third-Party Vendor shall approve or reject the ad in accordance with the advertising guidelines set forth above (the "Initial Decision") no later than 30 days after the date the advertiser submits its proposed ad. If the ad is rejected, the Third-Party Vendor shall send written notice of the Initial Decision to reject the ad to the firm or organization that submitted the proposed ad. The written notice of the Initial Decision shall state the reason the ad was rejected and inform the firm or organization of its right to appeal the Initial Decision.

Appeal

A firm or organization may appeal the initial decision made on the acceptability of an ad to the County Director of Transportation, or their designee. A letter requesting an appeal of the Initial Decision must be filed with BRATS, Attn: Director of Transportation, BRATS, 312 Courthouse Sq., Suite 12, Bay Minette, AL 36507 no later than the tenth (10th) day after the Initial Decision was issued. After receiving an appeal, BRATS Director of Transportation shall immediately forward it to the County Administrator or designee for review. The decision of the County Administrator or designee shall be final.