

EXHIBIT A

ULSTER COUNTY BUS ADVERTISING POLICY

A. DEFINITIONS

As used in this policy, the following terms shall have the meanings indicated:

1. Underwriter: An individual, partnership, corporation, professional corporation, limited liability company, member of a limited liability company, organization, or association who sponsors an advertisement by paying all or part of the associated expenses in return for publicity including its name, message, product, phone number, website, or other identifying information.
2. Commercial and Promotional Advertising: Advertising for the sole purpose of selling or renting services or property for a profit.
3. Political Advertising: Any advertising that supports or opposes the election of any candidate or group of candidates, or any ballot question, initiative, petition, or referendum issue, including bond issues, constitutional amendments, or proposed legislation.
4. Non-Profit Organizations: Organizations that meet the requirements for a tax-exempt organization under Section 501 (c) (3) of the Internal Revenue Code and that:
 1. have a physical office in Ulster County;
 2. provide social welfare services; and
 3. serve the needs of the Ulster County Department of Transportation (UCAT) passengers.
5. Public Service Announcements (PSA): Non-commercial and non-political advertising by Non-Profit Organizations promoting their social services.
6. Governmental Advertising: Notices or messages from Ulster County that promote the county or any of its functions or programs, and also paid notices or messages of the United States government, the State of New York and its agencies, Ulster County and its departments, or of any of the municipalities within Ulster County that advance specific governmental purposes.

B. BUS FLEET ADVERTISING PERCENTAGES

1. The UCAT fleet must maintain a dedicated percentage of advertising as follows:

50%	Ulster County Resources and Public Service Announcements
30%	Non-Profit
20%	For Profit

C. ADVERTISING STANDARDS

1. Permitted Advertising Content

The following classes of advertising are authorized on UCAT property if the advertising does not include any material that qualifies as Prohibited Advertising, as described in subsection (2) below:

- a) Prevention or treatment of illnesses;
- b) Promotion of safety or personal well-being;
- c) Education or training;
- d) Art or culture;
- e) Provision of children and family services;
- f) Solicitation by broad-based contribution campaigns which provide funds to multiple charitable organizations;
- g) Provision of services and programs that provide support to low income citizens, senior citizens and people with disabilities;
- h) Governmental advertising; or
- i) Commercial and Promotional Advertising.

2. Prohibited Advertising Content

Because UCAT serves persons of all ages and backgrounds and strives to create a comfortable and enjoyable experience for all passengers, the following types of advertising are prohibited:

- a) Materials that contain false, misleading, libelous, slanderous, or deceptive Images;
- b) Advertising for tobacco, tobacco-related products, alcoholic products, and illegal drugs;
- c) Advertising for adult products, services or entertainment directed to sexual stimulation;

- d) Advertising of contraceptive products or hygiene products of an intimately personal nature;
- e) Advertising that depicts sexually explicit, obscene and/or pornographic images or words and/or contains sexual material as is defined in §245.11, New York Penal Law;
- f) Advertising that contains material harmful to minors as is defined in §235.20, New York Penal Law;
- g) Advertising that contains any profane language, or portrays images or descriptions of graphic violence, including dead, mutilated or disfigured human beings or animals, the act of killing, mutilating or disfiguring human beings or animals, or intentional infliction of pain or violent action towards or upon a person or animal, or that depicts weapons or devices that appear to be aimed or pointed at the viewer or observer in a menacing manner;
- h) Advertising that contains discriminatory, derogatory, negative or personal attacks against individuals, groups, or organizations;
- i) Advertising that is insulting, degrading, disparaging, demeaning or offensive. For the purpose of this policy, any material directed at a person or group that is intended to be, or reasonably could be interpreted as being:
 - (1) insulting, degrading, disparaging, demeaning or offensive so as to be reasonably foreseeable that it will incite or produce lawless action in the form of retaliation, vandalism or other breach of public safety, peace and order; or
 - (2) disparaging or disrespectful to persons, groups, governments, businesses or organizations, including advertisements that portray individuals as inferior, evil or contemptible;
- j) Advertising that is Political and/or a Public Issue that:
 - (1) promotes or opposes a political party, promotes or opposes any state or local ballot measure or the election of any candidate or group of candidates for federal, state, judicial or local government offices;
 - (2) is political in nature or contains political messages, including advertisements involving political or judicial figures and/or advertisements involving an issue that is political in nature in that it directly or indirectly implicates the action, inaction, prospective action or policies or a governmental entity; or
 - (3) expresses or advocates an opinion, position or viewpoint on a matter of public debate about economic, political, religious or social issues;
- k) Advertising that promotes illegal activity of any kind;
- l) Advertising that promotes a commercial transaction that is prohibited by Federal, State or local law or regulation;
- m) Advertising that encourages persons to refrain from using UCAT or public transit in general;

- n) Advertising that explicitly and directly promotes or encourages the use of means of transportation in direct competition with public transit;
 - o) Advertising messages that conflict with the mission of UCAT;
 - p) Advertising that contains Ulster County's name, brand logo, slogans or other graphic representations of the transit system, unless written consent from Ulster County is obtained prior to use.
3. The prohibitions also apply to advertisements that include a website that provides a message that does not comply with this Section.

D. ADVERTISING MATERIAL EXPENSES

1. Advertising materials will be produced at the advertiser's expense and must be of good quality and conform to standards for size, weight, material and other physical characteristics as set by UCAT.
2. Advertisers must pay for installation and removal of advertising from vehicles. Costs will be determined by UCAT staff or its assigned contractor, which will arrange for the installation or removal of advertising. It is the advertiser's responsibility to deliver or reclaim materials in a timely fashion or they may be disposed of at UCAT's discretion.

E. ADVERTISING SPACE REGULATION

1. The Director of Public Transportation, (the Director), or his or her designee(s), shall determine the interior and exterior spaces that will serve as appropriate locations for commercial and/or non-profit advertising.
2. Before accepting an advertisement for display in or on vehicles, the Director shall review such proposed advertisement to determine whether the advertisement complies with the Advertising Standards.
3. The Director reserves the right to modify, change, or alter the locations and sizes of the available ad spaces as it sees fit.
4. The placement and size of any advertisement shall be at the sole discretion of the Director.

5. The Director shall approve or reject a proposed advertisement or PSA within 15 days of when the request and all other documents associated with it are received by UCAT.

- a) If the Director determines that a proposed advertisement does not comply with the Advertising Standards, the advertiser shall be notified in writing of the determination, including the reason(s) for the determination.
- b) The Director may discuss with the advertiser revisions to the advertisement to try to bring the advertisement into compliance with the Advertising Standards, and the advertiser may submit a revised advertisement to the Director for review.

F. UNDERWRITING

1. Non-Profits and any entity authorized to advertise under the provisions of this policy may solicit an underwriter.
2. The portion of any advertisement which includes publication of the name, phone number, website, or other information to identify an underwriter shall be limited to 15% of the total space of the advertisement.

G. REVENUE

1. All revenue from the bus advertisement sales shall be utilized to purchase bus parts and equipment as required by the Federal Transit Administration regulations.
2. No later than October 1st of each year an annual Ulster County Bus Advertising Revenue Report shall be filed with the Clerk of the Ulster County Legislature. The report shall include, but not be limited to the following information:
 - a) Total revenue generated from advertising;
 - b) Total square footage, as a percent of total available square footage, of space used for advertising broken down by classification of advertising entity;
 - c) A listing of individual advertisers, including underwriters where applicable.

H. SEVERABILITY

If any word, phrase, clause, sentence, paragraph, section or part of this policy shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section of part thereof directly involved in the controversy in which such judgment shall have been rendered.

I. EFFECTIVE DATE

This policy shall be effective January 1, 2018. Existing advertising contracts will be honored through the end of the current contract term.