

INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION ADVERTISING AND SPONSORSHIP POLICY

1. POLICY AND PURPOSE.

The Board of Directors of the Indianapolis Public Transportation Corporation, which does business as IndyGo, adopts this Advertising and Sponsorship Policy (“Policy”) to implement a systematic viewpoint neutral process to evaluate potential new instances of advertising on or sponsorship of its assets, including but not limited to buses (both internally and externally), bus stops and shelters, bus rapid transit stations, and building facilities (collectively, “Assets”).

By adopting this Policy, the Board of Directors seeks to fulfill the following objectives within a framework that establishes that IndyGo’s Assets are not public forums and that IndyGo exercises direct control over the messages it chooses to convey through instances of advertising on and sponsorship of its Assets:

- Maximizing revenue generated by advertising and sponsorships
- Maximizing revenue generated by attracting, maintaining, and increasing ridership
- Maintaining a safe and welcoming environment for all IndyGo employees and riders
- Avoiding the identification of IndyGo with the viewpoints of advertisers and sponsors

A uniform process to evaluate potential advertising and sponsorship opportunities will further the above objectives by enabling IndyGo to determine if an opportunity is consistent with the objectives and with the messages that IndyGo desires to communicate.

This Policy establishes the criteria upon which advertising or sponsorship opportunities will be evaluated from the date of its adoption. Advertising and sponsorships that existed prior to the adoption of this Policy shall not be considered as precedent serving to guide any future decisions as to the approval or denial of any proposed advertisement or sponsorship. IndyGo reserves the right to require removal of advertising or sponsorship materials if it deemed to be unlawful. Moreover, IndyGo reserves the right to modify or revoke the application of this Policy as it deems necessary to comply with legal mandates, to accommodate its primary public transportation function, and to fulfill its objectives.

2. INDYGO’S SPEECH.

All other provisions of this Policy notwithstanding, IndyGo reserves the right to convey its own messages, which may change over time. Accordingly, IndyGo may display advertisements and notices on its Assets conveying messages that it seeks to communicate, or which pertain to IndyGo’s own operations and promotions.

3. APPROVAL CRITERIA AND RESTRICTIONS FOR THIRD-PARTY ADVERTISEMENTS/SPONSORSHIPS.

- a. **In General.** IndyGo's determination to enter into an advertising or sponsorship arrangement shall be made based on the requirements and restrictions set forth in this Policy. IndyGo may delegate the responsibility for accepting proposals for advertising or sponsorships to a third-party agent, in which case the agent may make a recommendation to accept or deny the proposal based on the requirements and restrictions set forth in this Policy. Any such recommendation and all other provisions of this Policy notwithstanding, IndyGo reserves the right to determine which advertising and sponsorship proposals satisfy the criteria set forth in this Policy and shall make the final determination as to whether an advertising or sponsorship opportunity will be pursued.
- b. **Approval Criteria.** All advertising and sponsorship proposals shall be reviewed based on the following general criteria:
 - (1) **Public Safety Considerations.** Proposed advertising and sponsorship content must not negatively impact public safety by creating a distraction to bus operators, bus riders, other motorists, or create an attractive nuisance.
 - (2) **Asset Preservation.** Proposed advertising and sponsorship materials must not adversely affect the service life of any Asset or the ability to access an Asset or its components for maintenance.
 - (3) **Potential Conflicts with Asset Uses.** Proposed advertising and sponsorship content must not conflict with existing or planned uses of an Asset.
 - (4) **Compliance with Law.** The person or entity desiring to advertise on or to sponsor IndyGo Assets shall be responsible for ensuring that its advertising or sponsorship materials comply with all applicable federal, state, and local laws, regulations, and policies, as well as any other generally applicable legal standards in IndyGo's discretion.
 - (5) **Restrictions.** IndyGo will not accept any advertising or sponsorship opportunity which may fall into one or more of the restrictions set forth below.
- c. **Restrictions.** IndyGo will not accept an advertising or sponsorship proposal if the content of the advertisement, the materials utilized to acknowledge the sponsorship, or any other component of the proposed advertising or sponsorship includes or invokes any of the following:
 - (1) **Unlawful Goods, Services or Conduct.** The content or material promotes or encourages, or appears to promote or encourage, unlawful or illegal goods, services, behavior, conduct, or activity.

- (2) Profanity. The content or material contains profane language. For purposes of this Policy, “profanity” includes 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.
- (3) Obscenity and Nudity. The content or material contains or depicts an obscene matter or performance (as defined in IC § 35-49-2-1), nudity (as defined in IC § 35-49-1-5), sexual conduct (as defined in IC § 35-49-1-9), or a matter or performance harmful to minors (as defined in IC § 35-49-2-2). The foregoing citations to the Indiana Code for the definition of terms in this section shall be as those statutes may be amended from time to time.
- (4) Prurient Sexual Suggestiveness. The content or material (a) contains material that incites, describes, depicts, or represents sexual activities or images or descriptions of human sexuality or anatomy in a way that the average adult, applying contemporary community standards, would find appeals to the prurient interest; (b) refers to the sale of pornography, adult telephone or Internet services, escort services, nude dance clubs, sensual massage, or any other form of adult-oriented entertainment; or (c) refers to brand names, trademarks, slogans, or other materials relating to films rated X or NC 17, or video games rated M or AO.
- (5) Violence. The content or material contains an image or description of violence or gore, including, but not limited to (a) the depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement, and (b) 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.
- (6) False, Misleading, or Deceptive Information. The content or material contains false, misleading, or deceptive information.
- (7) Defamation; Discrimination; Copyright or Trademark Infringement. The content or material is defamatory, amounts to actionable discrimination or harassment under federal, state, or local civil rights laws, infringes a copyright or trademark, or is otherwise likely to subject IndyGo to litigation.
- (8) Disregard for Transit Safety. The content or material encourages persons to refrain from using safety precautions normally used in transit-related activities (such as awaiting, boarding, riding upon, or debarking from transit vehicles).
- (9) Tobacco Products. The content or material refers to the sale or use of tobacco or tobacco related products, including depictions of such products.
- (10) Weapons. The content or material refers to the sale or use of firearms or other weapons, including depictions of such products.

- (11) Political Campaign Speech. The content or material contains political campaign speech. For purposes of this Policy, “political campaign speech” includes content or material that refers to a specific ballot or referendum question, a political party, or any candidate for political office.
- (12) Unclear Identification. The content or material is such that the identity of the advertiser or sponsor cannot be reasonably determined without reference to a website, telephone number, or address listed in the content or material, or that the website, telephone number, or address provided directs persons to material that violates this Policy.
- (13) Endorsement. The content or material states, declares, or implies an endorsement by IndyGo of any service, product, or point of view, unless written authorization of the content or material is provided by IndyGo’s President and Chief Executive Officer.
- (14) Non-Paid Advertising. IndyGo shall not allow advertising on its Assets without compensation in the form of monetary payments, in-kind services, or trades.

Approved and adopted by the Board of Directors of the Indianapolis Public Transportation Corporation by Resolution Number 2025-06 adopted July 17, 2025.