SPONSORSHIP AND ADVERTISING POLICY

POLICY STATEMENT:

It is the Policy of the Ohio Department of Transportation (ODOT) to engage in sponsorship and advertising opportunities at locations under ODOT control. This policy applies to all programs and initiatives in which sponsorship and advertising may be allowed by the ODOT.

Sponsorship and Advertising Not a Public Forum

The sale and display of sponsorship and advertising opportunities on property under ODOT control is not intended to provide a general public forum for purposes of communication, but rather to make use of property held in a proprietary capacity in order to generate revenue. All sponsor acknowledgments and advertising displayed on ODOT property is subject to the Department’s review and approval.

Responsible Division

All advertising and sponsorship opportunities shall be coordinated by the Division of Innovative Delivery.

Sponsorship and Advertising Agreements

ODOT will execute agreements for the sale of advertising and sponsorship opportunities. To protect the image and integrity of ODOT and the State of Ohio, all agreements shall contain the following terms and conditions:

- The agreement may be terminated at the discretion of ODOT for (1) safety concerns, (2) interference with the free and safe flow of traffic, or (3) a determination that the sponsorship or advertising agreement is not in the public interest of the state;
- Sponsorship and advertising may not imply in any way that ODOT or the State endorses or make any representation about the quality or performance of the product or service promoted by the sponsorship or advertisement;
- Sponsorship and advertising may not imply in any way that ODOT or the State make any representation about the accuracy of the sponsorship or advertisement;
Sponsorship and advertising shall not be false, misleading, libelous or deceptive;

Sponsorship and advertising shall comply with all state and federal laws or Federal Highway Administration Directives that limit or restrict sponsorship and advertising within highway rights of way including but not limited to O.R.C. 5516, 23 U.S.C. 131, the Ohio Manual of Uniform Traffic Control Devises and the National Manual of Uniform Traffic Control Devices.

Prohibited Sponsorship and Advertising

To protect the image and integrity of ODOT and the State of Ohio, no sponsorship or advertising shall contain any of the following prohibited content. Additionally no sponsorship or advertising will be allowed by individuals or organizations whose primary purpose is implicitly associated with the prohibited content;

- Denigration of groups based on gender, religion, race, ethnic or political affiliations or content that includes the name of any group that has historically advocated for the denigration of groups based on gender, religion, race, ethnic or political affiliations;

- Obscene, pornographic, indecent, or explicit messages or offensive level of sexual overtone, innuendo or double entendre;

- Contraceptive products or services, or services related to abortion, euthanasia or counseling with regard to those issues or contain expressions of opinion for or against any of the aforementioned materials;

- Products or services for establishments primarily featuring nude or semi-nude materials;

- Political candidates or ballot measures scheduled for consideration by the electorate of any state.

- The production or sale of alcohol or tobacco products.

Sponsorship and Advertising Revenue

Revenue derived from the sale of sponsorship and advertising opportunities shall only be used for highway purposes.

AUTHORITY:

Sections 5501.31, 5515.07, 5515.08, 5529.03, and 5589.32 of the Ohio Revised Code
SCOPE:

This Policy applies to all Divisions and Districts of the Department.

DEFINITIONS:

Obscene: As used in this policy obscene has the same meaning as set forth in O.R.C. 2907.01(F) as such provision may be amended, modified or supplemented from time to time.

TRAINING:

No training is required to implement this policy.

FISCAL ANALYSIS:

No fiscal impact.