

800-RICR-20-00-1

TITLE 800 – AIRPORT CORPORATION

CHAPTER 20 – ADVERTISING AND EXPRESSIVE ACTIVITY

SUBCHAPTER 00 – N/A

PART 1 – Advertising Standards for the Rhode Island Airport Corporation

1.1 Advertising Standards

- A. The following Standards shall apply to all licenses for the installation, display and maintenance of advertising on properties and facilities operated by the Rhode Island Airport Corporation ("RIAC") executed on or after April 10, 2002.
- B. All advertising displayed at T.F. Green Airport, Block Island State Airport, Newport State Airport, North Central State Airport, Quonset State Airport and Westerly State Airport (collectively, "the Airports") shall comply with the following standards:
 - 1. Permitted Subject Matter. The subject matter of the advertisement shall be limited to speech which is within one or more of the following permissible areas:
 - a. proposes a commercial transaction;
 - b. proposes the patronage of a commercial business;
 - c. promotes a particular industry;
 - d. promotes tourism; or
 - e. promotes economic development.
 - 2. Limitations Upon Advertisements. The licensee shall not display or maintain any advertisement that falls within one or more of the following categories:
 - a. The advertisement or information contained in it is false, misleading or deceptive.
 - b. The advertisement or information contained in it promotes unlawful or illegal goods, services or activities.

- c. The advertisement or information contained in it implies or declares an endorsement by the RIAC of any service, product or point of view without prior written authorization of the RIAC.
 - d. The advertisement contains obscene material. For purposes of this provision, the term "obscene" shall have the meaning contained in R.I. Gen. Laws § 11-31-1, as such provision may be amended, modified or supplemented from time to time.
 - e. The advertisement contains an image or description, which, if sold or loaned to a minor for monetary consideration with knowledge of its character and content, would give rise to a violation of R.I. Gen. Laws § 11-31-10, as such provision may be amended, modified or supplemented from time to time.
 - f. The advertisement contains an image or description which, if displayed in a transportation facility with knowledge of its character and content, would give rise to a violation of R.I. Gen. Laws § 9-1-28.1, as such provision may be amended, modified or supplemented from time to time.
 - g. The advertisement, or any information contained in it, is libelous.
 - h. The advertisement promotes the consumption of alcohol, tobacco or tobacco-related products.
 - i. The advertisement contains an image of a person, who appears to be a minor, in sexually suggestive dress, pose, or context.
 - j. The advertisement contains images or information that demean an individual or group of individuals on account of race, color, religion, national origin, ancestry, gender, age, disability or sexual orientation.
 - k. The advertisement contains images or information that are so violent, frightening, or otherwise disturbing as to be harmful to minors.
 - l. The advertisement promotes an escort service, dating service, or sexually orientated business.
3. Review of Advertisements. RIAC advertising contractors shall forward to RIAC each advertisement submitted for installation, display and maintenance on RIAC properties and facilities to determine whether the advertisement falls within, or may fall within, one or more of the categories set forth in § 1.1(B)(1) of this Part. If a RIAC determines that an advertisement falls within or may fall within one or more of the categories set forth in § 1.1(B)(2) of this Part:

- a. RIAC shall advise the advertising contractor of its determination.
 - b. The advertising contractor may, in consultation with the RIAC's Director of Property Management or his/her designee, discuss with the advertiser one or more revisions to the advertisement, in order to bring the advertisement into conformity with the Standards. The advertiser shall then have the option of submitting a revised advertisement for review in accordance with these procedures.
 - c. In the event that the advertising contractor and the advertiser do not reach agreement with regard to a revision of the advertisement, or in the event that the advertising contractor determines that no appropriate revision would bring the advertisement into conformity with the Standards, the advertiser may request that the advertising contractor obtain a formal determination from the RIAC Director of Property Management or his/her designee. In reaching a formal determination, the RIAC Director of Property Management or his/her designee may consider any materials submitted by the advertiser, and may consult with the advertising contractor, or with the RIAC General Counsel, the Executive Director, the Chairman of the Board, or their respective designees.
 - d. The RIAC Director of Property Management or his/her designee shall promptly provide the advertising contractor with a written notice of the formal determination, and the advertising contractor shall relay the formal determination to the advertiser. RIAC's formal determination shall be final.
4. **Unsold Space.** Any advertising space not sold or traded for value may be used by RIAC for displays promoting use of the Airport and/or economic development in the State of Rhode Island.
5. **Severability.** The provisions of these Advertising Standards are severable, and if any provision thereof shall be held invalid in any circumstances, such invalidity shall not affect any other provisions or circumstances. These Advertising Standards shall be construed in all respects so as to meet all constitutional and other legal requirements.

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