

- **Update, May 22:** The California Senate passed SB 919, Monday, by a vote of 27-7. The bill now moves to the Assembly Transportation Committee.

Polanco Bill Would Strip MTA of Control over Ad Displays

(May 17, 2001) The MTA could be stripped of the right to control billboards and other advertising displays placed on its buildings and property under a bill now pending before the California Senate's Appropriations Committee.

SB 919, sponsored by State Sen. Richard Polanco (D-LA), prohibits the MTA from "regulating the placement or maintenance of any advertising display" located now or in the future on MTA property or rights-of-way. The MTA Board voted April 26 to oppose the measure.

If passed and signed into law, the bill could disrupt the MTA's plans to provide 10 Automated Public Toilets (APTs) at Metro System locations and permit 54 advertising structures to be erected on agency property. The MTA stands to make at least \$7.9 million over 10 years on the deal.

A primary backer of SB 919 apparently is a company that failed to bid for the APT contract. The company is now suing the MTA, but agency officials believe the bill is intended, in effect, to overturn the MTA Board's contract award decision.

Wide-ranging impact

MTA officials also foresee a wide-ranging impact on the agency should the legislation become law.

SB 919 could prevent the MTA from controlling the use of its own property, managing leases, receiving revenue or maintaining ad displays on its property – even cleaning off graffiti vandalism.

As currently written, the bill would not allow the agency to place ads at Metro Bus or Metro Rail stations. It would short-circuit efforts to provide free customer service advertising or to sell advertising space, a revenue source that currently generates some \$1 million annually.

If the bill becomes law, the MTA may not be able to object if another government agency or company decided to place billboards on its property. The agency also may not be allowed to control the advertising content of billboards, even those for services or for products, like alcohol or tobacco, that violate Board policy.

The Government Relations staff believes the bill sets a precedent that would erode the decision-making authority of the MTA.

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