

NEW MTA RULES (MOSTLY) PLEASE LEAGUE

On September 30, the New York Metropolitan Transportation Authority (MTA) voted unanimously to adopt new advertising standards for buses and subways. The standards, when implemented, would bar advertisement on public transportation that a) are considered violent b) are frightening to children c) demean groups of people d) contain images of minors in a sexual pose e) promote escort or dating services f) are patently offensive and g) are deemed offensive to the MTA and its employees.

The MTA standards are primarily a response to two protests launched by the Catholic League. In 1993, the Catholic League protested a VH-1 ad on buses that contrasted Mary, the Mother of Jesus, with the pop star, Madonna. In 1995, the MTA allowed the placement of Calvin Klein "kiddie porn" jean ads. Both ads were pulled after the league mounted a public protest.

The league praised the new standards, however it found that the inclusion of a prohibition on ads that might offend the MTA were not only unwise, they may have the effect of defeating the revisions entirely. Here is what the league said to the press about the new rules:

"It is currently impossible to advertise tobacco on New York City buses, but not kiddie porn. All that these new MTA standards do is reflect the will of the public to prohibit government agencies from trafficking in smut and defamatory images of whole segments of the population. What the MTA is doing is entirely within the law: commercial speech does not enjoy the same protection that political discourse does. And that is why places like Washington, D.C. have been able to live with rules that are much tighter than we have in New York.

"The First Amendment is not absolute: it is conditioned on time, place and manner. While the government should not restrain the display of Nazi symbols or vulgar pictures in art galleries, it is under no obligation to allow them on the sides of buses where motorists, stuck in traffic, have no choice but to view them.

"Those who say that the MTA rules are too vague are unpersuasive. The laws on sexual harassment couldn't be more vague, yet the very persons who criticize the MTA rules find no problem with these laws. It is time for the MTA to ratify the public will and adopt new standards."