



Alameda-Contra Costa Transit District

October 5, 2020

Via Email: plevy@citizen.org

Victoria Fierce via Mr. Paul Levy, Esq.
Public Citizen Litigation Group
1600 20th Street NW
Washington DC 20009

Dear Ms. Fierce:

As you know, AC Transit Ordinance No. 16 provides as follows:

It shall be unlawful for any individual, person, candidate for office, firm, corporation, entity or partnership, regardless of any nature or kind, however formed, regardless of whether for profit or nonprofit purposes, to use any of the District's logos and/or service marks in any manner whatsoever unless authorized by four affirmative votes of the District's Board of Directors or its designee. (emphasis added)

Since its adoption and even prior, the District has interpreted the ordinance and the District's right to control the use of its logos and service marks to prohibit candidates from displaying the District's logo in any form, including photographs of District buses or bus stops, in campaign materials or websites without prior approval. When so advised by the District, candidates have generally removed the logo from their materials or website, including by obscuring the logo in photographs of District buses or bus stops.

That said, the District has determined that it may need to review and potentially amend the ordinance with respect to the broad definition of "use." Accordingly, the District will not enforce Ordinance 16 as it applies to photographs of District buses or bus stops that have the AC Transit logo while the proper scope of the ordinance is reviewed.

As a candidate for office, you were recently requested to remove or obscure the AC Transit logo in photographs used for campaign purposes. Please be advised that this request is rescinded while the District reevaluates the language of the ordinance.

If you have any questions regarding the above, you may contact the General Counsel's Office at 510-891-4816.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jill A. Sprague'.

Jill A. Sprague
General Counsel