

MBTA STATEMENT

As offensive as anyone may find the product being advertised, it's not the MBTA's role to regulate any products, be they movies, music, websites, books, or video games.

Instead, under the First Amendment, the MBTA is authorized to only scrutinize the content of the advertisement itself

Pursuant to the MBTA's guidelines for advertising, the MBTA has reviewed the content of the advertisements at issue. Based upon this analysis, the MBTA determined the images and content of the advertisements are consistent with the MBTA's guidelines and do not fall within the constitutionally permissible prohibitions within the guidelines.

It is important to note that MBTA's guidelines, in accordance with federal law, authorize only a review of the content and images of the advertisement itself. The MBTA's guidelines do not authorize the MBTA to review the nature of the underlying product that is being advertised.