

Tulsa International Airport and R. L. Jones, Jr. Airport Policy on Free Speech and Expressive Activity

I. Purpose and Objectives.

The purpose of this policy is for the Tulsa Airports Improvement Trust ("TAIT") to provide guidelines regarding free speech and expressive activity at the Tulsa International Airport and the R. L. Jones, Jr. Airport (collectively the "Airport"). Free speech and expressive activity consist of demonstrations, signature collecting, distribution of printed material, sale of printed material, and solicitation for non-commercial purposes.

The Airport is a security sensitive environment, designed and utilized as an air transportation facility providing safe and efficient air travel. This policy provides restrictions on the time, place, and manner of permitted free speech and expressive activity at the Airport. The purpose of the restrictions is to ensure that the primary purpose of the Airport of providing safe and efficient air travel is maintained by: (a) maximizing passenger traffic flow; (b) avoiding congestion, operational disruptions, duress, fraud and disturbance to passengers and patrons and visual blight and clutter; and (c) promoting the health, security and safety of passengers, employees and patrons at the Airport.

The Airport constitutes non-public forums that are subject to reasonable and viewpoint-neutral limitations and restrictions on free speech and expressive activity. This policy applies and will be enforced without regard to either the identity of the person or organization seeking to engage in free speech and expressive activity or the viewpoint of the message sought to be communicated.

No person shall engage in free speech and expressive activity on Airport property, including, but not limited to, the Airport terminals, sidewalks, walkways, and parking lots, without filing for and receiving a permit issued by the Airport and such free speech and expressive activity must be conducted in accordance with this policy and the terms of the issued permit.

II. Definitions.

- A. Demonstration. Demonstration or demonstrating means making speeches, marching, picketing, holding vigils and other forms of like conduct by one or more individuals which involves the communication by words or behavior of ideas, opinions, beliefs or views to individuals at the Airport, and is undertaken with the intent or is likely to have the effect of drawing a group of listeners or onlookers.
- B. Distribution of Printed Material. Distribution of printed material means the distribution of newspapers, leaflets, pamphlets and other forms of like written or printed material to individuals at the Airport.

- C. Sale of Printed Material. Sale of printed material means the sale of flyers, brochures, pamphlets, books and other forms of like written or printed material to individuals at the Airport.
- D. Solicitation. Solicitation or soliciting means the personal solicitation of funds in a continuous or repetitive manner from individuals at the Airport.
- E. Signature Collecting. Signature collecting means the collecting of written signatures for any purpose.
- F. Expressive Activity. Expressive Activity means each of the Sale of Printed Material, the Distribution of Printed Material, Solicitation, Signature Collecting, and Demonstrations.

III. General Requirements.

- A. Expressive Activity is not permitted at the Airport except with the issuance of a permit pursuant to Sections VI and VII of this policy.
- B. All permitted Expressive Activity shall be conducted:
 - 1. According to this policy and the issued permit.
 - 2. Without obstructing the use of the Airport for its intended purpose as an air transportation facility; without interference with the rapid, orderly and efficient movement of persons throughout the Airport; without misrepresentations or duress; and without compromising the safety and security of persons and property.

IV. Solicitation and Sale for the Immediate Receipt of Funds and Signature Collecting Are Prohibited.

- A. The Airport has determined that signature collecting, solicitation for the immediate receipt of funds, and the sale of printed material for the immediate receipt of funds are each a source of disruption for Airport patrons and an obstruction of the Airport's mission. These forms of expressive activity require the recipient of the message to either stop in order to receive and consider the speaker's message or change course to avoid the message, both of which may obstruct passenger flows and cause delays. Listeners may need to set down bags and search for money or writing materials, blocking throughways and further contributing to delays. In addition, these activities pose the increased risk of fraud and duress, as the recipients of the message are often in a hurry and may not have time to notify the appropriate Airport authorities if fraud is suspected.

- B. To protect Airport patrons and preserve the Airport's primary function as an air transportation facility while maintaining alternative channels of communication, the Airport maintains the following prohibition on solicitation for the immediate receipt of funds, the sale of printed material for the immediate receipt of funds, and signature collecting inside the Airport terminals, in Airport parking areas, and on sidewalks or walkways adjacent to Airport buildings, with or without a permit:
1. No person shall collect or attempt to collect signatures for any purpose, including but not limited to, petition initiatives, event registration, and mailing list distributions.
 2. No person shall solicit for the immediate receipt of funds.
 3. No person shall offer for sale or attempt to sell flyers, brochures, pamphlets, books, and other forms of like written or printed material, for the immediate receipt of funds.
 4. Receipt of funds shall mean cash, checks, credit card transactions, or anything else of value.
 5. Nothing in this prohibition is intended to prohibit the solicitation of funds or the distribution or sale of literature, flyers, brochures, pamphlets, books or other like written or printed material in exchange of funds that will be received in the future, such as distribution of donation envelopes to be mailed to the organization or receipt of funds online.

V. Designated Areas for Expressive Activity.

- A. The Airport has determined that only certain areas of the Airport provide a reasonable opportunity for Expressive Activity while not impeding the use of the Airport for its intended purpose of providing a safe and orderly facility for air transportation, including the efficient flow of pedestrian traffic and the maintenance of safety and security. The Airport shall designate those areas where such activities may occur as Designated Areas.
- B. The Airport may move, remove, or reduce the size of any area previously designated as a Designated Area as needed to respond to construction-in-progress, changes in pedestrian flow, evolving security requirements, or other appropriate circumstances.

VI. Applications for Permits.

- A. An application for a permit must be made on a form that is available from the Receptionist at the Administrative Office of the Tulsa International Airport, Suite A211, Tulsa, Oklahoma, and on the Airport's website at www.tulsaairports.com. When completed, the

application shall be submitted to the Receptionist at least seven (7) calendar days, but no more than fourteen (14) calendar days, in advance of the first date of intended use. The Airport may reduce or waive the seven (7) calendar day advance requirement upon written request for good cause shown. The terms of the permit shall not exceed a period of thirty (30) days. A permit holder may apply for a new permit upon the expiration of an existing permit.

- B. A permit, if granted, will be limited to one Designated Area of the Airport. Participants shall occupy only the Designated Area identified in a permit.
- C. An applicant shall apply only for those dates and periods of time for which it reasonably expects to actually conduct Expressive Activity at the Airport. An applicant is limited to a maximum of four (4) hours per day of Expressive Activity and Expressive Activity is limited to fourteen (14) days during the term of a permit. If the Airport determines that a permit holder applied for and was granted a permit for a materially greater period of time than the permit holder is actually using, the Airport may, upon written notice to the permit holder, unilaterally modify the permit to restrict the permitted use of the approved Designated Area to conform to the permit holder's actual practices.
- D. Unless otherwise expressly authorized in a permit, no more than four (4) participants may engage in distribution of printed material, sale of printed material, or solicitation and no more than eight (8) participants may engage in a demonstration on behalf of the permit holder at any one time.
- E. The issuance of a permit is strictly a ministerial function and does not constitute an endorsement by TAIT of any organization, cause, or other matter.
- F. Each completed application shall provide the following information and material:
 - 1. The name, mailing address, phone number and email address of the applicant individual or organization that will conduct the Expressive Activity being proposed, and the name, cell phone number and email address of the individual who is signing the application on behalf of the applicant individual or organization.
 - 2. The name, cell phone number and email address of the individual who will supervise and be responsible for the conduct of the proposed Expressive Activity.
 - 3. If the applicant is a labor organization, the identification of the employer who is the subject of the proposed Expressive Activity.
 - 4. A description of the proposed Expressive Activity and the Airport at which it is proposed to take place.

5. The name of each individual who will participate in the proposed Expressive Activity.
 6. The date(s) and time(s) proposed for the Expressive Activity.
 7. If the proposed Expressive Activity includes the solicitation for donations or sale of printed material, documentation of supporting tax-exempt status of the organization.
 8. When the proposed Expressive Activity involves the distribution or sale of printed material, a copy of the material shall be provided. Such material shall be solely for the Airport's informational purposes and not for its exercise of any decision or judgment based on the material's contents; provided, however, that a permit will not be issued for any Expressive Activity that proposes to distribute or sell printed material that is indecent or sexually explicit, portrays graphic violence, is likely to incite imminent lawless action or disorderly conduct, is disruptive to air travel, instills fear in the traveling public, or violates any federal, state or local law.
- G. Applications for a permit will be processed by the Chief Operating Officer ("COO") or the COO's designee (collectively the "COO") upon receipt of a fully completed and executed application. Permits will be processed and issued on a first come, first served basis. The COO will either issue or deny a permit.

VII. Issuance of Permits.

- A. Permits will be issued in the name of and to the applicant individual or organization and may not be transferred to any other individual or organization.
- B. Evidence of an issued permit will be provided by the COO to the permit holder and to individuals identified in the permit application as participants in the Expressive Activity, and this evidence shall be prominently displayed on the outer garments of such individuals throughout their participation in the Expressive Activity. This evidence will be provided to the permit holder and participants following their signing an attachment to the permit in which they agree to comply with the Prohibited Conduct under Section XI below, and the terms and conditions of this policy.
- C. Permits will define the dates and times during which the permit is in effect, and will contain other terms and conditions that are determined by the Airport to be reasonably necessary to ensure the safety and convenience of air transportation passengers and other Airport patrons and the continuity of Airport operations during the proposed Expressive Activity.

- D. Notwithstanding any other provisions of this policy, the Chief Executive Officer ("CEO"), COO or the Airport Chief of Police, following the issuance of a permit approving an Expressive Activity, may direct that the Expressive Activity be relocated to another location on the Airport when the relocation is determined to be required for reasons of public safety or the security or operational requirements of the Airport.

VIII. Denial of Permits.

- A. If an application for a permit is denied, the COO will provide a written response to the applicant which states the reasons for the denial, which reasons are limited to the following:
1. The application fails to meet the requirements of Section VI above or other terms or conditions of this policy. In this case, the COO will inform the applicant of the nature of the application's failure.
 2. The making of a false statement or misrepresentation in the application, or the failure to disclose any material fact, which if disclosed, would be grounds for denial of the application.
 3. Due to one or more earlier applications submitted by other applicants, space is not available for the Expressive Activity on the date(s) and time(s) identified in the application. In this case, the COO will offer to issue a permit for alternative date(s) and time(s).
 4. The termination of a prior permit by the applicant within the previous six (6) months for failure of the permit holder to comply with permit conditions.

IX. Termination of Permits.

- A. A permit may be terminated upon notice to the permit holder before the stated period set forth in the permit upon the occurrence of any of the following:
1. The making of any material false statement or misrepresentation, or the failure to disclose material information, in the application for a permit.
 2. Failure of the permit holder to comply with the terms of the permit and this policy and such violation is not promptly cured upon notice. However, no prior notice and opportunity to cure shall be required if the nature of the violation presents an immediate danger to public health and safety or interferes with Airport security or Airport or flight operations.
 3. Natural disaster or acts of God.

4. Unanticipated damage or destruction to Airport property.
 5. Airport emergency.
 6. Requirements of law, rules, or regulations.
 7. An order of a court or regulatory agency having jurisdiction.
 8. Other cause not within control of the Airport.
- B. If a permit is terminated under paragraph A(1) or A(2) above, the Airport shall not approve another permit application by the permit holder for a period of six (6) months.
- C. Upon termination of a permit, the permit holder shall immediately leave the Airport together with all of its personal property.

X. Appeal of Denial/Termination of a Permit.

- A. The denial of a permit or the termination of a permit shall be conveyed to the applicant in writing.
- B. The applicant may appeal the denial or termination to the Airport's CEO in writing within five (5) calendar days of receiving the denial or termination notification by submitting the appeal to the Receptionist at the Administrative office of the Tulsa International Airport, Suite A211, Tulsa, Oklahoma. The appeal shall state the reason the applicant believes the denial or termination to be inconsistent with this policy or is otherwise unwarranted.
- C. The CEO shall deliver to the applicant a written decision which affirms, reverses or modifies the denial or termination decision. The CEO's decision shall be the final decision.

XI. Prohibited Conduct.

- A. Unless otherwise expressly agreed to by the Airport in writing, all permits for Expressive Activity are subject to the following conditions and all permit holders and participants must acknowledge such conditions by agreeing to them in writing prior to engaging in any Expressive Activity.
1. A permit holder and participants shall not solicit donations for the immediate receipt of funds or offer for sale or attempt to sell flyers, brochures, pamphlets, books, or forms of like written or printed material for the immediate receipt of funds. Receipt of funds means cash, checks, credit card transactions, or anything else of value. A permit holder and participants shall not receive or accept any

immediate donation or immediate payment of funds from any person.

2. A permit holder and participants shall engage in approved Expressive Activity only in the Designated Area and only during the days and times approved by the permit.
3. A permit holder and participants shall not gather or attempt to gather signatures on Airport property.
4. A permit holder and participants shall not obstruct, delay or interfere with the free movement of any individuals on the Airport, whether through verbal communication, unwanted physical contact, threatened unwanted physical contact or otherwise, including but not limited to, blocking Airport sidewalks, doorways or roadways.
5. A permit holder and participants shall not intimidate or harass any individuals on the Airport, including through threats of unwanted physical contact or repetitive verbal communications or solicitations.
6. A permit holder and participants shall not engage in approved Expressive Activity in a location other than the Designated Area identified in the issued permit.
7. A permit holder and participants shall not call out, hawk or shout to individuals on Airport property regarding printed material that is being distributed or sold.
8. A permit holder and participants shall not shout, chant or otherwise amplify one's own voice, or otherwise create noise to the extent that such shouting, chanting, voice amplification, or noise becomes a distraction to drivers on the roadway, interferes with the ability of passengers to hear announcements being made over the Airport's public address system, interferes with the ability of airlines and other Airport tenants to conduct their businesses, or interferes with the safe and orderly operation of the Airport.
9. A permit holder and participants shall not obstruct, delay or interfere with the movement of motor vehicles.
10. A permit holder and participants shall not sell, distribute, or hand out any type of food or drink while engaged in Expressive Activity.
11. A permit holder and participants shall not attempt to pin, tie, or attach any symbol, insignia, article or object to the clothing, luggage, or vehicle of any person without the person's express permission.

12. A permit holder and participants shall not use any Airport building or facility for lodging or sleeping purposes.
 13. A permit holder is permitted to provide and use an informational rack. The informational rack shall not be left unattended and shall be removed and reinstalled on a day-to-day basis. An applicant shall identify in its application that it proposes to use an informational rack.
 14. Except for the informational rack, physical obstructions are prohibited by a permit holder, including but not limited to, tables and chairs.
 15. For Expressive Activity inside the Airport terminal, a permit holder and participants may not display materials (posters, signs and charts) that exceed 1' by 1' in size and such materials shall be professionally prepared. Display materials shall not be taped to walls or windows and display materials shall be removed and reinstalled on a day-to-day basis.
 16. A permit holder and participants shall not use picket or demonstration signs that exceed 2' x 3' in size. Picket or demonstration signs may not be attached to poles longer than six (6) feet in length and may not be carried into the Airport terminal.
 17. Per security policy and procedures set by the Transportation Security Administration (TSA) and the Federal Aviation Administration (FAA), no bags, luggage or personal items shall be left unattended while at the Airport. Any materials left unattended will be disposed of by the Airport.
 18. A permit holder and participants shall properly display evidence of the issued permit.
 19. In its use of the Airport property, a permit holder and participants shall comply with all applicable state, federal and city laws, ordinances, rules, and regulations regarding its activities, and the operation, maintenance, and use of the Airport.
- B. Persons engaged in Expressive Activity shall exercise care to maintain areas in use in a safe and clean condition, shall remove any and all litter caused by their activities, shall not discard or abandon or leave unattended on Airport premises any boxes, or other containers or literature, food or other paraphernalia, except if properly disposed of in Airport trash receptacles.
- C. Persons engaged in Expressive Activity shall conduct their activities on Airport premises at their own risk and shall exercise all reasonable diligence and precaution to avoid damage to property or injury to other persons. Persons engaged in Expressive Activity shall be liable for any and all damage to property, including but not limited to, Airport

property caused by their participation in Expressive Activity.

- D. If any person engaged in Expressive Activity is involved in an accident or other incident in which any person is injured or property is damaged, the person or the person's authorized representative shall immediately notify the Airport's Police Dispatch at 918-838-5030. The Police Dispatch will coordinate any required action, including first responders for medical attention.

XII. Effective Date.

This policy is effective as of October 10, 2019, and will apply to Expressive Activity at the Airport on and after the effective date.

TAIT reserves the right to amend this policy, including the right to set additional limitations and/or restrictions on Expressive Activity at the Airport.

Adopted by Tulsa Airports Improvement Trust

October 10, 2019

Vice Chair

A handwritten signature in blue ink, appearing to read "Joe Rahm", is written over a horizontal line.