



Official Rules for 3-Month Pilot Program

A. Eat-Shop-Play (ESP) is a co-operative marketing and community engagement program designed to bring focused attention to locally-owned and operated businesses struggling to survive in light of the COVID-19 era. The program's objective is to support rebounding businesses which are located in walkable distance to San Diego Metropolitan Transit System (MTS) transit stops – driving sales for businesses, MTS ridership, and a renewed sense of community strength.

B. Business participation is free. Eligible businesses may apply free at www.EatShopPlaySD.com. To participate, businesses are asked to commit to the following terms:

- **Staff Training:** MTS will provide a simple, clear fact sheet describing the program and what each business' role is in it. Front-line staff at participating businesses will be expected to understand the program in order to comfortably describe it to customers if asked, as well as use a provided stamp after a customer has completed a purchase over \$10.
- **Approval to Use Likeness:** Each participating business will be featured on the ESP microsite (logo/contact information/photography), and select businesses will be featured in social media posts and MTS advertising. As opportunities arise, MTS may request interviews or testimonials from participating businesses for public relations stories. MTS will notify these selected businesses before they are featured but will have full rights to share their likeness.
- **Signage and Material Distribution:** Participating businesses will be given printed materials (8.5 x 11 poster), and possibly other materials based on the needs of each businesses, to be displayed prominently at their registers or entrances, as well as branded 'stamp cards' to hand out upon request to customers.
- **Promotional Offers:** Participating businesses are not required to offer promotional discounts or incentives to customers participating through the program, but they are encouraged to do so as it will increase the likelihood for potential customers to visit their business. Any offers provided will be featured on the ESP microsite and, as appropriate, highlighted in social channels. Any incentives offered by participating businesses are at the discretion of that business.

C. Customer participation is also free, and frequenting participating businesses will trigger a loyalty bonus for MTS riders. The loyalty bonus is as follows:

- When customers shop at a participating business, they will be offered a branded 'stamp card' at checkout. This card includes ten (10) 'stamp spaces.'

- Each time the customer visits a participating business and makes a purchase of at least \$10, an employee will stamp one of the ten boxes on the card. Limit one stamp per visit to each business.
- Once all ten boxes are complete, that customer can visit the MTS Transit Store located at 1255 Imperial Ave., San Diego CA 92101 and redeem the stamp card for a *FREE* Regional Adult Monthly Pass (\$72 value!). Limit one Monthly Pass redemption per customer for the duration of this pilot program.
- MTS staff will collect and track email addresses for redeeming riders.

D. Business eligibility

- I. Businesses must be licensed within San Diego county, whether independent or franchise, with up to 75 employees. Additionally, storefront operations must be located within one mile of an in-service MTS bus or Trolley station. For a list of all stations, visit <https://www.sdmts.com/schedules-real-time/maps-and-routes>
- II. The following business types are excluded from participation: adult/sexual entertainment, tobacco and/or vaping stores, medical and recreational marijuana, weapons and any other business not approved by MTS. MTS reserves the right to deny business participation at its discretion. (See MTS Policy No. 21, section 21.3, Advertising - Prohibited Content.). If a business is denied or terminated from the program, the business shall return any stamp card stock and remove any marketing material stating that the business is a current participant in the program.
- III. Must complete and submit the ESP Business Registration Form at EatShopPlaySD.com or complete and scan the form to hello@EatShopPlaySD.com.
- IV. Business will keep MTS updated with current contacts, emails and social media.
- V. Business will keep MTS updated with images and logos (.jpg, .pdf, .ai or .eps).
- VI. Business may schedule featured limited time promotions for transit riders with start and end times.

E. Customer Eligibility

- I. Employees of MTS, its subsidiaries, or active contractors of MTS are not eligible to participate.

F. Hold harmless

MTS does not promise a number of responses or sales as a result of ESP marketing. Each business is responsible for the accuracy of information it submits. MTS reserves the right to reject any advertisement it deems offensive or inappropriate. MTS will make every effort to ensure the accuracy of each listing. MTS reserves the right to modify scheduling and programming of promotional offerings, including but not limited to terminating activities without prior notification.

G. Publicity/Privacy policy

Except where prohibited by law, enrollment constitutes the business' right and permission for MTS to use, publish, post or display business name, photograph, likeness, statements, biographical information, voice, address, prize information, any quotes attributable to owners or staff, any other indicia of persona (regardless of whether altered, changed, modified, edited, used alone, or used with other material in MTS' sole discretion), photography for any purpose, including but not limited to advertising, trade, promotional and publicity purposes on a worldwide basis, and in all forms of media now known or hereafter devised, in perpetuity, without further authorization, opportunity to review, approval, notification, or compensation of any kind and each participant releases MTS from any and all liability related thereto. Nothing contained in these Official Rules obligates MTS to make use of any of the rights granted herein and participant waives right to inspect or approve any such use.