



Legal Department

Alex Clifford, CEO/General Manager

CEO

ADMIN CODE: USE OF FIXED ROUTE SERVICES AND TRANSIT FACILITIES, INCLUDING PASSENGER CODE OF CONDUCT AND SERVICE SUSPENSION/EXCLUSION

Admin Code, Title IV, Chapter 1 **Origination Date:** 9/28/18 **Revised Date:** _____

I. PURPOSE

- 1.01 The Santa Cruz Metropolitan Transit District (“Santa Cruz METRO”) is committed to providing quality and non-discriminatory public transportation within Santa Cruz METRO’s service area. There are occasions, however, when customer behavior seriously disrupts or endangers the health and safety of our employees and members of the public who use our services. When this occurs, it may be necessary to deny Santa Cruz METRO services and/or access to Santa Cruz METRO facilities to those customers in accordance with the criteria and procedures specified in this Policy.

- 1.02 The rules contained herein are intended to regulate conduct occurring on Santa Cruz METRO vehicles, within or upon Santa Cruz METRO facilities and properties, and in connection with Santa Cruz METRO’s provision of public transportation services. The Policy is enacted pursuant to the authority granted to Santa Cruz METRO by the California Penal Code Section 640 and the California Public Utilities Code Sections 98112 and 99170.

- 1.03 Reference Article V of this Policy for those circumstances/behavior that may result in suspension/exclusion.

II. APPLICABILITY

- 2.01 This Policy applies to any member of the public utilizing Santa Cruz METRO’s fixed route service, or while on Santa Cruz METRO’s property or facilities.



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- 2.02 Santa Cruz METRO will post this Policy at each of its transit centers and on its website upon adoption.

III. DEFINITIONS

- 3.01 **“Abuse”** and **“harassing”** means any physical or verbal mistreatment, including assault, hitting, kicking, gestures, yelling, spitting, threats, intimidation, assaults, slurs, and cursing. Intimidation, threats and slurs include, but are not limited to, racially-motivated comments.
- 3.02 **“Fare”** means the monetary charges established by Santa Cruz METRO for the use of its transit services and facilities.
- 3.03 **“Graffiti”** means any unauthorized inscription, word, figure, tag, mark or design that is written, marked, etched, scratched, drawn painted or otherwise affixed onto Santa Cruz METRO facilities or property.
- 3.04 **“Santa Cruz METRO vehicle”** means a Santa Cruz METRO bus, van or other vehicle owned, operated, or used by Santa Cruz METRO or its contract service providers transporting Santa Cruz METRO representatives or customers.
- 3.05 **“Santa Cruz METRO Facility”** means any property identified as being owned and/or operated by Santa Cruz METRO, including but not limited to all transit centers, bus stops/shelters, operating and maintenance facilities, and Santa Cruz METRO’s administrative offices.
- 3.06 **“Weapon”** includes but is not limited to firearms, switchblades knives, axes, gravity knives, box cutters, straight razors, unpackaged razor blades, swords, nun chucks, explosives, dangerous chemicals or devices, radioactive materials, and highly combustible materials.



IV. RULES PERTAINING TO USE OF SANTA CRUZ METRO'S FACILITIES/VEHICLES

4.01 Boarding/Alighting and Fare Payment

- A. Board at the front of the bus and use the handrails to help you board safely.
- B. Exit at the rear door of the bus. For your safety, Santa Cruz METRO encourages elderly, disabled and passengers with small children to alight through the front doors and use the handrails. Request the lift or ramp be deployed if needed when boarding or alighting the bus.
- C. Make best efforts to make yourself visible to the bus operator as the bus approaches the bus stop.
- D. To reduce boarding time and assist in keeping schedules on time, please have your CRUZ Card or Discount Fare ID Card and exact fare ready. Cash or proof of fare is required to board the bus. If a discount is requested, proof of qualifying discount must be provided.
- E. The bus operator will notify customers to wait while he/she boards a person with disabilities first.
- F. All seats near the front of the bus are identified for senior and disabled customers. Federal law requires that a non-qualifying patron move to another seat or stand when a qualifying patron needs the seat.

4.02 Strollers, Bicycles, Skateboards, "Segways", Hoverboards

- A. Folding strollers and folding bikes (under 5 feet in length when folded) are allowed inside the bus, as long as they can be folded and stored out of the aisle and controlled by the passenger and do not obstruct additional seats beyond the seat in which the passenger is sitting. Reference the most recent Santa Cruz METRO "Headways" publication and Santa Cruz METRO regulation AR-4001 (E) for additional rules pertaining to bicycles on board METRO bus system. In



the event of any conflict between this Policy and those additional rules, this Policy shall control.

- B. Electric personal assistive mobility devices ("EPAMD"), which are self-balancing, non-tandem two-wheeled, electric-propulsion system devices (e.g. "Segways"), may only be transported using Santa Cruz METRO's bus systems by persons with disabilities who use the device as a mobility aid. If an operator has a doubt that the user is disabled and uses the EPAMD as a mobility device, the operator may ask the customer if the EPAMD is being used as a mobility device. If the customer says it is, the operator must allow the customer to board with the EPAMD. If an operator still has a doubt that the user is disabled and uses the EPAMD as a mobility device, the operator shall contact dispatch to report suspected abuse of this Policy. EPAMDs must remain "OFF" while onboard the vehicle. A person shall not transport an EPAMD with willful or wanton disregard for the safety of persons or property.

The operator shall not board a customer with an EPAMD unless a wheelchair securement position is vacant. On buses with lifts, the operator will deploy the lift so a customer may either pull or push the EPAMD onto the lift. The customer must, without assistance from the operator, maneuver the EPAMD onto the lift. The customer must accompany the EPAMD on the lift but may not ride the EPAMD on the lift. The customer may need to lower their head to avoid hitting the top of the door opening when the lift is in motion. On reaching the bus floor, the customer must maneuver the EPAMD, without assistance from the operator, to the wheelchair securement area. On buses with ramps, the operator will deploy the ramp so a customer may either pull or push the EPAMD onto or off the bus. The same procedures will be followed in reverse for deboarding.

The customer shall position the EPAMD in the wheelchair securement area. The EPAMD shall be positioned with the handlebar resting on the folded seat bottom and against the seatback to prevent rearward movement. The bus operator shall secure the EPAMD with securement straps to prevent movement. The customer shall sit in the



closest available seat to the EPAMD. If no seats are available, the customer shall stand as close to the EPAMD as possible.

- C. Bicycles, skates, skateboards, kick scooters and other wheeled devices, except wheelchairs and mobility aid devices, may not be ridden on Santa Cruz METRO property or buses. Passengers must carry or walk permissible wheeled riding devices in a safe manner at Santa Cruz METRO facilities to park and/or board the bus. While riding the bus, skates, skateboards, kick scooters must be safely stored out of the way of other passengers, must be controlled by the passenger and may not obstruct additional seats beyond the seat in which the passenger is sitting. Where under bus storage is available, passengers may store permissible (non-mobility aid) wheeled riding devices, without assistance from the operator, in such storage areas.
- D. All passengers with wheeled riding devices, including wheelchairs and mobility aid devices, excluding hand-held skates or skateboards, must use ramps or lifts to access elevated or lowered platforms.
- E. Tandem, three-wheeled, or fuel-powered bicycles are not permitted on any Santa Cruz METRO facilities or buses.
- F. Since many of Santa Cruz METRO's buses operate on compressed natural gas, "hoverboards" are expressly precluded from METRO buses and facilities given their documented propensity to catch fire.

4.03 Animals

- A. Animals are not permitted in Santa Cruz METRO facilities or vehicles, unless one of the following applies:
 - 1. The animal is in a secure carrier specifically designed for transporting animals;
 - 2. The animal is a certified police dog and is accompanied by a peace officer; or

3. The animal is a service animal, as defined by the Americans with Disabilities Act (ADA). A Bus Operator may ask whether the animal is a service animal and what service the animal performs for the handler (*See Santa Cruz METRO's Service Animals Policy*).

- B. Handlers must ensure that an animal shall not deprive a customer of a seat or block an aisle. Handlers shall maintain control of their animals at all times.
- C. Handlers of animals shall promptly remove all animal waste from Santa Cruz METRO facilities and vehicles.
- D. Do not allow any animal to occupy a seat on transit property, to run at large without a leash, to unreasonably disturb others, or obstruct the flow of passenger or bus traffic.

4.04 Expressive Activity

- A. No person shall conduct or participate in assemblies or demonstrations, display or post signs or banners, solicit funds, or distribute written pamphlets, flyers, petitions or other materials (collectively, "Expressive Activity") in or on any of the following areas: (1) any bus or van operated by or for Santa Cruz METRO, or (2) Santa Cruz METRO owned or occupied workshops, offices, maintenance facilities or garages.
- B. Expressive Activity is authorized on other public property owned or controlled by Santa Cruz METRO pursuant to the terms and conditions of this Policy.
- C. Any person participating in an assembly or demonstration, displaying signs or banners, or distributing pamphlets, flyers, petitions or other materials in public areas surrounding Santa Cruz METRO buses or property shall not: (1) interfere with the access or egress of passengers to and from vehicles, (2) interfere with the access or egress of vehicles to and from bus stops or Santa Cruz METRO property, (3) interfere with Santa Cruz METRO employees' conduct of



their business, or (4) harass, threaten or coerce any person. Any person or group that will conduct or participate in an Expressive Activity shall provide Santa Cruz METRO with at least 5 business days' notice voluntarily providing the name, address and telephone number of the person or group, specifying the proposed Expressive Activity, the date and time of the activity and the number of participants. Santa Cruz METRO may impose conditions to avoid injury to persons or property or to assure the safe and orderly use of Santa Cruz METRO property. Such conditions may include limitations on the number of participants, the time and duration of the activity, the place of the activity, and safety and security issues involving the activity.

- D. Any person or organization conducting or participating in Expressive Activity shall be responsible for the removal of all written materials and the cleanup of the property used for the Expressive Activity. No written materials shall be left unattended on Santa Cruz METRO controlled or owned property.
- E. No person, other than Santa Cruz METRO personnel or agents, shall post flyers, pamphlets, posters, or any other materials in Santa Cruz METRO buses or bus shelters.
- F. Nothing in this Policy is intended to abrogate or limit a person or organization's ability to address the METRO Board of Directors in public meetings.

4.05 Commercial Filming

- A. Filming and/or still photography, which does not include filming home videos or still photography by individuals solely for personal use, on Santa Cruz METRO property requires a filming permit, payment of a per diem filming fee, and reimbursement for actual costs incurred by METRO due to filming, including, but not limited to, costs of any METRO personnel required to monitor or assist in the filming activity. Requests to film on Santa Cruz METRO property will be considered by METRO management on an individual basis.



A filming permit shall be issued to the eligible permittee upon approval of METRO management and payment of the applicable per diem charge. METRO management shall determine the per diem charge applicable to permittee's project. Permittee shall conform with insurance requirements and other conditions applicable to use of Santa Cruz METRO property as set forth by METRO management.

4.06 Miscellaneous

- A. Food and drink are permitted on Santa Cruz METRO buses, provided they are not easily spilled.
- B. For safety purposes, all passengers must wear soled foot covering (shoes, flip flops, high heels, etc.) while on a Santa Cruz METRO bus or at a Santa Cruz METRO facility.
- C. All passengers must disembark the bus at the end of the line (bus layover).
- D. Commercial activity is prohibited at any Santa Cruz METRO facility, property, or on any transit vehicle, unless permitted and authorized by Santa Cruz METRO or its agents.
- E. Santa Cruz METRO transit facility public restrooms are for Santa Cruz METRO bus patrons, Santa Cruz METRO employees and patrons of authorized vendors at the transit facility.

V. CRITERIA FOR SUSPENSION OF SERVICE AND/OR EXCLUSION FROM BUS OR TRANSIT FACILITIES

5.01 The following conduct (hereinafter referred to as "Suspendable Conduct") will subject a Santa Cruz METRO customer to removal, including immediate removal where appropriate, and/or exclusion from buses and/or transit facilities:

5.02 Fare Evasion



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- A. Failure to follow the standards provided in Section 4.01 above.

5.03 Blocking

- A. Intentionally obstructing or impeding the flow of transit vehicles, passenger traffic, hindering or preventing access to transit vehicles or transit centers, or unlawfully interfering with the provision or use of public transportation services.
- B. Blocking an aisle, door, or stairway with one's body or an object, in a way that poses a danger, unreasonably impedes a patron's movement, or displaces a person.
- C. Occupying more than one seat. For the courtesy of all other passengers, and to ensure seating availability, personal items are not to be placed on passenger seats.
- D. Bringing onto a transit vehicle, any package or other object which blocks an aisle or stairway or occupies a seat, if to do so would, in the bus operators sole discretion, cause a danger to, or displace passengers or expected passengers.

5.04 Animals

- A. Failure to follow the standards provided in Section 4.03 above.

5.05 Food, Alcohol, Drugs and Weapons

- A. Failure to follow the standards provided in Section 4.04 above.
- B. Carrying any flammable liquids, explosives, acid, battery, or other article or material likely to cause harm to others. Firearms, fireworks and hoverboards are strictly prohibited on all buses and at all facilities.
- C. Drinking or carrying alcohol in an open container is prohibited on all buses and Santa Cruz METRO facilities.

- D. Sticking of affixing chewing gum onto any surfaces in a bus or Santa Cruz METRO facility is strictly prohibited.

5.06 Disorderly Conduct

- A. Harassing or abusing a Santa Cruz METRO employee or customer because of that person's race, nationality, sexual orientation or other protected classifications.
- B. Sexually harassing any Santa Cruz METRO employee or customer.
- C. Disruptive conduct of customers who are temporarily unable to care for themselves due to illness or intoxication (alcohol, drugs, or other intoxicating substances), which interferes with the safe and smooth operation of the system.
- D. Verbal, threatening, violent or physical abuse of Santa Cruz METRO employees, or customers. This includes engaging in or soliciting another person to engage in lewd conduct.
- E. Defacing, destroying or otherwise damaging Santa Cruz METRO property or any signs, notices or advertisements on transit property, or buses, including graffiti of any kind. Willfully tampering with, removing, displacing, damaging, or destroying any part of any facility or vehicle of Santa Cruz METRO.
- F. Discarding litter other than in designated trash receptacles.
- G. Behavior that presents a danger to the health, safety or welfare of the offending customer, other customers, or a Santa Cruz METRO employee. Such behavior includes conduct which is violent, seriously disruptive, or illegal as defined by the California Penal Code.
- H. Extending an object or a portion of one's body through the door or window of a transit vehicle while it is in motion.

- I. Placing one's feet or shoes on seats or furnishings within buses and transit centers.
- J. Urinating, defecating, vomiting, spitting or inappropriately discharging of bodily fluids on transit property.
- K. Possession of alcohol, controlled or hazardous substances, guns, knives or devices that are weapons or appear to be capable of being used as a weapon. This provision does not apply to law enforcement or security personnel.
- L. Hanging or swinging on bars or stanchions, with feet off the floor, inside a transit vehicle or other transit property; hanging onto or otherwise attaching oneself at any time to the exterior of a transit vehicle or other transit property.
- M. Disregard of, or failure to follow, a reasonable request made by METRO Security or a METRO employee (Operator, Supervisor).
- N. Throwing any object from a transit vehicle.
- O. Criminal conduct prohibited by the California Penal Code.

5.07 Noise, Odors, Health and Safety

- A. Intentionally disturbing others by engaging in loud, boisterous, raucous, unruly, or harassing behavior that is harmful and intimidating to others, including gum popping, whistling and drumming or pounding.
- B. Playing an audio device, audible game device, cell phone on speaker, musical instrument or any other sound producing equipment, except when the equipment is connected to earphones that limit the sound to the individual listener. When using earphones, the volume must be lowered such that passengers sitting in adjacent seats will not be bothered by the sounds emanating from the earphones.



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- C. Failing to maintain acceptable standards of personal hygiene, which could expose Santa Cruz METRO customers or employees to health and safety risks, or is seriously disruptive to the use, operation or enjoyment of Santa Cruz METRO facilities.
 - D. Other behavior or condition that presents an unacceptable health, safety or welfare risk to Santa Cruz METRO customers or employees.

5.08 Loitering

- A. Camping, laying down, or sleeping in or on Santa Cruz METRO transit property, including bus stops and bus shelters; storing personal property (unless such property is being taken on the bus (e.g., luggage)) on benches, floors or other areas of Santa Cruz METRO transit property.
- B. Failure to disembark the bus at the end of the line (bus layover).
- C. Loitering at a Santa Cruz METRO facility, including bus stops and bus shelters, is strictly prohibited. No one shall be allowed in a Santa Cruz METRO facility without a valid bus fare, or other bona fide purpose related to METRO transit services, Greyhound services, or vendors in METRO facilities.
- D. Use of Santa Cruz METRO transit facility public restrooms by non-Santa Cruz METRO bus patrons, Santa Cruz METRO employees and patrons of authorized vendors at the transit facility.

5.09 Commercial Activity / Solicitation / Commercial Filming

- A. Soliciting, advertising, selling or distributing goods or services on transit property, except as authorized by Santa Cruz METRO or its agents.
- B. Engaging in or soliciting another person to engage in prostitution or other illicit activity.
- C. Failure to conform to commercial filming requirements set forth in Section 4.05.

5.10 Expressive Activity



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- A. Failure to conform to requirements set forth in Section 4.04.

5.11 Miscellaneous

- A. Smoking or carrying a lighted or smoldering pipe, cigar, cigarette, electronic cigarette, "vaping" device, or using any tobacco, cannabis or other products on Santa Cruz METRO properties or buses. Smoking is also prohibited within 50 feet of any bus stop or 25 feet of any Santa Cruz METRO facility window door, and on or in any transit vehicle or facility.
- B. Discharging or activating a laser-emitting device on a transit vehicle or Santa Cruz METRO facility, directing such a device from a transit vehicle toward any other moving vehicle, or directing such a device toward any Santa Cruz METRO employee or passenger.
- C. Failure to wear soled foot covering (shoes, flip flops, high heels, etc.) while on a Santa Cruz METRO bus or at a Santa Cruz METRO facility.

VI. PROCEDURES FOR SUSPENSION AND/OR EXCLUSION

- 6.01 A person who violates this Policy is subject to a notice of violation and imposition of any and all remedies, fines, criminal sanctions, damages, and penalties available by law. Enforcement of any provisions of this Policy involving the payment of any fees, penalties or other administrative amounts, or community service, based on California Penal Code section 640 (b) and (c), shall be pursuant to the authority and according to the procedures, herein and as set forth in the California Public Utilities Code including section 99580 et seq. Parents or guardians shall also be responsible in addition to the minor for any fees, penalties, or fines incurred or damages caused by their minor in connection with a citation. violation of this Policy that is also a violation of a local, state, or federal law may be prosecuted in a court proceeding by the appropriate authority,



in addition to any enforcement by or remedies available to Santa Cruz METRO. Failure to comply with an exclusion determination may result in fines, a citation for criminal trespass, and any other applicable criminal and civil remedies.

- 6.02 Service may be suspended and the passenger may be removed from the bus if a passenger engages in suspendable conduct. Based upon the seriousness of the passenger's conduct, prior experiences with the passenger and, taking into account information presented by the involved passenger and Santa Cruz METRO employees, Santa Cruz METRO will determine the length of the suspension or determine whether exclusion from service is warranted.
- 6.03 A Notice of Suspension/Exclusion will, if possible, be mailed to the involved passenger. If service of the Notice of Suspension/Exclusion on the passenger cannot be accomplished by regular mail, Santa Cruz METRO may use other methods of obtaining service on the passenger, including hand-delivery.
- 6.04 Passengers may present information opposing a suspension or exclusion by contacting the Chief Operations Officer (COO) at Santa Cruz METRO's Administration offices, located at 110 Vernon Street, Santa Cruz, CA. Information concerning the passenger's right to present opposing information will be included in the Notice of Suspension/Exclusion.
- 6.05 Santa Cruz METRO reserves the right to pursue all remedies at law, but not limited to, enlisting the services of local law enforcement, petitioning the Superior Court for a Temporary Restraining Order (TRO) and/or seeking a permanent injunction in appropriate cases.

VII. ADMINISTRATION OF POLICY

- 7.01 Nothing in this Policy shall be applied in a manner that discriminates against individuals with disabilities. It is not discrimination to refuse to



provide service to an individual with disabilities because that person engages in violent, seriously disruptive or illegal conduct.

7.02 Each Department Manager is responsible for administering this Policy and procedures within their department in accordance with this Policy.

7.03 Santa Cruz METRO will integrate this Policy into the agency's policies and procedures.

VIII. REVISION HISTORY

Date	Action	Approved By
9/28/18	Policy Origination/Board Approval	AClifford/BOD

END OF POLICY