

**CITY OF PETALUMA
DEPARTMENT OF PUBLIC WORKS & UTILITIES
TRANSPORTATION DIVISION
Riders Code of Conduct
Rules and Policies Governing the Conduct and Safety of the Public
In the Use of Petaluma Transit Facilities**

Purpose and Applicability

The purpose of the following policies and rules are to protect the health, safety and welfare of Petaluma Transit's passengers and drivers, to protect equipment and facilities used in providing public transit services, and to assure civility and desirability of transit service. Petaluma Transit's Rider's Code of Conduct ("Code") shall apply to all passengers, whether riding, exiting, entering, or waiting for the bus at a designated transit stop, or visiting the transit business offices.

Passenger Conduct

Passenger courtesy

- Show courtesy to other passengers when entering, exiting and riding the bus
- Yield priority seating and locations designated for use by persons using wheelchairs to persons with disabilities, persons using wheelchairs, and senior citizens
- Use the "stop" signal only when approaching your designated bus stop
- Avoid moving about the bus when it is in motion
- Keep cell phone conversations to a minimum
- Keep voices to a low and conversational level
- Do not push, shove or crowd other passengers
- Control any animals permitted on board (see special conditions below) to prevent them from barking, growling, approaching or threatening other passengers and/or operators

Prohibited behavior

- Any violation of this Code, Federal, State or local law, including but not limited to conduct described in California Penal Code Section 640
- Threatening the health, safety or well being of the driver, other passengers, or any person
- Damaging or defacing the vehicle or other transit property, including but not limited to bus shelters, benches and signs
- Fighting, pushing, shoving, or initiating physical contact with other passengers or the driver
- Any conduct intended to or which distracts or interferes with the driver's operation of the bus
- Throwing any object or trash from or inside the bus
- Loud or boisterous talking or other noise, or unwanted conversation with other passengers intended to or which interferes with the other passengers' use and enjoyment of the bus

- Using obscene, threatening, offensive or “hate” speech
- Use of musical devices except while using headphones
- Opening or tampering with emergency windows, except during an emergency
- Tampering with or operating equipment intended for the bus driver’s exclusive use
- Smoking, eating, drinking or expectorating on the vehicle
- Possession of any weapons, including but not limited to firearms, knives, or martial arts weapons
- Using transit facilities while under the influence or in possession of illicit drugs, or illegal substances
- Bringing open containers of alcohol into or on any transit vehicle or facility
- Intentional fare evasion, payment of incorrect fare, misuse of bus transfers or tickets
- Possession or use of any dangerous, flammable substances, or use of any device to produce a flame
- Disregarding or disobeying the directive of a bus driver with regard to these policies and their enforcement
- Touching or running after a moving bus
- Using a hand, umbrella, briefcase, or any other object to try to hold open or reopen bus doors if they are closing
- Occupying more than one seat when to do so would cause other passengers to stand (no seats available), or otherwise interfere with the operation of the vehicle or the comfort of other passengers
- Crossing in front of the bus after exiting the vehicle

Animals

Only guide dogs, working service or special-assistant animals are allowed on buses unless carried in and remaining in an approved hand-carried container which complies with the conditions for “Carry on Items,” below.

Carry On Items

All items brought onboard, including musical instruments, skateboards or sporting equipment, briefcases, animal carriers or backpacks, must be stowed so as not to block the aisles or safety exits. Items may be stored in luggage racks, underneath the seat or on the passenger’s lap.

Carrying on any explosives, acid, flammable liquid, and/or toxic or hazardous materials are prohibited.

Strollers and Carts

Strollers and other wheeled carts must be folded before boarding and must be stowed safely away from the aisles and safety exits.

Enforcement of Policies

Petaluma Transit bus drivers are authorized to enforce these policies.

Upon witnessing a violation, Petaluma Transit bus drivers may:

- Warn the offending passenger that further like conduct will be grounds for removal from

the bus and/or future denial of services

- Stop the vehicle until the offending conduct stops, the offending passenger has been removed from the bus, or law enforcement can assist in removing the offending passenger
- Refuse to admit the passenger onto the bus if the offending conduct occurs before the passenger boards (i.e. at the bus stop or the passenger is subject to a current suspension) Report the passenger's conduct to the police

The bus driver is required to report any violation of this Policy to the City Transit Manager or his /her designee for further action.

Administrative action by City of Petaluma

City of Petaluma staff will review all reports, by drivers or passengers relating to complaints of conduct or behavior in violation of this Code.

Upon such review, City of Petaluma in its sole discretion may:

- Suspend future riding privileges for a definite or indefinite period (refer to "Suspension of Service", below)
- Notify appropriate law enforcement agency(s) and pursue arrest and criminal prosecution of the offending passenger
- Pursue any other appropriate legal or administrative remedy
- Contact appropriate school authorities where applicable
- Issue a warning letter or notification
- Determine that no further action is required

Surveillance

To further the health, safety and welfare of drivers and passengers, the City of Petaluma may, at its election, equip some or all of its vehicles and facilities with video and/or audio equipment. Said equipment shall be used solely in connection with the furtherance of the above policies, and shall not be released for any other purpose.

Consistency

The above policies shall be enacted and enforced consistently with all applicable federal and state laws.

Suspension of Service

The City of Petaluma reserves the right to suspend service to individuals who violate any of the policies and/or rules contained herein. Offenses which have occurred prior to the adoption of this Code shall not be considered for purposes of the progressive penalties described herein. Penalties may be increased if the infraction is deemed to be of a criminal nature and under investigation and/or action by the police and/or court of jurisdiction. The City Transit Manager shall be authorized to make a decision for suspension of service, which shall be final, subject to the individual's right to appeal as described below:

Dangerous Conduct Presenting a Serious Threat to Public Safety

In the case of conduct which is determined by the City to present a clear and immediate threat to the safety of Petaluma Transit passengers and/or operators and/or employees, officers, agents and/or volunteers of the City of Petaluma, and/or which has resulted in injury to the violator, or to Petaluma Transit passengers and/or operators and/or employees, officers, agents

and/or volunteers of the City of Petaluma, the City may immediately and/or permanently suspend transit services subject to the individual's right to appeal as described below.

First Offense

The first violation of this Code may result in a suspension of transit services for a period no longer than one week.

Second Offense

The second violation of this Code within 12-months of the first offense may result in a suspension of transit services for a period no longer than one month.

Third Offense

The third violation of this Code within 18-months of the second offense may result in a suspension of transit services for a period no longer than one year.

Due Process – Appeal of Suspension Action

Users of Petaluma Transit or Paratransit may appeal a suspension of service decision either in writing or by contacting the Petaluma Transit Manager in person to schedule an appeal hearing. The appeal hearing shall be scheduled within 14 calendar days from the date notice of an appeal is received by the Petaluma Transit Manager. If the request is made in person, the Petaluma Transit Manager may require the appellant to sign a written form requesting an appeal hearing.

A "Transit Suspension Appeals Panel" is established to consider all suspension appeals and render a final decision on a suspension:

- Petaluma Transit (Contractor) Operations General Manager, or designee
- City of Petaluma Director of Public Works & Utilities, or designee
- A member of the City Transit Advisory Committee

The Transit Suspension Appeals Panel ("Panel") shall meet at a time and place provided to the appellant in writing at least five days prior to the date of the Panel hearing. Appellant shall have the right to appear at the hearing and may request a continued time or date acceptable to the Panel. If the appellant requests review of an appeal upon submission of written information and/or documents, the Panel shall meet to consider the written appeal. The Panel, after considering the appeal, may:

- Uphold the suspension, and determine the starting and ending date of the suspension
- Modify the suspension, and determine the starting and ending date of the suspension
- Dismiss the suspension and reinstate the appellant's ability to use the service

The Panel shall notify the appellant in writing of its decision, which shall be final.

Remedy Not Exclusive

The City's adoption and enforcement of this Code is not an exclusive remedy for conduct affecting the Petaluma Transit System and does not limit the City's ability to resort to any other judicial or administrative remedy and/or penalty available under its Municipal Code, or other applicable local, State or federal law.