# PASSENGER
# CODE OF CONDUCT POLICY

## REVISED SEPTEMBER 2024

**On-Board Etiquette**

Using public transportation means sharing space, staying safe, and being respectful. It is important to treat your fellow riders, bus operators and VVTA property with courtesy and respect. Your safety is very important to us.

Things To Remember:

- Priority seating near the front of the bus is reserved for seniors and people with disabilities. If requested, please give this seat to the elderly, or disabled.
- Eating, drinking, littering, smoking, or use of simulated smoking devices is not allowed while on the bus.
- Avoid excessive noise or unnecessarily loud conversation. Do not distract the bus operator. Use headphones when listening to music, and please wait to make a phone call until you have exited the bus.
- Rowdy, disruptive, threatening, or unlawful behavior will not be tolerated.
- VVTA reserves the right to expel and/or exclude customers from service for unsafe or abusive behavior.
- Please note, uniformed or plain-clothed law enforcement or security officers may be on board. Security cameras are in operation. **VVTA does not tolerate threatening or intimidating behavior against other customers, bus operators, or customer service representatives; we will contact law enforcement for assistance if this behavior is displayed. If you see anything suspicious, report it to your bus operator immediately.**

**The Role of the Bus Operator**

The bus operator's primary job is to operate the bus safely. If problems arise on a bus, the bus operator's priority is to determine if a passenger's safety or security is at stake. The operator will assess the severity of the problem, available resources, and respond accordingly. The bus operator, at his/her discretion, may choose to talk to the passenger, call for assistance, submit a report of the incident at the end of their shift, or take no action.

Enforcement of the Code of Conduct is managed through a network of professionals that can be called upon by the bus operator, if and when needed.

**Passenger Code of Conduct Policy**

- Prohibited Behavior

Table 1 lists activities and descriptions of behaviors that are prohibited on VVTA vehicles or property. Unless otherwise deemed a "Major Infraction" below, prohibited behavior will be considered a "Minor Infraction" subject to suspension of VVTA riding privileges.

**Table 1 – VVTA Passenger Code of Conduct**

| **Type of Conduct** | |
|---|---|
| (1) Displaying or offering for sale, selling, or distributing goods or services. | Prohibited |
| (2) Distributing literature, posting, or affixing leaflets or signs to transit property. | Prohibited |
| (3) Performing instrumental/vocal music. | Prohibited |
| (4) Transporting animals. | Prohibited, except in a secure container, or a service animal as defined in 49 CFR Section 37.3. Service animals must be on a leash and on the floor or in a rider's lap. |
| (5) Skateboarding, roller skating, bicycle riding[1], or rollerblading in a system facility, vehicle, or parking structure. | Prohibited |
| (6) Drinking non-alcoholic beverages or eating. | Prohibited, except drinking from a container with an attached lid designed to prevent spillage when held upside down |
| (7) Drinking alcoholic beverage or possessing an open container of same. **(MAJOR INFRACTION)** | Prohibited |
| (8) Willfully blocking the free movement of another person in, or on, VVTA property, including placing objects that block aisles, stairways or seats[2]. | Prohibited, except at driver's discretion if space allows; strollers must be folded prior to boarding |
| (9) Loitering or storing personal property[3]. | Prohibited |

| Type of Conduct | |
|---|---|
| (10) Extending anything out windows or doors of moving bus. | Prohibited |
| (11) Hanging off or swinging from bars or stanchions (except when using the standing-only features when such conditions apply). | Prohibited |
| (12) Smoking. | Prohibited |
| (13) Littering. | Prohibited |
| (14) Using sound-producing equipment. | Prohibited, except for use of headphones if others cannot hear the output |
| (15) Physical abuse or assault of VVTA employees and/or passengers. **(MAJOR INFRACTION)** | Prohibited |
| (16) Spitting, urinating or defecating[4]; indecent exposure, or creating unsanitary conditions through presence of blood, urine, feces, vomit, or other bodily fluids. **(MAJOR INFRACTION)** | Prohibited |
| (17) Carrying an explosive or acid, fireworks, flammable liquid, or toxic or hazardous material in or on VVTA property. **(MAJOR INFRACTION)** | Prohibited |
| (18) Interfering with the provision of transportation services (i.e., failure to properly board or alight, blocking progress of a transit vehicle, disturbing the driver, etc.). | Prohibited |
| (19) Willfully disturbing others in or on VVTA property by being verbally abusive, engaging in boisterous/unruly behavior, or making threats to persons or property. **(MAJOR INFRACTION)** | Prohibited |

| Type of Conduct | |
|---|---|
| (20) Defacing, destroying or otherwise vandalizing transit property or any sign, notices, or advertisements thereon. **(MAJOR INFRACTION)** | Prohibited |
| (21) Throwing objects at VVTA property or at persons in or on transit property. **(MAJOR INFRACTION)** | Prohibited |
| (22) Failure to pay the appropriate fare or present a valid pass, willfully presenting an invalid pass or transfer, or failure to surrender an invalid pass if demanded by an authorized VVTA employee. **(MAJOR INFRACTION)** | Prohibited |
| (23) Misrepresenting oneself as eligible for special or reduced fares or transfers, or failure to present valid identification for use of discounted fares[5]. **(MAJOR INFRACTION)** | Prohibited |
| (24) Bringing onto VVTA property odors which unreasonably disturb others or interfere with their use of the VVTA system, whether such odors arise from one's person, clothes, articles, accompanying animal or any other source. | Prohibited |
| (25) Possession of firearms or weapons onboard VVTA vehicles or properties[6]. **(MAJOR INFRACTION)** | Prohibited |
| (26) Transporting bags containing recyclable bottles or cans. | Prohibited |

**Consequences of Violating Code of Conduct**

In addition to the types of prohibited behavior described above, criminal conduct, including but not limited to, assault, disorderly conduct, and illegal drug use, are prohibited on all VVTA property. If any criminal conduct is observed, VVTA will contact the San Bernardino County Sheriff's Transit Unit and law enforcement within the jurisdiction in which the offense has occurred.

In addition to civil and criminal penalties, violators of the VVTA Code of Conduct policies and/or any other applicable laws may be subject to immediate denial of VVTA service and possible suspension of VVTA service in the future as described in Table 2 below. Additionally, VVTA reserves the right to seek an

immediate restraining order against accused violators deemed by the VVTA CEO to pose a legitimate threat to the safety or welfare of VVTA/Contractor staff or riders.

Immediate suspension of VVTA service may be affected by a law enforcement officer, VVTA authorized security officer, VVTA authorized contractor, or any authorized VVTA employee. Failure to comply with denial of service or suspension of service shall be grounds for criminal trespass prosecution.

**Appeal Process for Denial of Transportation Privileges**

For initial minor infractions, patrons of VVTA service who have been denied service or suspended must petition (either verbally or in writing) to the VVTA Director of Operations to resume transit service privileges. The VVTA Director of Operations will respond in writing (using US Postal Service Certified Mail) within five business days with details of the approval or denial of the appeal.

For repeat or major offenders, the VVTA Director of Operations shall issue a written notice stating the cause and duration of the suspension and the process for appeal. Suspension shall be in effect upon issuance of the notice and shall remain in effect during any review process.

Within ten business days after issuance of a suspension notice, the offender may deliver to the VVTA Director of Operations a written request for review of the suspension and an opportunity to present reasons for reconsideration of the suspension. Within ten business days after receiving a request for review, the VVTA CEO (or their designee) shall set a telephone or in-person hearing to review the VVTA Director of Operations' decision with the offender. The hearing shall be held within ten business days following the request for a hearing. The VVTA CEO (or their designee) shall decide to affirm or reverse the suspension within ten days following the hearing. The VVTA CEO's decision shall be final.

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**Table 2 – Disciplinary Actions**

| Type | Disciplinary Action | Disciplinary Review Process |
|---|---|---|
| (1) 1st Infraction (Minor) | Verbal warning, plus: an immediate denial of service, if warranted | Petition VVTA Director of Operations |
| (2) 2nd Infraction (Minor) | Written warning, plus: an immediate denial of service, if warranted | Petition VVTA Director of Operations |
| (3) 3rd Infraction (Minor) or 1st Infraction (Major) | Suspension of service privileges for no less than seven days and no longer than 30 days | Hearing by VVTA CEO (or their designee) after disciplinary process |

| Type | Disciplinary Action | Disciplinary Review Process |
|---|---|---|
| (4) 4th or greater Infraction (Minor), 2nd or greater Infraction (Major), or criminal behavior | Suspension of service privileges for up to 180 calendar days | Hearing by CEO (or their designee) after disciplinary process |

[1]This paragraph does not apply to an activity that is necessary for utilization of the transit facility by a bicyclist, including, but not limited to, an activity that is necessary for parking a bicycle or transporting a bicycle aboard a transit vehicle, if that activity is conducted with the permission of VVTA in a manner that does not interfere with the safety of the bicyclist or other patrons of the transit facility.

[2]This paragraph shall not be interpreted to affect any lawful activities permitted or first amendment rights protected under the laws of this state or applicable federal law, including, but not limited to, laws related to collective bargaining, labor relations, or labor disputes.

[3]Loitering is defined as riding the same bus in excess of one continuous trip or remaining on VVTA property for more than two successive hours.

[4]This paragraph shall not apply to a person who cannot comply with this paragraph as a result of a disability, age, or a medical condition.

[5]In the event that an eligible discount fare rider is not in possession of acceptable proof at the time of request, any suspension of service shall be postponed for a period of 72 hours to allow the user to produce acceptable proof to the VVTA Director of Operations. If the proof is provided, the suspension shall be voided. If the proof is not produced within that time period, the suspension will be enforced.

[6]This paragraph shall not apply to law enforcement or military personnel authorized to carry legally permitted firearms.

**Definitions**

1. “VVTA property” means the vehicles, bus stops and other public transportation system facilities owned, leased, or operated by VVTA. “Public transportation system” is defined by Section 99211 of the Public Utilities Code.
2. “VVTA employee” means all duly authorized VVTA staff members, including drivers, supervisors, managers, and contracted employees.