



Passenger Code of Conduct

Tulare County Regional Transit Agency (TCRTA) operates fixed route and on-demand transit service within the Cities of Dinuba, Lindsay, Tulare, and Woodlake, the unincorporated areas of County of Tulare, and within the Tule River Indian Tribe of California. Ensuring the safety and security of the passengers, staff, and the community is imperative to TCRTA. All passengers and members of the public who utilize our service or facilities also contribute to the safety of those who ride on service or visit TCRTA facilities and must refrain from engaging in inappropriate or seriously disruptive behavior.

Any individual who exhibits inappropriate or seriously disruptive behavior at any TCRTA facility, on board any TCRTA transit vehicle, while disembarking from any TCRTA vehicle, or riding on any TCRTA transit vehicle may lose ridership privileges.

INAPPROPRIATE BEHAVIOR

Inappropriate behavior includes conduct that is unwarranted and is reasonably interpreted to be demeaning or offensive. Any such behavior directed towards transit personnel or other passengers, behavior that interferes with service operations, involves damage to property, or is disruptive, or otherwise violates the rules of riding on TCRTA service will not be tolerated. Such behavior may result in loss of ridership privileges.

When an individual's behavior warrants immediate ejection, transit personnel with supervisor or managerial approval, may require the immediate removal of that individual from a TCRTA vehicle or facility, including administrative and customer service areas (i.e., transit lobbies or ticket counters).

SERIOUSLY DISRUPTIVE BEHAVIOR

Seriously disruptive behavior includes conduct that is violent, illegal, and/or endangers the health or safety of others. Unacceptable behavior includes, but is not limited to:

- Physical or verbal abuse
- Harassment, including any verbal, nonverbal, or physical behavior having sexual or racial connotations
- Bullying, defined as abusive or repeated conduct that is threatening, humiliating, or intimidating
- Trespassing
- Stealing
- Wielding a weapon



- Causing destruction of property, including graffiti and vandalism
- Unauthorized use of equipment on the vehicle
- Carrying any hazardous materials aboard a vehicle or into a facility
- Public intoxication or imbibing of substances aboard vehicles or in facilities (including vaping and e-cigarettes)
- Extremely poor personal hygiene, including the release of bodily fluids or fluid from a customer, their clothing, mobility device, or other personal item
- Failure to be dressed in shoes and shirt and have body parts reasonably concealed
- Being accompanied by a misbehaving service animal or a service animal not under the control of its handler
- Voluntarily and repeatedly engaging in inappropriate behavior or violating vehicle riding rules
- Engaging in behavior that otherwise seriously inconveniences or alarms other reasonable persons in their vicinity
- Refusing to comply with other requirements as indicated by TCRTA's policies

An individual who engages in seriously disruptive behavior may be removed from a TCRTA vehicle or facility immediately, have service denied without prior warning, and may be subject to additional disciplinary action including law enforcement investigation.

This code of conduct applies to all services provided by TCRTA including fixed route and on-demand service.

DISSEMINATION OF THE CODE OF CONDUCT

TCRTA's Code of Conduct is posted on the agency's website, abbreviated on service brochures, and provided at other public spaces displaying transit information. The publication is available in English and Spanish. The Code of Conduct is provided to all individuals engaged in a disciplinary process to ensure that they are aware of their rights and responsibilities when using TCRTA services.



Complaint Investigation

ADMINISTRATIVE REVIEW PROCESS

Instances of disruptive behavior reported to TCRTA, the operations contractor, or other TCRTA personnel or security are thoroughly investigated before corrective action is considered. Reports are received from sources including: a complaint to the customer service call center (559) 372-2290, other transit personnel, local law enforcement, incident reports communicated to dispatch, and more. There are several steps and multiple staff involved in gathering and reviewing both initial reports and supplemental data necessary to validate a report. These steps may include: gathering statements from personnel/witnesses, reviewing surveillance footage, reviewing police reports.

Disciplinary Consequences

WARNINGS

The first disciplinary step is a verbal warning to the individual that violates the Code of Conduct. The individual involved in inappropriate behavior will be given a warning that states the reason their behavior is inappropriate and the steps they must take to correct their behavior. The bus operator or other transit personnel will also report this verbal warning to TCRTA indicating the date, time, and warning given.

Depending on the severity of the person's behavior, a written warning may be issued by TCRTA. The warning will cite the date of the incident, the route and bus number or facility location, and a summary of the event including notification of any available video documentation.

SUSPENSION

Repeated inappropriate behavior or any seriously disruptive behavior will lead to suspension of the individual from TCRTA vehicles, bus stops, facilities, and services. Any time an individual is removed from a TCRTA vehicle, their fare will be forfeit. An order prohibiting an individual from the transit system may be issued by TCRTA when:

- Within 90 consecutive days, the individual is given three (3) verbal warnings (of which there will be written documentation) for a violation of the Code of Conduct on a vehicle, at a bus stop, transit station, or other TCRTA property. This suspension will last for up to 30 days.



- The individual is referred to law enforcement, arrested, charged, or convicted for a misdemeanor or felony committed on a vehicle, at a bus stop, transit station, or other TCRTA property.
- The individual’s behavior is deemed so detrimental to the safety of others that they should immediately be denied access to transit services.

The length of the suspension will be determined by the severity of the immediate incident, the documented history of previous incidents, and any previous suspensions. Additional occurrences of inappropriate or seriously disruptive behavior after a suspension action may result in discipline from TCRTA’s transit system until the person can demonstrate the ability to comply with TCRTA’s policies and rules.

TCRTA reserves the right to initiate a suspension without first issuing verbal or formal warning letters should it be necessary for the health and safety of any transit personnel, assets, and/or the public.

NOTICE OF SUSPENSION

Written notice of suspension will be served to the suspended individual. The notice shall include a description of the conduct underlying the violation(s) giving rise to the suspension order and a copy of the Code of Conduct policy. The suspension notice will specify the reason for the suspension, the duration, and the appeal process.

SUSPENSION TERM

The length of time that an individual is prohibited from transit service typically will follow a progressive process beginning with verbal and/or written warnings.

Suspension	Minimum Duration
1 st	30 days
2 nd	90 days
3 rd	180 days

When three (3) warnings accumulate within 90 days, the individual may be subject to suspension of 30 days. If the individual engages in inappropriate or seriously disruptive behavior within one year of the suspension, the second suspension may be up to 90 days in length. A third or subsequent suspension within one year may be up to 180 days in duration.



Individuals whose violations, including but not limited to arson, sexual assault, and other, violent actions can and will be suspended for a period commensurate to the findings made by law enforcement agencies. This period will extend to a year or more.

Rights to Appeal

APPEALS PROCESS

Once served with a suspension, the individual has five (5) calendar days to request an initial review of the suspension order. During that period, the individual may still use transit services. If the suspension notice is not contested within five (5) calendar days after receipt of the notice, the suspension order will be deemed final. The individual may file their appeal request by phone, in electronic or written form, or in person. TCRTA appointed appeals review officer will have five (5) business days from the receipt of the appeal to complete the review and issue a determination using the delivery methods described previously. Requests for suspensions review should be directed to:

Attn: Safety Officer
Tulare County Regional Transit Agency
200 E. Center Ave.
Visalia, CA 93277
(559) 623-0832
info@gotcrta.org

The appeal hearing shall be conducted by the appeals officer via virtual video conference, telephone, or in person. The contester is not required to participate in the hearing but may participate by submitting a written or oral statement regarding the alleged conduct leading to the proposed suspension order. Contesters wishing to participate in person at the hearing must submit their request to do so as part of the appeal request. If the person requesting the appeal hearing cannot attend, they may have another person represent them at the hearing. If the individual or a designated representative is not present and no information is provided for the hearing, the appeals officers' decision will be based on the documentation available at the time.

Appeals proceedings will take place during normal business hours at TCRTA or an accessible public facility designated by the governing board. The appeals officer will review the documentation supporting the suspension action. Documentation submitted by the contester in response to the charges, if any, will then be examined. Once all documentation has been



presented, the appeals officer will have five (5) business days after the appeal hearing to issue a written decision delivered to the contester in an agreed upon manner as described previously within this policy.

The appeals officer determines whether the suspension order meets the standards for inappropriate or seriously disruptive behavior as defined by TCRTA and described herein. If the appeals officer determines that the suspension should be upheld in whole or in part, TCRTA shall issue a written statement to that effect, including any modifications. The prohibition from all transit assets begins at the time the contester receives the formal notification and continues until the specified termination date.

The appeals officer may choose to rescind, uphold, or modify the suspension of service. The appeals officer's decision is final.

APPEALS OFFICER

The appeals officer function is assigned to a TCRTA staff member that was not previously involved in the suspension process. This brings a fresh perspective to the process. The appeals officer is empowered to render their decision without concern for repercussion should their ruling overturn or modify a suspension.

APPEAL CONSIDERATIONS

The appeals officer, when issuing their final decision, will consider foremost the health and safety of others. The determination of whether an individual poses a direct threat to the health and safety of others will be made on an individualized assessment, based on reasonable judgement that relies on the best available objective evidence to ascertain the nature, duration, and severity of the risk; the probability that potential injury will occur; and whether reasonable modifications of policies, practices, or procedures will mitigate the risk. If the investigation reveals that the individual's disruptive behavior is caused by a disability beyond the person's control, the appeals officer will evaluate whether accommodations can be made to allow the individual continued access to transit services.

RESUMING TRANSIT SERVICE

When the suspension period is completed, the affected individual will be notified that they are eligible for bus service. Notification will be made according to the procedures set forth under "Notice of Suspension".

If there is another documented incident of inappropriate or seriously disruptive behavior, the suspended individual may have their suspension reinstated or extended for a longer period.



If another infraction occurs during the five (5) day period during which they can file an appeal, the suspension will be automatically approved.



Sample Suspension Letter

NOTICE OF SUSPENSION FROM TRANSIT SERVICE AND PROPERTIES

Date

To: _____,

Tulare County Regional Transit Agency (TCRTA) Passenger Code of Conduct policy provides for the suspension of ridership privileges whenever an individual's behavior presents a health and safety risk to transit operations. Following that policy, **you are hereby suspended from public transit privileges on TCRTA's transit system and properties, fixed route, paratransit, and on demand service for a period of XXX days running:**

_____ through _____, 2023.

During this suspension period, you are hereby forbidden to access any transit asset including all transit vehicles, bus stops, transit centers, and other TCRTA properties. Contact with TCRTA personnel is also forbidden.

The incident that triggered this suspension is described as follows:

- **DATE, TIME, ROUTE, BUS #. DESCRIPTION OF THE INCIDENT.** This suspension is the result of an incident documented on videotape and in written reports that showing that you engaged in behavior that violated TCRTA's Code of Conduct policy. The incident is described as: _____ (e.g. "while at the stop of XXX and XXXX, you kicked the door of the bus causing the glass to shatter.)

The TCRTA personnel as well as our security firm have been made aware of your image and the period of this suspension. They are authorized to refuse service during the suspension period. Failure to comply with this suspension will result in TCRTA reporting you to local law enforcement.



Your Rights to Appeal. Any suspended passenger has five (5) calendar days to request a review of the suspension order. During that period, you may continue to use TCRTA's transit system. If the suspension notice is not contested within five (5) calendar days after delivery of this notice, the suspension order will be deemed final. You may file the request by phone, in electronic or written form, or in person. TCRTA's appointed administrative review officer will have five (5) business days from the receipt of the contest to complete the review and issue a determination using the delivery methods described previously.

The complete Code of Conduct, which includes a full description of the appeals process, is attached to this letter for your reference.

Sincerely,

Tulare County Regional Transit Agency (TCRTA)

Attachment:

1. TCRTA Passenger Code of Conduct