

Table 1. Prohibited Activities

Type of Conduct	Transit Vehicle	Transit Centers
<p>A. Wearing any mask, hood, or other device whereby a substantial portion of the face is hidden or covered so as to conceal the identity of the wearer.</p>	<p>Prohibited: EXCEPTION, N95, KN95 and other masks that are primarily covering only the nose and mouth to prevent disease transmission are allowed</p>	<p>Prohibited: EXCEPTION, N95, KN95 and other masks that are primarily covering only the nose and mouth to prevent disease transmission are allowed</p>
<p>B. Displaying or offering for sale, selling, or distributing goods or services.</p>	<p>Prohibited</p>	<p>Prohibited, except by written agreement</p>
<p>C. Distributing literature.^[1]</p>	<p>Prohibited</p>	<p>Prohibited, except by written agreement</p>
<p>D. Posting or affixing leaflets or signs to transit property.</p>	<p>Prohibited</p>	<p>Prohibited</p>
<p>E. Transporting animals.</p>	<p>Prohibited, except in a secure carrier, or a service animal as defined in 49 CFR Section 37.3</p>	<p>Prohibited, except in a secure carrier, or a service animal as defined in 49 CFR Section 37.3</p>
<p>F. Skateboarding, roller skating, bicycle riding, or rollerblading in a system facility, vehicle, or parking structure. ^[2]</p>	<p>Prohibited</p>	<p>Prohibited</p>
<p>G. Drinking beverages or eating.</p>	<p>Prohibited, except for passengers experiencing a medical emergency</p>	<p>Allowed</p>

<p>H. Willfully blocking the free movement of another person in or on PVTA property, including placing objects that block aisles, stairways, or seats.</p>	<p>Prohibited, except at driver's discretion if space allows; strollers and shopping carts must be folded prior to boarding</p>	<p>N/A</p>
<p>I. Loitering or storing personal property.</p>	<p>Prohibited</p>	<p>Prohibited</p>
<p>J. Extending anything out windows or doors of moving vehicle.</p>	<p>Prohibited</p>	<p>N/A</p>
<p>K. No person shall stand, occupy or otherwise loiter on or in any PVTA facility, bus shelter, bus stop or vehicle in any way that would prevent others from passing or attempting to pass or whose presence or demeanor could be considered to be threatening, harassing or intimidating. Those using the facility for a period of time greater than 15 minutes before or after a scheduled stop/pickup without a defined transit related purpose will be considered to be loitering. Additionally, Loitering is defined as riding the same bus without a determined end destination. Additionally, no person shall engage in any non-transit uses in any facility or vehicle. Non-transit uses are non-commercial activities that are not directly related to the use of a facility or vehicle for transportation.</p>	<p>Prohibited</p>	<p>Prohibited</p>
<p>L. Failure to follow reasonable direction from a PVTA employee.</p>	<p>Prohibited</p>	<p>Prohibited</p>

M. Using sound-producing equipment including inconsiderate cell phone use (use of headphones is permissible if others cannot hear the output).	Prohibited	Prohibited
N. Hanging off or swinging from bars or stanchions (except when standing-only conditions apply).	Prohibited	Prohibited
O. Smoking, chewing and other tobacco or marijuana use, including use of all e-cigarettes, vapors, or any other delivery devices.	Prohibited	Prohibited
Table 2. Behaviors Punishable by Suspension		
Each of the offenses listed in Table 2 is a MAJOR INFRACTION		
Type of Conduct	Transit Vehicle	Transit Centers
A. The use of Rude, hateful, obscene, offensive, discriminatory, or derogatory language is prohibited. When directed towards a transit worker, this is considered an assault and will result in a MAJOR INFRACTION.	Prohibited	Prohibited
B. Physical or verbal threats made towards a transit worker.	Prohibited	Prohibited
C. Weapons including but not limited to, guns, knives, switchblades, boxcutters, bow and arrows. This includes displaying a weapon in any way while on board a vehicle.	Prohibited, except for those lawfully licensed to carry pursuant to Massachusetts Law	Prohibited, except for those lawfully licensed to carry pursuant to Massachusetts Law

D. Selling, using, or possessing illegal drugs or containers of open alcohol.	Prohibited	Prohibited
E. Spitting, urinating, or defecating; or creating unsanitary conditions through presence of blood, urine, feces, vomit, or other bodily fluids or obnoxious odors.	Prohibited	Prohibited
F. Carrying an explosive or acid, flammable liquid, toxic or hazardous material in or on PVTA property.	Prohibited, except for respirators and portable oxygen supply as defined in 49 CFR Section 37.167	Prohibited, except for respirators and portable oxygen supply as defined in 49 CFR Section 37.167
G. Interfering with the general operation of the transit vehicle and/or transit worker's duties (includes but not limited to the following; failure to properly board or alight, blocking progress of transit vehicles, disturbing the driver, crossing the yellow line, improper use of priority seating, etc.).	Prohibited	Prohibited
H. Willfully disturbing others in or on PVTA property by engaging in boisterous, unruly, or threatening behavior	Prohibited	Prohibited
I. Defacing, destroying or otherwise vandalizing transit property including any technology, sign, notices, or advertisements thereon.	Prohibited	Prohibited
J. Throwing objects at PVTA property or at persons in or on transit property.	Prohibited	Prohibited
K. Failure to pay the appropriate fare or present a valid pass, or failure to surrender an invalid pass if	Prohibited	Prohibited

<p>requested by an authorized PVTA employee, sharing or reselling passes from one person to another.</p>		
<p>L. Misrepresenting oneself as eligible for reduced fare^[3].</p>	Prohibited	Prohibited
<p>M. Sexually, verbally, or physically harassing, intimidating, or threatening others: this includes, but is not limited to, behavior such as stalking, staring, or lurking with intent to annoy, offensive touching, obscene acts, and indecent exposure. This also may include, but is not limited to, the use of obscene, abusive, or racist language or gestures. Harassing behavior includes but is not limited to, behavior toward an individual that could be considered offensive based on their gender, gender identity, race, ethnicity, national origin, religion, marital status, sexual orientation, pregnancy, ancestry, age, military status, disability, genetic information, or any other status protected by law. Sexual harassment is defined as any unwelcome conduct of a sexual nature directed at a person of the same or opposite sex.</p>	Prohibited	Prohibited
<p>N. Trespassing defined as any of the following: (1) entering PVTA property after oral or written notice that such entry is forbidden; (2) entering into an area closed to public by gate, fence, wall or other barrier; (3) remaining on PVTA property after receiving oral or written notice from any law enforcement officer or PVTA employee or contractor to depart or (4) entering into the paid area of any PVTA property without paying the required fare.</p>	Prohibited	Prohibited

<p>O. Minor assault: any taunts, language, or placement of one's body that a reasonable person would perceive was intended to or could reasonably endanger the safety of any individual or interferes with a transit workers ability to safely perform their duties. *</p>	<p>Prohibited</p>	<p>Prohibited</p>
<p>P. Serious assault: repeated verbal taunts and or threats, without physical contact, that a reasonable person could perceive as a threat to the safety of the driver or another person. *</p>	<p>Prohibited</p>	<p>Prohibited</p>
<p>Q. Battery: any unwanted or unwelcome physical contact that can include touch, hugging or other unwanted sexual advance or more serious instances of physical contact that a reasonable person could believe included an intent to harm or intimidate. *</p>	<p>Prohibited</p>	<p>Prohibited</p>

***For assaults and batteries committed with the intent to target people based on race, color, religious creed, national origin, ancestry, sex, gender identity, age, disability, mental illness, retaliation, sexual harassment, sexual orientation, or any other protected class penalties will be doubled**

Table 3. Disciplinary Actions

Type	Disciplinary Action	Disciplinary Process
(1) 1st Infraction (Minor)	Immediate denial of service	Trip denied, incident documented
(2) 2nd Infraction (Minor)	Same as (1), with possible suspension of service privileges for a period of not to exceed seven days	Review by Director of Operations/designee, notification of disciplinary action by mail.
(3) 3rd Infraction (Minor) or 1st Infraction (Major)	Same as (1), with suspension of service privileges for no less than seven days and no longer than 30 days [4]	Review by Director of Operations/designee, notification of disciplinary action by mail.
(4) 4th or greater Infraction (Minor), 2nd or greater Infraction (Major), or criminal behavior	Same as (1), with suspension of service privileges for up to 180 calendar days [4]	Review by Director of Operations/designee, notification of disciplinary action by mail.
Minor Assault	Same as (1), with suspension of not less than 30 days nor more than 1 year, depending on severity and nature of assault.	Review by Director of Operations/designee, notification of disciplinary action by mail.
Serious Assault	Same as (1), with a minimum suspension time period of 1 year [5]	Review by Director of Operations/designee, notification of disciplinary action by mail.
Battery	Same as (1), with a minimum suspension time period of 2 years [5]	Review by Director of Operations/designee, notification of disciplinary action by mail.

Table 4. Suspension Return Table

Duration of Suspension / Type of Infraction	Required Notice to PVTA	Person to Notify at PVTA
3 months or less, minor infractions, or major with no violence or threat of violence.	None	None
Greater than 3 months but not more than 6 months, repeated or multiple, minor infractions (3 or more). 2 nd major infraction.	Rider must notify PVTA in writing that they will be returning.	Director of Transit Operations / Designee
Greater than 6 months or any duration if the infraction involves any criminal activity, violent or threatening actions.	At least thirty days (30) prior to return riders must; <ul style="list-style-type: none"> Document in writing: steps taken to 	Director of Transit Operations / Designee

	<p>prevent the behavior from recurring. [6]</p> <ul style="list-style-type: none"> • Demonstrate a reasonable intention to follow the code of conduct. [6] • At the discretion of the Director of Transit Operations riders may be required to meet with the Director to discuss conditions for return. 	
--	---	--

Appeals

Riders have the right to an appeal when meeting the following conditions: The rider must formally file a request for an appeal hearing within 10 days of receiving notice. Appeals requests must be sent to: Director of Transit Operations, PVTA Administration, 2808 Main St. Springfield, MA 01107 or by calling 413-732-6248 Ext 2230 and requesting an appeal with the Director of Operations. Although a request may be made via telephone, a formal written request for an appeal must also be mailed to PVTA administration at the address above. Within ten business days after offender may deliver to the PVTA Director of Operations a verbal or written request for review of the suspension and an opportunity to present reasons for reconsideration of the suspension. All requests for review must be submitted to the Director. Within three business days after receiving a request for review, the Director shall notify the Appeals Committee which will set up a hearing virtually, in person, or in hybrid format to review the service suspension decision with the offender. The hearing shall be held within ten business days following notification of the request to the Appeals Committee. The Appeals Committee then shall decide to affirm or reverse the suspension within fifteen days following the hearing. The post-hearing decision shall be final.

Foot Notes

[1] This paragraph shall not be interpreted to affect any lawful activities permitted for 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.

[2] This paragraph does not apply to any 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 the PVTA in a manner that does not interfere with the safety of the bicyclist or other patrons of the transit facility.

[3] 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 Director of Operations or Customer Service Manager. 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.

[4] PVTA reserves the right to suspend a passenger for periods of time longer than those listed, up to and including permanently banning passengers from service, for any major infraction, repeated major infractions or any infraction that involves criminal activity.

[5] Penalties for major assaults and battery may be reduced if there is reasonable evidence of mitigating circumstances.

[6] Documentation / Demonstration may include documentation of accessing appropriate medical services, resuming medication, seeking counseling or other appropriate services that could reasonably be assumed to be effective.

