

### Purpose

The purpose of this document is to establish the Pioneer Valley Transit Authority (PVTA) policy and procedures governing passenger conduct on PVTA vehicles and at PVTA Transit Centers as described herein.

### Background

Proper passenger behavior on PVTA property is essential for providing quality service to the members of our community and for ensuring safety of all transit patrons and PVTA employees. Establishing a passenger code of conduct and an associated disciplinary process is a necessary component to maintain the existing high levels of service for all transit patrons.

### Definitions

1. “PVTA property” means the vehicles, PVTA owned bus stops, PVTA owned shelters and other public transportation system facilities owned or operated by PVTA.
2. “PVTA employee” means all duly authorized PVTA staff members, including drivers, supervisors, managers and contracted employees.

### Behavior Punishable By Suspension

Table 1 lists activities and descriptions of behaviors that are either expressly prohibited or allowed on PVTA property. Unless otherwise deemed a “Major Infraction” below, behavior will be considered a “Minor Infraction.”

**Table 1. Behaviors Punishable by Suspension**

Type of Conduct	Transit Vehicle	Transit Centers
Displaying or offering for sale, selling, or distributing goods or services.	Prohibited	Prohibited, except by written agreement
Distributing literature.	Prohibited	Prohibited, except by written agreement
Posting or affixing leaflets or signs to transit property.	Prohibited	Prohibited
Transporting animals.	Prohibited, except in a secure carrier, or a service animal as defined in 49 CFR Section 37.3	Prohibited, except in a secure carrier, or a service animal as defined in 49 CFR Section 37.3
Skateboarding, roller skating, bicycle riding, or rollerblading in a system facility, vehicle, or parking structure <sup>[1]</sup> .	Prohibited	Prohibited
Drinking beverages or eating.	Prohibited, except for passengers experiencing a	Allowed

	medical emergency	
Selling, using, or possessing illegal drugs or containers of open alcohol. <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited
Willfully blocking the free movement of another person in or on PVT property, including placing objects that block aisles, stairways or seats[2].	Prohibited, except at driver's discretion if space allows; strollers and shopping carts must be folded prior to boarding	N/A
Loitering or storing personal property[3].	Prohibited	Prohibited
Extending anything out windows or doors of moving bus.	Prohibited	N/A
Hanging off or swinging from bars or stanchions (except when standing-only conditions apply).	Prohibited	Prohibited
Smoking, chewing and other tobacco or marijuana use, including use of all e-cigarettes, vapors, or any other delivery devices.	Prohibited	Prohibited
Weapons including but not limited to, guns, knives, switchblades, bow and arrows. <b>(MAJOR INFRACTION)</b>	Prohibited, except for those lawfully licensed to carry pursuant to Massachusetts Law	Prohibited, except for those lawfully licensed to carry pursuant to Massachusetts Law
Using sound-producing equipment including inconsiderate cell phone use (use of headphones is permissible if others cannot hear the output).	Prohibited	Prohibited
Spitting, urinating or defecating; or creating unsanitary conditions through presence of blood, urine, feces, vomit, or other bodily fluids or obnoxious odors. <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited
Carrying an explosive or acid, flammable liquid, toxic or hazardous material in or on PVT property. <b>(MAJOR INFRACTION)</b>	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
Interfering with the provision of transportation services (i.e., failure to properly board or alight, blocking progress of	Prohibited	Prohibited

transit vehicles, disturbing the driver, crossing the yellow line, improper use of priority seating, etc.).		
Willfully disturbing others in or on PVTA property by engaging in boisterous, unruly or threatening behavior. <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited
Defacing, destroying or otherwise vandalizing transit property including any technology, sign, notices or advertisements thereon. <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited
Throwing objects at PVTA property or at persons in or on transit property. <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited
Failure to pay the appropriate fare or present a valid pass, or failure to surrender an invalid pass if requested by an authorized PVTA employee, or sharing or reselling passes from one person to another. <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited
Misrepresenting oneself as eligible for reduced fare <sup>[4]</sup> . <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited
Failure to follow reasonable direction from a PVTA employee.	Prohibited	Prohibited
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. <b>(MAJOR INFRACTION)</b>	Prohibited	Prohibited

### Consequences of Violating Code of Conduct

In addition to the types of behavior which could result in suspension described above, criminal conduct, including but not limited to, assault, disorderly conduct, and illegal drug use, are prohibited on all PVTA property. If any criminal conduct is observed, the PVTA will contact the local law enforcement department within the jurisdiction in which the offense has occurred.

In addition to civil and criminal penalties, violators of the PVTA Code of Conduct policies and/or any other applicable laws may be subject to immediate denial of PVTA service and possible suspension of PVTA service in the future as described in Table 2 below. Additionally, the PVTA reserves the right to seek an immediate restraining order against accused violators deemed by the Director of Operations and Planning to pose a legitimate threat to the safety or welfare of PVTA staff or riders.

Immediate suspension of PVTA service may be affected by a law enforcement officer or any authorized PVTA employee. Failure to comply with denial of service or suspension of service shall be grounds for criminal trespass prosecution. For initial minor infractions, patrons of PVTA service who have been denied service or suspended must petition (either verbally or in writing via PVTA customer feedback) to the Director of Operations and Planning in order to resume transit service privileges. The Director of Operations and Planning will respond either verbally or in writing within five business days with details of when the date riding privileges will be reinstated.

For repeat or major offenders, the Director of Operations and Planning shall issue a written notice stating the cause and duration of the suspension and the process for requesting review. 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 service suspension notice, the offender may deliver to the PVTA Administrator 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 via PVTA Customer Feedback. Within ten business days after receiving a request for review, the PVTA Administrator and/or designees shall set up a telephonic or in person hearing to review service suspension decision with the offender. The hearing shall be held within ten business days following the request for a hearing. The PVTA Administrator and/or designees then shall decide to affirm or reverse the suspension within ten days following the hearing. The post-hearing decision shall be final.

## Disciplinary Actions

Table 2. Disciplinary Actions

Type	Disciplinary Action	Disciplinary Process
(1) 1 <sup>st</sup> Infraction (Minor)	Immediate denial of service	Trip denied
(2) 2 <sup>nd</sup> Infraction (Minor)	Same as (1), plus: <del>possibles</del> possible suspension of service privileges for a period of not to exceed seven days	Petition Director of Operations and Planning
(3) 3 <sup>rd</sup> Infraction (Minor) or 1 <sup>st</sup> Infraction (Major)	Same as (1), plus: suspension of service privileges for no less than seven days and no longer than 30 days <sup>[5]</sup>	Hearing by PVTA Administrator and/or designees
(4) 4 <sup>th</sup> or greater Infraction (Minor), 2 <sup>nd</sup> or greater Infraction (Major), or criminal behavior	Same as (1), plus: suspension of service privileges for 180 calendar days	Hearing by PVTA Administrator and/or designees

<sup>[1]</sup> 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.

[2] 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.

[3] Loitering is defined as riding the same bus without a determined end destination or remaining on PVTA property for more than two successive hours.

[4] 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 and Planning 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.

[5] PVTA reserves the right to permanently ban passengers from service for any major infraction.