



PARATRANSIT SERVICE SUSPENSIONS FOR PROHIBITED CONDUCT

PART OF THE PARATRANSIT PLAN AND EFFECTIVE SUMMER 2020

Version: 2

Approved by: Miguel Velazquez
(Chief Operating Officer)

Owner: Paratransit Services

Printed or downloaded copies are for reference only. Find the most current version in the policy management system (PPM). Go to the intranet and click Policies and Procedures.

1.0. Rules of Conduct

Rochester-Genesee Regional Transit Authority (“RGRTA”) transit vehicles, facilities and properties are intended to provide public transportation services for the benefit of RGRTA and its subsidiaries, its employees and the public.

RGRTA, as referenced throughout this document, refers to the Rochester-Genesee Regional Transportation Authority and its wholly controlled subsidiaries, which include RTS Access as the provider of complementary paratransit for Monroe County.

Customer use of RTS Access paratransit service is subject to compliance with RGRTA’s [Rules of Conduct for Transit Vehicles, Facilities, and Properties](#) (“Rules”). These Rules are intended to regulate conduct occurring on RGRTA transit vehicles, within or upon RGRTA facilities and properties, including the RTS Transit Center, and in connection with RGRTA’s provision of public transportation services. These Rules apply to all transit conveyances and facilities, including paratransit service.

2.0. Service Suspension due to Prohibited Conduct

On RTS Access, the Americans with Disabilities Act (ADA) permits the suspension of customers from the service who engage in violent, seriously disruptive or illegal conduct towards other customers (passengers), Bus Operators, or RTS Access staff, or RGRTA staff. RTS Access customers are responsible for the conduct of their Personal Care Attendants and/or companions, including children.

3.0. Prohibited Conduct

The following is a partial list of the Rules concerning prohibited conduct. RTS Access customers may be fined or suspended, as applicable (and criminal conduct may lead to arrest), for engaging in any of the following prohibited acts:

1. Refusing to allow proper securement of a wheelchair or mobility device.
2. Using any nicotine, tobacco product (i.e. chewing tobacco) or smoking device (including “e-cigarettes” and “vaping”) except at a designated place. Carrying or holding a lit or smoldering pipe, cigar, or cigarette except at a designated place.
3. Discarding litter other than in designated receptacles. Dumping and/or discarding any materials including but not limited to hazardous substances and automotive fluids. Carrying any flammable liquid, explosive, acid, or other article or material likely to cause harm to others.
4. Producing unreasonable noise, including playing sound-producing devices without earphones, headphones, or an ear receiver to limit sound to individual listeners.
5. Spitting, expectorating, urinating, or defecating, except in the appropriate plumbing fixtures in restroom facilities.
6. Hindering or preventing access by causing unreasonable delays in boarding or alighting; or blocking or partially blocking an aisle or stairway with a package or object; or reclining in more than one seat; or interfering with or seriously disrupting the provision or use of transit services in any way.
7. Disturbing others by engaging in loud, raucous, unruly, aggressive, violent, harmful, or harassing behavior.
8. Destroying, defacing, or otherwise damaging RGRTA property or any signs, notices, or advertisements on transit property.
9. Consuming an alcoholic beverage or having possession of an open container containing an alcoholic beverage.
10. Carrying or storing any firearm, shotgun, rifle, or other dangerous weapon or article.



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11. Throwing any object at RGRTA transit vehicles, facilities, and properties; or at any person therein; or within RGRTA transit vehicles, facilities, and properties; or out of any door or window of any RGRTA transit vehicle.
12. Allowing any animal to occupy a bus seat (unless required by applicable law in the case of a service animal); or run at large; or block an aisle or exit; or unreasonably disturb others; or leave waste matter; or interfere with transit-related activities.
13. Eating on RGRTA transit vehicles or in prohibited areas unless required by applicable law.
14. Not wearing shoes and/or clothing, such as shirt, pants, dresses, etc.
15. Distributing, selling, or offering for sale or donation any written or printed material, including books and pamphlets.
16. Committing any act which tends to create or incite, or creates or incites, an immediate breach of peace, including, but not limited to fighting; or obscene language and noisy or boisterous conduct tending to cause a breach of the peace; or personally abusive epithets, or words or language of an offensive, disgusting or insulting nature, which when addressed to the ordinary citizen are, as a matter of common knowledge, inherently likely to provoke a violent reaction of fear, anger or apprehension.
17. Engaging in sexual activity with oneself or others.
18. Entering RGRTA transit vehicles, facilities, and properties when lacking the ability—because of illness, intoxication, or medication(s)—to care for oneself.
19. Engaging in any harassment, defined as acts occurring within or about RGRTA facilities or vehicles: (1) when a person intentionally and repeatedly harasses another person by following such person in or about a public place or places or by engaging in a course of conduct or by repeatedly committing acts which places such person in reasonable fear of physical injury; (2) when a person, with intent to harass, annoy, or alarm another person (a) strikes, shoves, kicks or otherwise subjects another person to physical contact, or attempts to or threatens to do the same; or (b) follows a person about in a public place or places; or (c) engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose.

4.0. Enforcement

RTS Access reserves the right to suspend customers who engage in violations of the [Rules of Conduct for Transit Vehicles, Facilities, and Properties](#) to the extent permitted by ADA and/or to issue summonses when such conduct is observed by a police officer or other officer duly designated to issue summonses.

5.0. Appeal Process

RTS Access shall enforce, exclude from service, and provide notice of exclusion (suspension) in accordance with the procedures identified in “Article IV. Enforcement” of the [Rules of Conduct for Transit Vehicles, Facilities, and Properties](#) (“Rules”). The appeals process shall be provided to any person excluded (suspended from service) for a period of 31 days or more. The Appeal Procedure is provided in the Rules and shall apply. RTS Access will provide paratransit service to the appellant during the appeal process.

Except for suspensions for violent or seriously disruptive conduct, before suspending service, RTS Access will notify the customer in writing. The notice will identify the specific conduct leading to the suspension and the duration of the suspension. The customer will have an opportunity to be heard and to present information and arguments as to why the suspension should not be imposed. Following this process, RTS Access will notify the customer in writing of the final decision and the reasons for it. In the case of suspensions for violent or seriously disruptive conduct during a paratransit trip, the suspension will take effect immediately, but the customer will be entitled to a post-suspension appeal. The same appeal procedures noted above will be followed.