

Lake Transit Authority

Rules of Conduct and Exclusion Policy

It is the mission of the Lake Transit Authority to provide safe, reliable, convenient, and efficient public transportation to the citizens and visitors of Lake County. Lake Transit Authority has established this Conduct Policy in order to promote the safety and comfort of its riders, facilitate the proper use of transit facilities and services, protect transit facilities, and protect Lake Transit vehicles and employees.

Article 1 – General Provisions

Section 1 - Purpose

Lake Transit Authority (LTA) has established this Rules of Conduct and Exclusion Policy to outline conduct deemed inappropriate inside and outside of Lake Transit property, bus shelters, bus stops, transfer points, and on buses. California state law provides for criminal penalties for a wide range of passenger misconduct offenses. LTA views passenger safety and a respectful environment as essential to providing a beneficial service to its ridership. To better foster such an environment, LTA believes that a fair and just administrative process may be appropriate as an alternative or supplement to the specter of criminal penalty. This policy details the procedures for passenger exclusions and appeals.

Section 2 - Policy

It is the policy of Lake Transit Authority to protect the safety, security, and well-being of passengers and staff by adopting rules of conduct and a procedure for suspension, permanent exclusion, citation, or arrest of persons who violate Lake Transit Authority rules and/or state law. All parties wishing to use Lake Transit Authority facilities and services must abide by the rules set out in this policy. The use of audio and video surveillance recordings is authorized for prosecution of offenders.

Section 3 – Definitions

As used in this policy, the following terms have the following meanings:

- a) "Fare" means the monetary charges established by LTA for the use of its facilities and vehicles.
- b) "Graffiti" means any unauthorized inscription, word, figure, mark, or design that is written, marked, etched, scratched, drawn, painted, or affixed on LTA facilities or vehicles.
- c) "Loitering" means unnecessary lingering in LTA facilities or vehicles or other locations when it interferes with an LTA facility or vehicles or use thereof.
- d) "Passenger," "patron," "customer," and "rider" mean any person, in or on, using or attempting to access, an LTA facility or vehicle.
- e) "Person" includes an individual, firm, partnership, corporation, association, or company.
- f) "LTA" means the Lake Transit Authority and its contractors.
- g) "LTA facility" means all property and equipment, including rights of way, fuel, communication systems, ventilation systems, cameras, signs, loudspeakers, fare collectors, waiting areas, storage yards, repair and maintenance shop, yard, offices, parking areas or other real estate or personal property owned, leased, or licensed by LTA, used for any LTA activity, or authorized to be located on LTA property.
- h) "LTA representative" means an LTA operator, fare inspector, or other authorized LTA employee or contractor.
- i) "LTA system" means all LTA facilities and vehicles, collectively.

- j) "LTA vehicle" means an LTA bus or other vehicle owned, operated, or used by LTA or its contractors transporting LTA representatives or passengers.
- k) "Sound equipment" means a radio, receiver, communication device, phonograph, television, musical instrument, tape recorder, cassette player, CD player, MP3 player, DVD player, game, speaker system, audio system, sound amplifier, or other device that plays music or emits noise. Sound equipment does not include assistive hearing devices for people who have impaired hearing.

Article 2 - Prohibited Conduct

Passengers are responsible for observing the following rules of conduct on LTA buses or at LTA facilities. Any person who engages in any of the conduct set forth may be subject to the issuance of a notice of violation and imposition of an administrative penalty. A notice of violation may be issued by a peace officer, fare inspector, security officer, or any LTA representative designated by LTA's Executive Director, or his/her designated representative, to enforce this ordinance. This ordinance applies with equal force to any person who aids or abets in any of the prohibited conduct set forth. The conduct prohibited on or in an LTA facility or vehicle is as follows:

Section 1 – General Rules of Conduct

- a) Obey reasonable requests from the driver or any other authorized LTA representative.
- b) Remain seated and properly restrained by a safety belt while the bus is in motion.
- c) Front seats are reserved for elderly and/or disabled passengers.
- d) All animals must ride in closed carriers, except service animals that provide a useful function to assist a passenger with a disability. Service animals are required to be under the care and control of the rider at all times. Service animals are not to be seated in a passenger seat. To the best extent possible, passengers are responsible for cleaning up after their service animal. For the safety of the passenger and service animal, LTA discourages service animals from riding on the wheelchair lift.
- e) If possible, carts, carriages, and strollers should be folded prior to boarding and remain folded until after de-boarding. If not folded, they must either be secured to the bus using the mobility device restraints, if these locations are unoccupied, or securely held by the passenger. They must not block the aisle.
- f) Refrain from unnecessary talking to the driver while the bus is in motion.
- g) For their safety, children must be kept under control.
- h) The minimum age for a passenger to ride alone is 12 years of age, subject to their physical and developmental capabilities and emotional maturity.
- i) Do not put feet on the seats.
- j) Limit carry-on items to the size and number that can be easily handled. Assistance is available for seniors and persons with disabilities on Dial-A-Ride or with Flex Stop service. There is a limit of 4 packages of up to 25 pounds each. Packages should be stored on the floor at the feet of the rider during travel, not on passenger seats.

Section 2 - Fare and Ticket Violations

- a) Evasion of the payment of a fare of the LTA system.
- b) Counterfeiting, forging, or altering of any public transit fare media.
- c) Possession, publication, or circulation of counterfeit, forged, or altered fare media with the intent to defraud.
- d) Misuse of a transfer, pass, or ticket with the intent to evade the payment of a fare of the LTA system.
- e) Unauthorized use of a discount ticket or failure to present, upon request by LTA or within 72 hours thereafter, acceptable proof of identification or eligibility to use a discount ticket.

Section 3 - Disorderly Conduct

- a) Spitting while upon an LTA vehicle or in an LTA facility.
- b) Carrying any of the following in an LTA facility of vehicle: explosives; acid; flammable liquid; or toxic, hazardous, or biohazardous material. Exceptions may be made for certain biological materials (i.e., urine or feces) that are in approved medical containers.
- c) Possession of a firearm in an LTA facility or vehicle (unless possessor is a peace officer or licensed to carry a firearm in a public safety capacity)
- d) Brandishing a weapon, including knives/blades of any size, brass knuckles, needles, or any objects that can be used as a weapon, in an LTA facility or vehicle.
- e) Throwing any object from a vehicle or extending any portion of the body through any window or door of a vehicle in a manner that may cause harm or injury.
- f) Urinating or defecating in an LTA facility or vehicle, except in a lavatory. This prohibition shall not apply to a person who cannot comply as a result of a disability, age, or medical condition.
- g) Willfully tampering with, removing, displacing, injuring, defacing, marking with graffiti or inscribed marks, or destroying any part of any LTA facility or vehicle.
- h) Operating, interfering with, enter into, or climb on or in, the property, facilities, or vehicles owned or operated by LTA without permission or approval from LTA.
- i) Interfering with the operator or operation of a transit vehicle, or impeding the safe boarding or alighting of passengers.
- j) Violate a notice, prohibition, instruction, or direction on a sign that is intended to provide for the safety and security of transit passengers, or the safe and secure operation of the transit system.
- k) Loitering on or in an LTA facility or vehicle.

Section 4 - Disturbing Others

- a) Playing sound equipment on or in an LTA facility or vehicle.
- b) Willfully disturbing passengers, LTA representatives, or others on or in an LTA facility or vehicle by engaging in boisterous or unruly behavior, including, but not limited to: yelling, shouting, screaming, fighting, causing loud noises in other manners, use of profane language, verbal or physical aggression, or spitting.
- c) Disturbing passengers, LTA representatives, or others on or in an LTA facility or vehicle by loud or unreasonable noise, including, but not limited to, electronic devices such as cellular phones, tablets, and laptops.
- d) Willfully blocking the free movement of passengers, LTA representatives, or others in an LTA facility or vehicle. This prohibition 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.

Section 5 - False Identification

- a) Knowingly providing false identification to a peace officer, fare inspector, security officer, or other designated representative of LTA when engaged in the enforcement of this policy.

Section 6 - Skateboards and Bicycles

- a) Skateboarding, roller skating, bicycle riding, or roller blading in an LTA facility, including a parking structure, or in an LTA vehicle. This prohibition shall not apply to an activity that is necessary for utilization of an LTA facility by a bicyclist, including but not limited to, an activity that is necessary for parking a bicycle or transporting a bicycle aboard an LTA vehicle, if that activity is conducted with LTA permission in a manner that does not interfere with the safety of the bicyclist of other patrons of LTA.

Section 7 – Public Decorum

- a) Failing to wear a shirt, pants or skirt, and shoes in a manner respectful of others or in a manner unreasonably interfering with the use, operation, or enjoyment of others of an LTA facility or vehicle.

Section 8 – Smoking and Eating

- a) Smoking or vaping is prohibited on LTA vehicles and within 25 feet of buses or facilities.
- b) Eating or drinking in or on an LTA facility or vehicle in those areas where those activities are prohibited by LTA.

Section 9 – Solicitation

- a) Sale or peddling of any goods, merchandise, property, or services of any kind whatsoever on an LTA facility or vehicle without the express written consent of LTA or its duly authorized representatives.

Article 3 – Passenger Exclusion

Section 1

LTA may prohibit any person from riding LTA buses to whom any of the following applies:

- a) On at least three separate occasions within a period of 90 consecutive days, the person is documented committing infractions under Article 2, committed in or on a vehicle or transit facility.
- b) The person is arrested or convicted for a misdemeanor or felony committed in or on a LTA bus or facility for acts involving violence, threats of violence, lewd or lascivious behavior, or possession for sale or sale of a controlled substance.
- c) The person is convicted of a violation of Section 11532 of the Health and Safety Code (Loitering for Drug Activities) or Section 653.22 of the Penal Code (Loitering for Prostitution).

Section 2

A person subject to a prohibition order may not enter the property, facilities, or vehicles of the LTA for a period of time deemed appropriate by the LTA, provided that the duration of a prohibition order shall not exceed the following, as applicable:

- a) Up to thirty (30) days if issued pursuant to Article 3 Section 1(a), provided that a second prohibition order within one year may not exceed 90 days, and a third or subsequent prohibition order within one year may not exceed 180 days.
- b) Thirty (30) days if issued pursuant to an arrest pursuant to Article 3 Section 1(b). Upon conviction of a misdemeanor offense, the duration of the prohibition order for the conviction, when added to the duration of the prohibition order for the initial arrest, if any, may not exceed 180 days. Upon conviction of a felony offense, the duration of the prohibition order for the conviction, when added to the duration of the prohibition order for the initial arrest, if any, may not exceed one year.

Article 4 – Appeal Process

No prohibition order issued under Article 3 Section 2 shall be effective unless LTA first affords the person an opportunity to contest the proposed action in accordance with procedures adopted by LTA for this purpose.

LTA's procedures shall provide:

- a) Reasonable notification to the public of the availability of these procedures.
- b) Notice of the prohibition setting forth a description of the conduct underlying the violation or violations giving rise to the prohibition order, including reference to the applicable statutory provision, ordinance, or LTA rule violated, the date of the violation, the approximate time of the violation, the location where the violation occurred, the period of the proposed prohibition, and the scope of the prohibition. The

notice shall include a clear and conspicuous statement indicating the procedure for contesting the prohibition order. The notice of prohibition order shall be personally served upon the violator. The notice of prohibition order, or a copy, shall be considered a record kept in the ordinary course of business of the LTA and shall be prima facie evidence of the facts contained in the notice establishing a rebuttable presumption affecting the burden of producing evidence. For purposes of this paragraph, "clear and conspicuous" means in larger type than the surrounding text, or in contrasting type, font, or color to the surrounding text of the same size, or set off from the surrounding text of the same size by symbols or other marks that call attention to the language.

- c) For the purposes of this section, "personal service" means any of the following: (A) in-person delivery; (B) delivery by any form of mail providing for delivery confirmation, postage prepaid, to at least one address provided by the person being served, including, but not limited to, the address set forth in any citation or in court records; or (C) any alternate method approved in writing by the LTA and the person being served.
- d) If a person served with a notice of prohibition order is not able, or refuses, to provide a mailing address, the notice of prohibition order shall set forth the procedure for obtaining any letters, notices, or orders related to the prohibition order from the administrative offices of the LTA. For purposes of this section, delivery shall be deemed to have been made on the following date, as applicable: (A) on the date of delivery, if delivered in person; (B) on the date of confirmed delivery, for any delivery by mail; (C) or for any alternate method of service, as provided in the writing specifying the alternate method.
- e) Proof of service of the notice shall be filed with the LTA.
- f) If a person contests a notice of prohibition order, the LTA shall proceed in accordance with Article 4(h) of this policy. If the notice of prohibition order is not contested within 10 calendar days after delivery by personal service, the prohibition order shall be deemed final, without further action by the LTA, for the period of time set forth in the order.
- g) All prohibition orders shall go into effect immediately upon proof of service of the notice and shall stay in effect during the appeal process.
- h) For a period of 10 calendar days from the delivery of the prohibition order by personal service, the person may request a review of the prohibition order by the Lake Transit Authority Review Committee which shall consist of the Executive Director of the Lake Transit Authority, or their designee, a member of the Lake Transit Authority Board of Directors, and a member of the Lake Area Planning Council Social Services Technical Advisory Committee. The request may be made by telephone, in writing, or in person. There shall be no charge for this review. In conducting its review and reaching a determination, the Review Committee shall determine whether the prohibition order meets the requirements of Article 3 Section 1 and, unless the person has been convicted of the offense or offenses, whether the offense or offenses for which the person was cited or arrested are proven by a preponderance of the evidence. If, following the review, based on these findings, the Review Committee determines that the prohibition order is not adequately supported or that extenuating circumstances make dismissal of the prohibition order appropriate in the interest of justice, the LTA shall cancel the notice. If, following the review, based on these findings, the Review Committee determines that the prohibition order should be upheld in whole or in part, the Review Committee shall issue a written statement to that effect, including any modification to the period or scope of the prohibition order. The LTA shall serve the results of the review to the person contesting the notice by personal service. The decision of the Review Committee shall be final.

This information has been approved by the Lake Transit Authority Board of Directors. All parties wishing to use Lake Transit Authority facilities and services must abide by the rules set out by the Board of Directors in its entirety. If your actions would negatively impact the health or safety of other passengers or drivers, you are subject to removal, citation, or arrest. Use of video surveillance equipment information is authorized for prosecution of offenders.