



Code of Conduct & Transit Suspension Policy

Rules of Conduct and Inappropriate Conduct Transit Exclusion Policy

I. Purpose

It is the mission of the Cumberland-Dauphin-Harrisburg Transit Authority (CAT), doing business as Capital Area Transit, through the efforts of dedicated, well-trained employees, to provide safe, reliable, convenient, and efficient public transportation to the citizens and visitors of the Capital Area Transit service area. Capital Area Transit has established this Behavior Policy to promote the safety and comfort of its riders, to facilitate the proper use of transit facilities and services, to protect transit facilities and employees, to assure the payment of fares and to ensure that Capital Area Transit vehicles and facilities are safe, welcoming and provide equitable access for all Capital Area Transit passengers. Responses to inappropriate and/or illegal conduct are outlined here.

II. Overview and Definitions

No individual may engage in inappropriate conduct on, at or in the facilities of Capital Area Transit, including at transfer points, in shelters, at bus stops, and at administrative, operational, and maintenance facilities, or on buses used to provide Capital Area Transit fixed route or paratransit services.

Inappropriate conduct includes any individual or group activity which is disruptive or injurious to other individuals lawfully using Capital Area Transit facilities or services; damaging or destructive to transit facilities or services; or disruptive, harassing, threatening or injurious to transit employees. Inappropriate conduct may also constitute a violation of an ordinance or criminal law. The fact that an individual is or is not charged or convicted of an incident of inappropriate conduct does not bar investigation and/or exclusion under this Policy.

The term "Capital Area Transit" means the Cumberland-Dauphin-Harrisburg Transit Authority (CAT). The term "facilities" means all property and equipment of Capital Area Transit, including, without limitation, inside and outside areas of Capital Area Transit property, bus shelters, bus stops, transfer points, signage and vehicles used to provide Capital Area Transit service.

The term "Capital Area Transit facilities" includes both the public and non-public areas of Capital Area Transit facilities.

The term “public area” of Capital Area Transit facilities includes those portions of facilities that are open for public use for transit or transit-related purposes.

The term “transit services” means fixed route bus service and paratransit service.

III. Level I Inappropriate Conduct on Buses

For any of the following inappropriate conduct on buses, persons will be given a first warning by the Bus Operator not to engage in the conduct. If further warning by the Bus Operator is necessary for failure of the passenger to comply, a Capital Area Transit Supervisor may be contacted and may be called to the scene by the Bus Operator. The Supervisor is authorized to and may ask the passenger(s) to leave the bus. An individual who declines to leave a bus after being ordered to do so by the Capital Area Transit Supervisor is subject to arrest and prosecution for trespassing and or disorderly conduct. Continuous repeat infractions may result in exclusion from buses for not less than 7 days or more than 6 months. See Section VI, Exclusion Procedure.

- Eating or drinking with the exception of bus operators who have permission to do so when vehicles are not in motion excluding commuter service.
- Using an audio device (e.g. portable radio, tape, CD player, TV, etc.), unless such equipment is used with earphones so that sound is limited to person’s own listening only.
- Standing in front of the standee line at the front of the bus near the driver’s seat.
- Bringing any animal on buses un-caged, except working (service) animals that assist those with disabilities. Caged animals must fit on customer’s lap.
- Bringing on-board any large articles, packages, baggage, non-collapsible strollers or baby buggies which block the aisle and restrict the free movement of passengers.
- Engaging in indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance. This is not intended to prohibit ordinary conversation between passengers in normal conversational tones.
- Having distracting conversations with Capital Area Transit Bus Operators.
- Engaging in unauthorized canvassing, selling, soliciting or distributing any material on-board buses.
- Changing a child’s diaper.
- Not wearing shoes or a shirt.
- Exhibiting inappropriate personal hygiene, i.e., an individual whose bodily hygiene is so offensive as to constitute a nuisance to other passengers.
- Boarding unattended minors: children five years of age and under must be closely accompanied at all times by an older responsible individual.
- Roller-skating, roller-blading, or skateboarding on buses.
- Hanging or swinging from stanchions or other bus equipment with feet off the floor.
- Hanging out, reaching out, or putting anything out of bus windows.

- Willfully refusing to pay a fare, or show specific fare media to the bus operator.
- Using of or bringing a Segway (or like device) on the bus when not used as an official mobility device as outlined in the ADA policy.
- Otherwise disorderly or inappropriate conduct which is inconsistent with the orderly and comfortable use of buses for their intended purpose.

IV. Level II Inappropriate Conduct on Buses or in Other Facilities

The following conduct is prohibited in all Capital Area Transit facilities, including but not limited to, buses, Transfer Points, Park and Ride lots, and bus shelters except as specifically limited below. Any individual observed engaging in the conduct may be told by a Bus Operator or Supervisor or other authorized individual to leave the facilities immediately and may be subject to arrest by proper authorities. The Bus Operator is authorized to request police assistance if necessary. These offenses may also subject passenger(s) to the Exclusion Procedure, described in Section VI; further legal action may be taken as applicable and appropriate. Smoking on buses. (See Section V below concerning lighting an incendiary device (e.g. match, lighter, or torch).

- Fighting.
- Bringing any items of a dangerous nature on-board buses including: weapons; flammable liquids; dangerous, toxic or poisonous substances; vessels containing caustic materials, chemicals, acids or alkalis; fishing rods which are not broken down or have unsecured or exposed hooks or lures, ski poles unless secured to skis or have tip covers; sheet glass and sharp objects. Behavior that is disruptive, harassing, or threatening in nature to Capital Area Transit passengers or employees. This includes following or stalking passengers or employees.
- Causing sounds that are unreasonable and highly disruptive of other individuals using Capital Area Transit facilities or services, including but not limited to: prolonged loud, abusive, indecent, profane or drunken conduct.
- Misuse of fare media.
- Drinking alcoholic beverages or possessing open containers of alcoholic beverages.
- Otherwise disorderly or inappropriate conduct which is inconsistent with the safe and orderly use of transit facilities for their intended purpose.

V. Level III Inappropriate Conduct/Emergency Situations

The following conduct in all Capital Area Transit vehicles and facilities, including buses, Transfer Points, Park and Ride Lots and bus shelters will be cause for police intervention, arrest and/or prosecution. An emergency situation can be defined as any situation in which an individual's actions present an imminent danger to the life or safety of him/herself or others, or to Capital Area Transit property. The Bus Operator is authorized to request police assistance. An individual found to have engaged in any of the following activities will be excluded from transit facilities and/or services pursuant to the process in Section VI, Exclusion Procedure.

- Use of counterfeit or stolen fare media.
- Assault or threat of assault.
- Stealing or willfully damaging, defacing or destroying Capital Area Transit property. The City will prosecute anyone who steals or willfully damages, defaces or destroys Capital Area Transit property.
- Lighting an incendiary device (e.g. match, lighter, torch).
- Obstructing or interfering with the Bus Operator's safe operation of the bus.
- Indecent exposure.
- Entering or remaining on Capital Area Transit buses after having been notified by an authorized individual not to do so, or boarding or remaining on Capital Area Transit buses during the period when an individual has been banned from the premises. See NON-COMPLIANCE WITH EXCLUSION ORDER (XIII).

VI. Transit Suspension Procedure

After staff determine that there have been repeated or serious incidents of inappropriate conduct by an individual, and it is determined that the individual involved should be removed and/or suspended from transit facilities and/or services or that conditions should be placed on the individual's continued use thereof:

A. Capital Area Transit's Chief Operating Officer (COO) or his/her designee will issue, or cause to be issued, to the individual involved a written exclusion letter from Capital Area Transit facilities, including services as may be warranted. The letter shall indicate the reasons for the exclusion, the time period of the exclusion, and the facilities and/or services to which the exclusion order applies. If continued use of transit facilities and/or services is made subject to safety conditions or restrictions (e.g., presence of a parent or guardian in the case of a juvenile; accompaniment by a personal care attendant or aide), a conditional exclusion letter may be issued specifying that the individual will be subject to suspension unless the imposed restrictions are complied with. The letter shall also advise the individual of his/her right to appeal the decision and include a copy of the appeal procedure. The COO shall provide a copy of the letter to the Operations Department, who have a need to know, about the reasons for and length of the exclusion.

B. At the discretion of the Chief Operating Officer or his/her designee, a juvenile may be restricted to use Capital Area Transit services only when the juvenile is accompanied by a responsible designated adult for a designated period of time. The juvenile's parent or guardian must be notified of the restriction via certified mail. Failure to abide by the restriction may lead to exclusion under this policy.

VII. Appeal Procedure

Customers who have been notified of a scheduled suspension from CAT have the right to appeal either in writing.

We understand that the situation can be misinterpreted or misunderstood. This process will allow for a third party to review the service suspension/termination. It is important to include all information as the appeal process will be based on the information provided.

WRITTEN APPEALS

- Customers must submit the completed “Service Suspension/Termination Appeal Form”.
- Customers must submit either the “**Appeal Form**” or a letter documenting why they believe that the violations were charged in error and/or should be excused, including any supporting documentation.
- These documents must be postmarked within **4 calendar days** of the date the suspension was scheduled to begin.

APPEAL DECISION

CAT will advise customers in writing of its decision concerning their appeal. If the decision upholds the suspension, the notice of decision will provide customers with the beginning and ending dates of the suspension period. The decision of the Appeals Panel is final.

Service Suspension/Termination Appeal Form

You have the right to appeal the service suspension. In order for your Service Suspension Appeal to be considered, this form must be postmarked within 4 calendar days of the start of your suspension. Your request will not be considered if received after this date. Call Capital Area Transit at 717-233-5657 with any questions.

(PLEASE PRINT)

Date: _____

Name: _____ Day Time Phone: _____

Address: _____

Signature: _____

If this appeal has been completed by someone other than the person requesting review, please complete the following:

Name: _____ Relationship: _____

Address: _____

Signature: _____

Please describe the reason for your appeal. _____

Use additional paper as needed

Mail to: Appeals, Capital Area Transit. 901 N Cameron St. Harrisburg, PA 17101

VIII. Non-Compliance with Exclusion Order: Trespassing

If an individual subject to an exclusion order enters the specified facilities or services before the return date listed in the exclusion letter, police will be called and the individual will be subject to arrest for trespassing.