



Code of Conduct & Transit Suspension Policy

Rules of Conduct and Inappropriate Conduct Transit Exclusion Procedure

I. Purpose

It is the mission of the Central Pennsylvania Transportation Authority (CPTA), doing business as rabbittransit, through the efforts of dedicated, well-trained employees, to provide safe, reliable, convenient, and efficient public transportation to the citizens and visitors of the rabbittransit service area. rabbittransit 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 rabbittransit vehicles and facilities are safe, welcoming and provide equitable access for all rabbittransit 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 rabbittransit, including at transfer points, in shelters, at bus stops, and at administrative, operational, and maintenance facilities, or on buses used to provide rabbittransit fixed route or paratransit services.

Inappropriate conduct includes any individual or group activity which is disruptive or injurious to other individuals lawfully using rabbittransit 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 “rabbittransit” means the Central Pennsylvania Transportation Authority (CPTA). The term “facilities” means all property and equipment of rabbittransit, including, without limitation, inside and outside areas of rabbittransit property, bus shelters, bus stops, transfer points, signage and vehicles used to provide rabbittransit service.

The term “rabbittransit Transit facilities” includes both the public and non-public areas of rabbittransit facilities.

The term “public area” of rabbittransit 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 rabbitransit 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 rabbitransit 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 rabbitransit 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 rabbittransit facilities, including but not limited to, buses, Transfer Points, park & 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 rabbittransit passengers or employees. This includes following or stalking passengers or employees.
- Causing sounds that are unreasonable and highly disruptive of other individuals using rabbittransit 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 rabbittransit 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 rabbittransit 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 rabbittransit property. The City will prosecute anyone who steals or willfully damages, defaces or destroys rabbittransit 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 rabbittransit buses after having been notified by an authorized individual not to do so, or boarding or remaining on rabbittransit 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. rabbittransit'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 rabbittransit 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 (eg., 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 rabbittransit 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 CPTA have the right to appeal, either in writing or in person.

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.

IN-PERSON APPEALS

- Customers must submit the completed “Service Suspension/Termination Appeal Form”.
- These documents must be delivered within **4 calendar days** of the date the suspension was scheduled to begin.
- CPTA will review the appeal form. If CPTA determines the Notice of Termination was issued in error, the customer will be contacted and service will not be interrupted.
- If after the review, CPTA determines the appeal is warranted, CPTA will contact the customers to schedule an appeal hearing. Customers must be available to attend the scheduled hearing.
- Appeals are by scheduled appointment only. Walk-ins will not be seen.

Suspensions may be delayed in taking effect if customers have filed an appeal according to the instructions and by the deadlines noted in this Policy, and the Appeals Panel has not determined the outcome of the appeal.

APPEAL DECISION

CPTA 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 post marked within 4 calendar days of the start of your suspension. Your request will not be considered if received after this date. Call rabbittransit Mobility Planning Staff at 717-846-RIDE (7433) 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, C/O Mobility Planning, 415 Zarfoss Dr, York, PA 17404

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 individual will be subject to arrest for trespassing.

Trespass Policy of Susquehanna Regional Transportation Authority

I. Purpose

The Susquehanna Regional Transportation Authority (“SRTA”) has adopted this trespass policy (the “Policy”) in an effort to enhance the safety and security of its properties within its service area. The purpose of the Policy is to provide a written procedure for banning persons, who have engaged in activities that threaten the health, safety or right to peaceful enjoyment of SRTA properties or services.

II. Definitions

- A. Police Department: Any police department having jurisdiction over any properties that are owned or leased by SRTA.
- B. Trespass: For the purpose of this Policy, SRTA considers trespass to be actions defined below in addition to any definition of trespass as described in 18 Pa. Stat. and Cons. Stat. Ann. § 3503.
- C. Trespassed Person: A person who has been banned from entering SRTA Property in accordance with the Policy or who has performed one of the acts defined by the Pennsylvania Crimes Code as set forth in Section A.
- D. SRTA Property: The properties owned and maintained by SRTA. Though paid for with public funds, SRTA Property functions as private property for a designated mobility purpose. SRTA Property includes, but is not limited to, the buildings, and parks within the SRTA communities, bike facilities, shelters, the common areas, and parking lots within the properties owned by SRTA. Signs have been posted on SRTA Property that clearly identify the property as private property.

III. Procedure

- A. Authorized Persons. Entrance to SRTA Property is restricted to SRTA patrons, authorized visitors and guests, during SRTA hours of operation; as well as authorized SRTA staff, representative agents, contractors, and law enforcement officials carrying out official SRTA or law enforcement business as necessary to protect the interests of SRTA.

- B. Persons Subject to Trespass. Any person who has engaged in activities that threaten the health, safety and right to peaceful enjoyment of SRTA, patrons, authorized visitors or guests, or SRTA staff or agents may be prohibited from entering all SRTA Property. Examples of persons who may be banned from SRTA Property include, but are not limited to, the following:
1. A person who engages in a verbal or physical confrontation with any law enforcement officer, SRTA staff or agent, resident, household member or authorized guest or visitor while on SRTA Property.
 2. A person who engages in any drug related criminal activity on or off the property.
 3. A person who engages in any criminal activity that threatens the health, safety and right to peaceful enjoyment.
 4. A person who engages in criminal activity in which a deadly weapon or dangerous instrument was used, or threatened to be used, or any activity that resulted in physical injury to any person.
 5. A person who damages, destroys, vandalizes, defaces, or otherwise reduces the value of the real and/or personal property of SRTA, its employees, commissioners, representatives, agents, residents, visitors and guests, contractors, any law enforcement official, or other member of the public.
 6. A person who commits a public nuisance, and other disorderly, lewd or lascivious conduct on SRTA property.
 7. A person who loiters, or otherwise fails to have any legal business, on SRTA property.
 8. A person who causes significant littering on SRTA property.
 9. A person who is not authorized to enter SRTA property during non-business hours.
 10. A person who commits any action that is defined as trespass under the Pennsylvania Crimes Code.
 11. Any person who leaves unattended property that constitutes litter and/or creates a potentially dangerous health hazard.

C. Trespass Determination. As determined by SRTA's authorized staff or agent, a person who has engaged in an activity that threatens the health, safety and right to peaceful enjoyment, as discussed in Section II.B. above, may be banned from entering SRTA Property.

1. The person being banned may be notified orally or in writing by SRTA's staff or agent.
2. Following SRTA's determination to ban a person from SRTA Property, a SRTA Trespass Letter ("the Trespass Letter") will be completed by SRTA's staff or agent. SRTA will make a reasonable effort, but is not required, to deliver the original Trespass Letter to the Trespassed Person. Once the Trespass letter has been delivered, the same shall be distributed to SRTA staff and police having jurisdiction over the location of the incident leading to the determination.

A photograph of the Trespassed Person (if available) may be maintained by SRTA. The Trespass Letter shall serve as notice that the Trespassed Person shall not enter any SRTA Property and that he/she may appeal SRTA's determination in accordance with Section IV below.

- a. In the event that the Trespassed Person is a juvenile, SRTA will make a reasonable effort, but is not required, to deliver the original Trespass Letter to the Trespassed Person's parent or legal guardian.
- b. SRTA staff or agent shall make a reasonable effort to include the following information in the Trespass Letter:
 - (1) the full name and address of the offender;
 - (2) the date the Trespass Letter is delivered to the banned individual;
 - (3) the resident/non-resident status of the individual;
 - (4) the development or location at which the incident occurred;
 - (5) the signature of the Police Officer or designated staff person banning the individual;
 - (6) the date, time and place the person was encountered for the offense;
 - (7) the reason(s) for banning; and

- (8) a description of the individual, to include such information as birth date, social security number, and driver's license or other special identification.
3. The names of all Trespassed Persons will be placed on SRTA's Trespass/Banned List which shall be updated quarterly or as often as determined by the Executive Director. The Trespass/Banned List shall be distributed to: 1) the Police Department, 2) SRTA property personnel and 3) SRTA operations staff.
4. In the event a Trespassed Person is observed on any SRTA Property by SRTA staff or agent, he/she should contact the Police Department for assistance.

IV. **Appeal Process**

Upon addition to the SRTA Trespass List, the Trespassed Person and/or an interested resident may request a hearing to remove the Trespassed Person from the SRTA Trespass List.

- A. A request for an appeal of SRTA's determination must be submitted to the Executive Director within five (5) days following issuance of the Trespass Letter. SRTA will provide the grieving party with the date, time and place of the hearing within a reasonable amount of time. Should the grieving party fail to appear at the hearing, the determination of SRTA shall be final.
- B. The Hearing Officer shall be the Executive Director, who will review each appeal and conduct a hearing. Prior to the hearing, the grieving party shall provide SRTA with (1) a current certified copy of the Trespassed Person's criminal history, (2) a list of the Trespassed Person's previous home addresses that had been located outside of the County, and (3) any relevant documents. The grieving party may bring a representative and/or relevant witnesses to the hearing.
- C. The Executive Director will make a final determination which will be provided to the grieving party in writing. A copy of the final determination will also be delivered to the Property Manager of the development where the offensive activity had occurred.
 1. If it is the determination of the Executive Director to remove the Trespassed Person from the Trespass List, the Executive Director may remove him/her from the Trespass List immediately or for a probationary period of one (1) year.

V. **Removal from Ban List**

Persons listed on the Trespass/Ban List may not be removed by anyone except in consultation with the Executive Director.

Exclusion of Service Policy

Section 1: Grounds

SRTA reserves the right to exclude person(s) from the use of facilities or service in the best interest of safety and security for public and employees. A determination of exclusion of service or the application of the Disruptive Passenger policy may depend on the program of services utilized by an Offender or the severity of action leading to suspension/exclusion. Offenders whose own actions show a propensity or a habitual pattern of civil disobedience, disorderly conduct, loitering, terroristic threats and harassment may be excluded from service or access to SRTA property or facilities at any time. The Authority may consider factors relative to assault or disruption based upon the factors considered in the National Transportation Database definitions of "assault".

SRTA property is inclusive of vehicles, transfer points, shelters and any other Authority owned property. This list is not all inclusive and an Exclusion of Service Notice may still be issued if SRTA can show a threat to passenger and employee safety and security. The Safety, Security and Training Officer shall be the determining factor based on articulable facts achieved by documentation which shows a pattern or propensity for continued unacceptable actions. The Safety, Security and Training Officer shall be the issuing authority. In his absence, the Chief Operating Officer shall assume that duty. An authorized SRTA Representative or Law Enforcement Officer may issue an Exclusion of Service Notice to any person who is in violation of any described nuisance offenses and/or or who commits an offense under applicable state or local law in or upon a Transit Facility or Transit Vehicle or Authority owned property. Persons who have a disability, as defined by a funding source providing that individual's trips, or utilize the Authority's ADA transportation program shall be governed under the disruptive passenger provisions of this Policy.

Of note, as set forth above, this policy integrates the federal definition of assault on a transit worker which is set forth at 49 U.S.C. 5302(1) as:

to define "assault on a transit worker" as a "circumstance in which an individual knowingly, without lawful authority or permission, and with intent to endanger the safety of any individual, or with a reckless disregard for the safety of human life, interferes with, disables, or incapacitates a transit worker while the transit worker is performing the duties of the transit worker." In the event this definition changes, or state law provides a more strict definition, the Authority will process complaints or disruption pursuant to the most general policy.

Section 2: Notice

In the event an Exclusion of Service Notice is issued, SRTA shall provide a written copy of such Exclusion of Service Notice to any person who has been excluded from all or any portion of SRTA property, including, but not limited to, Transit Facilities or Transit Vehicles or any other Authority owned property described within the exclusion notice. The written Exclusion of Service Notice shall specify the particular violation or reason for exclusion, all places or property from which the person is excluded, the duration of the exclusion, and the consequences for failure to comply with the Exclusion of Service Notice.

Section 3: Duration

An Exclusion of Service Notice shall be effective immediately upon issuance and shall remain in effect until the exclusion expires, is terminated via the sole action of SRTA, or is overruled on appeal. Additionally, SRTA specifically reserves the right to issue an Exclusion of Service Notice from all SRTA property.

Section 4: Appeal of Exclusion

A person receiving an Exclusion of Service Notice, including a Notice of Permanent Exclusion, may appeal in writing by contacting the SRTA Civil Rights Officer at info@rabbittransit.org. Any written appeal must be responded to in writing within ten (10) business days. In determining an appeal, the Civil Rights Officer may, but is not obligated, to hold a hearing or consider any relevant evidence to discuss the basis for an appeal. The right to appeal an exclusion of service and method to appeal can be found on the Authority's website under its Title VI program.

Section 5: Application for Modification of Exclusion

At any time during the period of exclusion set forth in a Notice of Exclusion, the person named may file a written protest to SRTA's Executive Director or their designee, to allow such person to enter upon SRTA property or service encompassed within the Notice of Exclusion. In his/her sole discretion, the Executive Director or their designee, may grant a modification if the person establishes a pressing need (i.e. employment, medical treatment,

or similar good cause) to enter upon SRTA property, including, but not limited to, Transit Facilities and Transit Vehicles. In his/her sole discretion, the Executive Director or their designee, may terminate a Notice of Exclusion or grant a modification if the excluded person demonstrates by clear and convincing evidence that he or she was wrongfully or unfairly excluded from SRTA property. In granting a modification, additional conditions or requirements may prevent the excluded person from committing future offenses. Any subsequent offenses while on an Exclusion Modification shall immediately result in a reintroduction of the original Exclusion from all service and all facilities.

Section 6: Trespass

A person excluded pursuant to this policy may not enter or remain upon any excluded property or area during the period of exclusion. In the event an excluded person enters or remains upon such excluded property, such person shall be considered to be a trespasser and may be subject to arrest and prosecution for the crime of defiant trespass.

Section 7: Non-Discriminatory Policy

SRTA shall not base a Notice of Exclusion on race, color, sex, age, religion, national origin, ancestry, marital status, physical or mental handicap or economic status. Any action shall be derived from evidentiary facts in the best interest of safety and security for public and employees.

Section 8. Disruptive Passengers/Shared Ride Program

In support of the exclusion of service program set forth above, the Authority also includes a "Disruptive Passenger" program for those persons who utilize any ADA program or similar transport of persons with disabilities. For purposes of this Section, ADA programs shall be all inclusive for any program where the Authority transports persons who qualify for any state or federal program for transport of any person with a disability.

A. When riding a Company's Vehicle through ADA or other similar program, customer conduct will not be accepted nor allowed that is violent, seriously disruptive, or illegal.

The Company may suspend individual passengers and/or refuse service to an individual with a disability who engages in violent, seriously disruptive, or illegal conduct,

using the same standards for exclusion that would apply to any other person who acted in such an inappropriate way pursuant to the Authority's Exclusion from Service Policy.

The Authority will not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.¹ When faced with an incident involving violent, seriously disruptive, or illegal conduct, the vehicle's operator will complete an incident report detailing the situation and forward it an Operations Management team member who will communicate it to the Safety, Security and Training Officer at the conclusion of the shift. In cases of imminent danger or harm, the vehicle operator shall make the necessary report as in the case of any such incident on a Company vehicle.

With regard to considering a "direct threat" U.S. Department of Justice regulations state in 28 CFR Sec. 36.208. In determining whether an individual poses a direct threat to the health or safety of others, a public accommodation must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures will mitigate the risk.

Examples of the violent, seriously disruptive, or illegal conduct resulting in "refusal to provide service" in the context of the Authority's ADA programs, include, but are not limited to, the following:

- Disrupting the driver while he/she is driving the vehicle.
 - Engaging in any conduct or activity that represents a danger to himself/herself, to other passengers or to the driver.
 - Making physical or verbal threats to the driver or to other passengers. Such threats may be either verbal or written.
 - Damaging or destroying vehicle equipment or any employee's or passenger's property.
 - Getting out of the seat while the vehicle is in motion or while the trip is underway.
 - Refusing to wear a seat belt.
 - Smoking, consuming alcoholic beverages or any illegal substance while on board the Authority's vehicle.
 - Disrupting other passengers.
 - Disrobing.
 - Swearing, name calling and/or abusive language.
 - Personal Hygiene condition, resulting in a public health hazard as categorized by the Centers for Disease control.
-
- Violations of the Authority's Customer Code of Conduct Policy

B. Processing Disruptive Behavior:

If a customer engages in violent, seriously disruptive, or illegal conduct, the offending customer will:

1) Immediately be asked by either the vehicle's operator or other member of the Company's management staff to stop or correct the disruptive behavior. If the customer continues to engage in a violent, seriously disruptive, or illegal behavior, assistance will be sought as necessary; and

2) Be issued a letter detailing the incident. The letter will also outline the subsequent "suspension of service" notification to the passenger and will include the reason for such determination. A copy of the letter will also be sent to the passenger's guardian, and/or the passenger's service provider. Despite this notification, the Company's staff must be mindful of the critical importance of maintaining confidentiality concerning information about a passenger's identity, personal circumstances, disability status, etc.

Further suspensions up to and including refusal of service will be determined at exclusive discretion of Director of Safety and Security in the event that the suspension of service have not mitigated the disruptive situation.

C. Appeals Process

Adequate documentation must be on file to support the decision that a cause for suspension has been identified and carefully investigated, and that action is warranted. Adequate documentation can take many forms including videos and other digital recordings, witness statements, direct observations or other relevant evidence concerning an event and/or complaint.

When possible, if sanctions are imposed, the customer must be notified ahead of time in writing or in accessible format. If an immediate sanction is imposed, a verbal notification must be swiftly followed by the required written or accessible format notice.

The notice must identify the basis for the proposed action with specifics and describe the proposed sanction. It must notify the customer of his/her right to appeal and how to file

an appeal. Customers who are issued a “refusal to provide service” letter will have the right to appeal the suspension, as described below:

The individual will have sixty (60) calendar days from the date of the notification letter to file an appeal with the Company’s Civil Rights Officer. The information concerning the appeals process will be included in the correspondence sent to the offending customer, caregiver, guardian or advocate. The appeal process and procedures shall follow those procedures set forth in the section of this policy for appeals of determinations for eligibility. The SRTA will provide transportation to the appealing party to and from the hearing free of charge.

If during the ADA appeals process it has been determined the Company has legitimately refused service to someone who has engaged in violent, seriously disruptive, or illegal conduct, either the Civil Rights Officer may choose to provide conditional service to him or her on actions that would mitigate the problem. For example, the Civil Rights Officer could choose to require an attendant as a condition of providing service it otherwise had the right to refuse.

In evaluating the request, the Civil Rights Officer may hold a hearing and otherwise gather evidence regarding the claim and the proposed sanction. The passenger may have an opportunity to present evidence and witnesses at the appointed time. The Civil Rights Officer’s findings will be final and binding.

² 49 CFR, Part 37.5 (App.D) “If an entity may legitimately refuse service to someone, it may condition service to him on actions that would mitigate the problem. The entity could require an attendant as a condition of providing service it otherwise had the right to refuse.

Exclusion of Service Notice

Dear: _____

Name

Address

City, State, Zip Code

This letter is to inform you of the fact that as of today _____,
you are no longer permitted in or around the premises of:
_____, _____, Pa,
and/or _____ permitted to use Authority transportation services for any reason.

If you are seen in or around the premises at the above specified property and/or using Authority bus service after being notified of the Exclusion of Service Notice, any Authority employee will notify the appropriate law enforcement agency to be removed and possibly face criminal charges. You will hereafter be considered as a **“TRESPASSER”** and Police will be called to ARREST you. This notice will serve to comply with the **Pennsylvania Trespassing Statutes**, in that, you were given written notice via certified mail by an authorized Authority Supervisor.

This exclusion shall be in effect until : _____.

A copy of this letter, along with a copy of the certified, registered mail receipt is being sent to the _____ Police Department for their information.

Sincerely,

Name – Print

Signature

Title

Date

CC: _____ Police Department