

CITY OF JACKSONVILLE NORTH CAROLINA	TRANSPORTATION SERVICES TRANSIT POLICIES			SUBJECT: CONDUCT AND EXCLUSION POLICY
	NUMBER TS-1020.1	REVISIONS 1	EFFECTIVE DATE November 20, 2020	PAGE 1 of 5
	SUPERSEDES	APPROVED BY Anthony Prinz, Transportation Services Director		

PURPOSE: Jacksonville Transit has established this Conduct and Exclusion Policy to identify conduct deemed inappropriate for the transit system and corrective action options and limitations available to management. This policy is designed to promote safety and comfort for our passengers, protect transit facilities and employees, as well as to ensure payment of proper fare for services rendered.

DEFINITIONS:

Inappropriate Conduct: An individual or group activity that is disruptive, harassing, threatening, injurious or damaging to Jacksonville Transit employees, facilities and/or passengers. Inappropriate conduct also may constitute a violation of the Jacksonville City Code and/or criminal law.

Facilities and Properties: All property and equipment owned or operated by Jacksonville Transit.

Excluded: An individual may not enter, remain on or utilize any facility or property owned or operated by Jacksonville Transit.

Ride: A Ride is considered one trip, or one loop on a route. A Ride can include one transfer from one route to another.

RIDER RULES:

1. Wait at designated stops. This is for your safety as well as the safety of others.
2. Always be at your bus stop a few minutes before the bus is scheduled to depart.
3. Signal the driver when waiting at a bus stop or arriving at your destination stop.
4. Use caution when boarding the bus, please use the hand rails.
5. Pay your fare and show appropriate identification or fare media to the bus operator.
6. Qualified Service Animals are the only animals authorized and must remain under complete control of the owner at all times.
7. Large articles, packages, baggage, non-collapsible strollers or carts which block the aisle and/or restrict free movement of passengers are prohibited.
8. Personal items brought aboard the bus are limited to what can remain on the passenger's lap or on the floor immediately in front of the passenger. Occupying additional seats with personal items/packages is prohibited.
9. No weapons or firearms are allowed on Jacksonville Transit buses or in Jacksonville Transit facilities.
10. Good personal hygiene is necessary to ensure all aboard Jacksonville Transit have a comfortable ride. Any passenger that fails to demonstrate proper hygiene (soiled clothing, odor, etc.) may be excluded from transportation service.
11. Eating and drinking on-board Jacksonville Transit buses is prohibited. No open containers are allowed.
12. Tobacco products, to include dip, chew, cigarettes, cigars, e-cigarettes and vaping is not allowed.

13. Engaging in indecent, profane, boisterous, unreasonably loud, demeaning, and disrespectful behavior toward Jacksonville Transit employees or passengers is prohibited.
14. Behavior that is disruptive, harassing, or threatening in nature to Jacksonville Transit passengers or employees is strictly prohibited.
15. Any behavior that is deemed disorderly or inappropriate and inconsistent with the orderly and comfortable use of buses or facilities for their intended purpose is prohibited. (For example: Lying down, feet on seats, sleeping)
16. Audio devices may be used if sound is limited to the individual using the device, such as earphones. Loud phone conversations or music is prohibited.
17. Engaging in unauthorized canvassing, begging, selling, soliciting or distributing any material on-board buses or Jacksonville Transit facilities is prohibited.
18. Remain behind the designated line and do not interfere with the bus operator and the safe operation of the vehicle.
19. Vandalism and willful destruction of Jacksonville Transit property will result in law enforcement action.
20. Rides are limited to one complete loop of the system, including one transfer. Passengers attempting to ride longer will be asked to exit the bus.

LEVELS OF INAPPROPRIATE CONDUCT:

Inappropriate conduct is categorized as Levels I and II. Level I offenses will result in exclusion from transit facilities and/or services for no more than 30 days based on severity. Level II offenses will result in exclusion from transit facilities and/or services for no less than 30 days based on severity. Legal action may be taken as appropriate for any offense. The levels of inappropriate conduct are as follows:

Level I:

1. Refusing to vacate designated wheelchair areas and/or seating for senior citizens and persons with disabilities.
2. Using profanity, tobacco products, eating or drinking on the bus (Note: items in closed containers are permitted). Tobacco products include electronic cigars or cigarettes.
3. Spits or expectorates on or at Jacksonville Transit employees or passengers.
4. Utilizing Jacksonville Transit resources in a manner that it is not intended to be used (e.g. sleeping; loitering for more than one continuous trip).
5. 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 the individual using the device.
6. Bringing any animal on buses, except qualifying service animals.
7. Engaging in indecent, profane, boisterous, unreasonably loud, demeaning, and disrespectful behavior toward Jacksonville Transit employees or passengers.
8. Engaging in unauthorized canvassing, begging, selling, soliciting or distributing any material on-board buses or at a transfer facility.
9. Willfully refusing to pay a fare, or show appropriate identification or fare media to the bus operator.
10. Misuse of fare media, including counterfeit or stolen fare media.
11. Obstructing or interfering with the safe operation of the bus.
12. Otherwise disorderly or inappropriate conduct which is inconsistent with the orderly and comfortable use of buses for their intended purpose.
13. Behavior that is disruptive, harassing, or threatening in nature to Jacksonville Transit passengers or employees. This includes following or stalking passengers or employees.

Level II:

1. Repeat Level I offenses
2. Bringing items of a dangerous nature onto Jacksonville Transit property or facilities including weapons (pistols, rifles, knives or swords); flammable liquids; dangerous, toxic or poisonous substances; vessels containing caustic materials, chemicals, acids or alkalis; sheet glass and sharp objects. Concealed Carry is not authorized.
3. Stealing or willfully damaging, defacing or destroying Jacksonville Transit property.
4. Indecent exposure
5. Assault or threat of assault
6. Drinking alcoholic beverages or possessing open containers of alcoholic beverages.
7. Filing fraudulent claims about injury sustained on a Jacksonville Transit vehicle or at a transfer facility.
8. Entering or remaining on Jacksonville Transit buses after having been notified by an authorized individual not to do so, or boarding or remaining on Jacksonville Transit buses during the period when an individual has been formally excluded from facilities and property.
9. Any other activity not referenced above that is prohibited by City Code and/or criminal law.

Transit Exclusion Procedure:

In the event that it is determined that an individual should be excluded from Jacksonville Transit facilities and/or services, the process is as follows:

- a) Authorized Jacksonville Transit personnel will issue a written exclusion letter indicating the reasons for exclusion, duration of exclusion, and facilities and/or services to which the exclusion 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; accompanied by a personal care attendant or aide), a conditional exclusion letter may be issued specifying that the individual will be subject to exclusion unless the imposed restrictions are followed.
- b) The letter shall also advise the individual of his/her right to appeal the decision and include a copy of the appeal procedure.
- c) If an appeal is not filed by the excluded party within 20 days from the date of notice of the exclusion to the City Manager, then the right to appeal is considered waived. In addition to outlining the appeals process on the Exclusion Notice, Jacksonville Transit will mail a copy of the entire Appeal Policy to persons issued Exclusion Notices who provide a mailing address. A copy of this policy is also available for review at City Hall located at 815 New Bridge St, Jacksonville, NC. 28541.

Appeals Procedure:

The City of Jacksonville has developed an appeals procedure providing for prompt and equitable resolution of complaints as they pertain to the Conduct and Exclusion Policy. An appeal form is included as Attachment 1. An exclusion appeal must be filed within 20 days of the date of notice. The appeal must be in written form and may be completed by a third party if the appellant desires. An employee of Jacksonville Transit does not qualify as an eligible third party.

If a timely appeal is filed, a hearing date and time will be set with timely notification provided to the appellant. The appellant shall have an opportunity to present their case at the hearing. Reasonable support for persons with disabilities will be provided upon request of the appellant. The appellant may be represented by an individual of their choice, excluding Jacksonville Transit employees. Jacksonville Transit may be represented by the initial decision maker, the City Attorney and/or other representatives as needed. At the hearing, the appellant and Jacksonville Transit may present

evidence, including testimony of witnesses, in support of or in opposition to the appellant's case. The Jacksonville City Manager will administer the hearing and make a determination on the appeal. The City Manager's decision is final, except for the right to appeal to the Jacksonville City Council. A summary of the hearing, resulting decisions and rationale shall be provided to the appellant in writing.



APPEAL OF EXCLUSION FROM JACKSONVILLE TRANSIT FACILITIES AND/OR SERVICES

INSTRUCTIONS: If you have received a letter of exclusion from Jacksonville Transit and would like to appeal, please complete the form below and return it to: Jacksonville Transit, c/o City Manager, 815 New Bridge Street, Jacksonville, NC 28541.

1. Name (Appellant): _____

2. Phone: _____

3. Home Address (Street #, City, State, Zip Code): _____

4. Date of Exclusion Letter (Please provide a copy of the letter): _____

5. Reason for Appeal: _____

6. Please list any person(s) who we can contact for additional information or to support/clarify your reason for appeal:

Name: _____ Phone Number: _____

Address: _____

Name: _____ Phone Number: _____

Address: _____

Name: _____ Phone Number: _____

Address: _____

An appeal of exclusion from Jacksonville Transit facilities and/or services must be filed within 20 days of the date of exclusion notice. An appeal shall not be considered if it is not received by Jacksonville Transit within the specified time limit.