

**ST. Lawrence County Public Transit**  
**Passenger and Visitor Standard of Conduct**

**Purpose**

To establish standards of conduct for transit passengers and visitors while utilizing services and facilities or while ST. Lawrence County Public Transit property. This policy is to help ensure the safety, health, and welfare of transit staff, passengers, and the general public.

**Policy**

It is the desire of ST. Lawrence County Public Transit to provide safe, secure, convenient and efficient transit to visitors and citizens of the counties served. ST. Lawrence County Public Transit believes that it is the obligation of each and every person to do his/her part to contribute to the safety of the employees and patrons of the system by refraining from inappropriate behavior while utilizing any of the facilities or vehicles that ST. Lawrence County Public Transit has provided as part of the transit system. To this end, ST. Lawrence County Public Transit has adopted the following "standard of conduct" policy which outlines the conduct that is expected from every passenger or patron of the services provided.

**STANDARD OF CONDUCT**

No individual may engage in inappropriate conduct on any transit vehicle, or at any facility. "Inappropriate conduct" includes, but is not limited to, any individual or group of conduct or activity that would:

- a. constitute a violation of any law or ordinance;
- b. be deemed by a reasonable person to be an attempt to disturb the peace or quiet of a person by tumultuous and/or offensive conduct, or by threatening, harassing, slandering, defaming or otherwise appearing to try to physically or mentally injure a person utilizing St. Lawrence County Public Transit services or facilities; or
- c. attempting to damage any ST. Lawrence County Public Transit facility or property.

The fact that an individual is or is not charged or convicted of a violation of any law or ordinance does not preclude an investigation as to whether the act constituted "inappropriate conduct" and warrants the imposition of sanctions under this Policy.

Any person who is found to have committed an act of "inappropriate conduct" as defined herein or set out in the Passenger & Visitor Standard of Conduct Procedures, subject to the process set out in said standard of conduct and procedures, may be denied the privilege of using the transit system and its facilities. Sanctions for inappropriate and/or proscribed conduct are outlined below.

**SANCTIONS FOR INAPPROPRIATE CONDUCT**

In the interest of the health, safety, and welfare of its passengers and employees, ST. Lawrence County Public Transit reserves the right to suspend or revoke any and all services to anyone found to have committed an act or acts of inappropriate or proscribed conduct while at, in, or on ST. Lawrence County Public Transit public transit facilities or where the person is not physically at, in or on public transit facilities and conducts himself/herself in a taunting or belligerent

manner so as to interfere with peaceful transit operations. The Executive Director of NYSARC may revise and update the offenses and sanctions from time to time as he/she deems necessary.

- **Category A** offenses are offenses to ST. Lawrence County Public Transit patrons or damage to ST. Lawrence County Public Transit property, and may result in an immediate suspension of up to three days (72 hours). Violators will be given a verbal warning not to engage in the conduct prior to the imposition of discipline. If a person is found to have committed multiple Category A offenses over a one-year period from the initial offense, that person may have his/her privilege to use the public transit system and facilities further suspended or revoked as provided for in Category B offenses.
- **Category B** offenses are more severe than Category A and include inappropriate conduct that causes actual damage to ST. Lawrence County Public Transit facilities, equipment, or property, or is conduct which threatens the safety, health, or well-being of the ST. LAWRENCE COUNTY PUBLIC TRANSIT employee or other passengers on ST. Lawrence County Public Transit vehicles. **NO WARNING IS REQUIRED.** A person found to have committed a Category B offense may be suspended for up to 90 days (3-month period). A person found to have committed multiple Category B offenses within a two-year period may be suspended as provided for in Category C offenses.
- **Category C** offenses are the most severe and include, without limitation, damage to facilities, equipment, or property in an amount in excess of \$250.00, or any "battery" against any individual. **NO WARNING IS REQUIRED.** A violator shall be suspended for a period of not less than six months, or until the suspension of services is overturned or modified as part of an appeal process.

## APPEAL PROCESS

A person who has been suspended from using the transit system and/or its facilities for more than 72 hours may appeal said suspension or revocation of privileges as provided in the **Passenger and Visitor Standard of Conduct Procedures**. A copy of the appeal procedures will be provided with the notice required above. The documents may be served by regular mail or hand delivery.

Anyone found to have committed two Category C offenses within three years will be permanently enjoined from the use of ST. Lawrence County Public Transit services and facilities unless reinstated following application to the St. Lawrence County Public Transit Manager and a decision of an Appeal Panel appointed by the Executive Director,. Said application shall not be considered until the suspension has been in place for not less than one year and the individual has fully complied with all terms imposed as part of the suspension.

Any proposed suspension in excess of 72 hours shall be reviewed and approved by the St. Lawrence County Public Transit . St. Lawrence County Public Transit Manager or his/her designee prior to the implementation. Except in the case of multiple Category C offenses, the St. Lawrence County Public Transit Manager may modify any suspension or revocation imposed pursuant to this policy, prior to the completion of the full term of the suspension, as part of an appeal or to accommodate a demonstrated need for St. Lawrence County Public Transit to maintain employment, attend school, or receive necessary medical treatment.

**ST. LAWRENCE COUNTY PUBLIC TRANSIT**  
**PASSENGER AND VISITOR STANDARD OF CONDUCT PROCEDURES**

St. Lawrence County Public Transit has adopted a Transit Passenger and Visitor Standard of Conduct Policy (Management Policy P1) to help ensure that the citizens and visitors who come to the service area of St. Lawrence County Public Transit and utilize the transit services have a pleasant and safe experience. St. Lawrence County Public Transit believes that persons who need the privilege of utilizing public transit vehicles and facilities should conduct themselves appropriately at all times while on, at, or within the St. Lawrence County Public Transit facilities and vehicles so that all users will have the pleasant and safe experience that they have the right to expect.

The prohibitions established by Management Policy P1 are intended to apply to all property, facilities and vehicles in which St. Lawrence County Public Transit has an interest, including, without limitation, administrative, maintenance, operational facilities (owned or leased), buses, bus stops and all other vehicles used as part of the transit services. Any person found to have engaged in inappropriate behavior, set St. Lawrence County Public Transit herein, may lose the privilege of using St. Lawrence County Public Transit or visiting St. Lawrence County Public Transit facilities. Safety is everyone's responsibility and St. Lawrence County Public Transit asks that anyone witnessing inappropriate behavior in or around St. Lawrence County Public Transit vehicles or facilities, St. Lawrence County Public Transit it to a supervisor immediately. Definitions and examples of categories of inappropriate behavior are set St. Lawrence County Public Transit below:

**PROHIBITED CONDUCT**

In the interest of the health, safety, and welfare of its passengers and the employees, St. Lawrence County Public Transit reserves the right to suspend services to anyone exhibiting any of the following conduct:

**CATEGORY A:** A person's violation of any one of the following acts may result in the immediate suspension of that person's rider privileges for up to a 3-day (72 hours) period. A verbal warning will be given by a Public Transit Drivers or a St. Lawrence County Public Transit Official not to engage in the conduct prior to issuance of a suspension.

1. Carrying or consumption of any food or beverages in an open container within an St. Lawrence County Public Transit vehicle, with the exception of Transit Drivers who have permission to do so when vehicles are not in motion.
2. Smoking other than in designated areas.
3. Boarding an St. Lawrence County Public Transit vehicle with any animal other than a Service Animal, not housed in an enclosed carrying container that can fit on a seat or on a customer's lap.
4. Boarding an St. Lawrence County Public Transit vehicle with any container, package, or article which cannot be safely placed in the person's lap or a seat in which would tend to block the aisle or make travel in the aisle or stairway difficult or unsafe.
5. Refusing to de-board from an St. Lawrence County Public Transit vehicle when requested to do so by the Bus Operator, a St. Lawrence County Public Transit official,

6. Boarding an St. Lawrence County Public Transit vehicle without paying the established fare or without presenting a valid pass.
7. Failure to present a valid identification card when requested to do so by an St. Lawrence County Public Transit employee for verification of reduced fare rates.
8. Entering through the rear exit door of an St. Lawrence County Public Transit vehicle unless directed to do so by an St. Lawrence County Public Transit employee.
9. Climbing through a window or extending an arm, leg, or head out of the window of an St. Lawrence County Public Transit vehicle.
10. Obstructing the free movement of any person attempting to board within an St. Lawrence County Public Transit vehicle or on St. Lawrence County Public Transit property.
11. Standing or otherwise occupying any space in front of the "standee line" marked on the forward end of the floor or otherwise conducting oneself in such a manner as to obstruct the vision of the Bus Operator while an St. Lawrence County Public Transit vehicle is in motion.
12. Playing a musical instrument or audio device (radio, CD, DVD, MP3, cellular phone) within an St. Lawrence County Public Transit vehicle unless such equipment is used with earphones so that the sound produced by such item is primarily confined to the person carrying the device producing the sound.
13. Talking on a cellular device (phone, blue-tooth, etc.) using loud, vulgar, or discriminating language that may cause other passengers or employees of St. Lawrence County Public Transit to become upset, offended or otherwise uneasy in regards to the conversation being held.
14. Littering, discarding, or depositing and rubbish, trash, debris, or offensive substances, within an St. Lawrence County Public Transit vehicle or on St. Lawrence County Public Transit property except in an appropriate trash receptacle.
15. Making excessive and unnecessary noise, running, engaging in any horseplay or using vulgarities.
16. Canvassing, soliciting, or distributing pamphlets or other documents for any purpose. St. Lawrence County Public Transit reserves the right to distribute literature and solicit information from its patrons in the interest of improving service or the transit experience.
17. Posting or removing any notice or advertisement unless authorized by an St. Lawrence County Public Transit official.
18. Except for mobility devices, the boarding, operating, riding or other use of any wheeled device within an St. Lawrence County Public Transit vehicle or St. Lawrence County Public Transit facility.
19. Any person who loiters on an St. Lawrence County Public Transit vehicle or in an St. Lawrence County Public Transit facility beyond the time reasonably necessary to reach his/her destination or conduct necessary business.

**CATEGORY B:** A person's violation of any one of the following acts may result in the immediate suspension of that person's ridership privileges for up to 90 days (three-month period). No warning is required prior to the suspension of service.

1. The commission of any act that could reasonably be deemed an assault against any person.
2. Except for Security Guards, Peace Officers, or other persons lawfully permitted to carry a particular weapon, the bringing on board an St. Lawrence County Public Transit vehicle or on any St. Lawrence County Public Transit property any weapon.
3. Boarding an St. Lawrence County Public Transit vehicle or bringing into an St. Lawrence County Public Transit facility, any inherently dangerous items. This includes but is not limited to weapons, explosives, caustic materials, and poisons. This provision excludes items that can be regularly purchased at a grocery store and are recognized as customary household items.
4. Interfering with the operation or movement of an St. Lawrence County Public Transit vehicle.
5. Impeding the use, tampering with, or otherwise obstructing the operation of any window, door, or other emergency exit.
6. Damaging, writing upon, or otherwise defacing or altering any St. Lawrence County Public Transit vehicle or St. Lawrence County Public Transit facility.
7. Throwing any object or substance at, into or from any St. Lawrence County Public Transit vehicle or St. Lawrence County Public Transit facility.
8. Threatening any violent, tumultuous, physical or verbal behavior, including the use of words or conduct that are generally known to be used as racial slurs, words that belittle, or words and actions that are understood to likely provoke a violent response. This includes face-to-face interaction and incidents that occur via phone line.
9. Using St. Lawrence County Public Transit provided Internet services for accessing or transmittal of pornographic, obscene, or sexually explicit material; the transmittal of obscene, abusive, sexually explicit or threatening language, including without limitation racial slurs or epitaphs.
10. Any attempt to damage or disable the property of another person or entity.
11. Failure of a person who has been excluded from an St. Lawrence County Public Transit vehicle or St. Lawrence County Public Transit facility for a 72-hour period to comply with the terms of the exclusion. A person who violates the initial exclusion shall be warned to promptly leave the area per the exclusion or he/she may be subject to a Category B violation and a greater exclusion period.

**CATEGORY C:** Any person violating any one of the following acts may result in the immediate suspension of that person's ridership privileges for a minimum of six (6) months. No warning is required prior to suspension of service.

1. Anyone who engages in a fight or who commits any act which would warrant a charge of "battery" under the laws of New York shall be enjoined from the use of an St. Lawrence County Public Transit vehicle or from entering into an St. Lawrence County Public Transit facility for a period of not less than six months or until the suspension of service is overturned as part of the appeal process.

2. Anyone convicted of the charge of battery against any St. Lawrence County Public Transit official, Bus Operator, or other person while those persons are engaged in their employment or utilizing an St. Lawrence County Public Transit vehicle or on St. Lawrence County Public Transit property will be enjoined from the use of St. Lawrence County Public Transit services for a minimum of one year. A "no contest" plea to the charge or conviction on an alternative or fictitious charge will not affect the suspension of services provided in this section.
3. Except as otherwise provided in Category C, engaging in any activity that is prohibited by any federal, state, county, or municipal law, or other conduct that would cause a reasonable person to be concerned for his/her safety or that of another person or that would be a disruption to the tranquility of the ride, infringes upon the mental or physical comfort and safety of others, or jeopardized safe operations.

### **EXCLUSION PROCEDURE**

Anyone who commits a Category A offense may be suspended immediately from using an St. Lawrence County Public Transit vehicle or accessing St. Lawrence County Public Transit property by a responsible St. Lawrence County Public Transit official or his/her designee for not more than 72 hours from the time of the offense. If the violation occurs while on board an St. Lawrence County Public Transit vehicle, the individual may be asked, at the Bus Operator's discretion, to immediately leave the vehicle at the closest "reasonably safe" stop. Alternatively, the Bus Operator may continue operating the Bus as scheduled and ask for assistance from a responsible St. Lawrence County Public Transit official who may suspend the individual from using an St. Lawrence County Public Transit vehicle for up to 72 hours as provided above. Any request by an St. Lawrence County Public Transit official to extend the exclusion beyond 72 hours on the basis of a further offense, or failure to comply with an exclusion period up to 72 hours, must be made in the form of a recommendation to an St. Lawrence County Public Transit Manager or his/her designee only. Said person or persons shall review the particulars and shall advise the requestor within two working days of the receipt of the recommendation that the recommendation is accepted, modified, or rejected. Said decision is final and shall be entered in the appropriate records relating to said offender. Notice shall be provided as set St. Lawrence County Public Transit below.

### **SERVING THE NOTICE EXCLUSION**

St. Lawrence County Public Transit will make reasonable to verbally notify the individual that he/she is excluded for a period of up to three days (72 hours) and will provide written notice, if reasonably possible, for suspensions of longer than three days. The written notice will be sent to the individual's last known address and will include the specific basis for the exclusion, a description of the penalty, and provide information on the appeal process.

### **EXCLUSION APPEAL PROCESS**

Any appeal of a suspension in excess of 72 hours shall first be submitted to the St. Lawrence County Public Transit Manager at 6 Commerce Lane, Canton NY 13617. The appeal shall set forth the facts and basis for why the exclusion should be retracted or modified. The Transit Manager or his/her designee may reinstate services prior to the maximum suspension if, in his/her sole discretion, the suspension is deemed excessive based upon the available evidence following an investigation or the offender has received and successfully completed anger

management or other appropriate counseling offered by a reputable agency approved by the St. Lawrence County Public Transit Manager and that certification of completion is submitted to the Transit Manager or his/her designee. The Transit Manager or his/her designee shall exercise good effort to decide a request for modification of a suspension within seven (7) days of the receipt of the written request for same. Notice of the decision shall be provided by personal communication and the mailing of notice, if sufficient information exists to provide said notice. Where a written request to modify a suspension in excess of three (3) days has been denied by the Transit Manager or his/her designee, an individual may appeal a suspension or exclusion from services by filing a written appeal stating all relevant facts and with supporting documentation to the Transit Manager at 6 Commerce Lane, Canton, NY 13617. Upon receipt of an appeal, the Transit Manager will, within 14 days, render a decision and mail the decision to the individual's representative or last known address by regular mail.

#### APPEAL TO A PANEL

If the individual is still not satisfied with the decision of the Transit Manager, that individual may file an appeal in writing and request a "panel review". The written appeal should be directed to Executive Director, NYSARC, 6 Commerce Lane, Canton, NY 13617. Upon receipt of the written appeal, the Executive Director will arrange for the appeal to be heard by an Appeal Panel. A hearing on the issues shall be conducted within 14 days of the appeal. A written decision shall be made within 14 days of the hearing and will be mailed to the individual or his/her representative by regular mail. The decision of the Appeal Panel is a final administrative decision.