



## StarMetro Code of Conduct/Transit Exclusion Procedures

### I. Purpose

The City of Tallahassee – StarMetro has taken many measures to ensure the safety and security of our employees, customers and the communities that we serve. StarMetro’s employees are trained professionals and each operator is fully prepared to handle emergency situations. However, customers also have the responsibility to themselves and others to ensure that everyone has a safe and secure trip by refraining from inappropriate behavior/conduct, threats, violence and/or any activities that may provoke violence. Public safety and security is everyone’s responsibility.

**STATEMENT OF POLICY:** It is the policy of the City of Tallahassee to:

Provide a safe, economical, efficient, and convenient mass transportation system by establishing StarMetro’s code of conduct for all StarMetro customers, including paratransit operations, penalties for violations and appellate processes.

800.03

### Code of Conduct/Transit Exclusion Policy

### II. Overview, Definitions and Offenses

No individual may engage in inappropriate conduct on, at or in the StarMetro facilities.

Inappropriate conduct includes any individual or group activity which is disruptive or injurious to other individuals using StarMetro 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 StarMetro means the City of Tallahassee, StarMetro Transit Division.

The term “facilities” means all property and equipment of StarMetro, including, without limitation, inside and outside areas of StarMetro (City) property, bus shelters, bus stops, transfer points, signage and buses used to provide StarMetro fixed route or paratransit service.

The term “StarMetro facilities” includes both the public and non-public areas of transfer points, bus shelters, bus stops, park and ride lots, and at administrative, operational, and maintenance facilities, or on buses used to provide StarMetro fixed route or paratransit service.

The term “public area” of StarMetro 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 complementary paratransit service.

### First Offense

The offender(s) will receive a verbal warning by the bus operator or authorized StarMetro representative. This step will be skipped at the discretion of StarMetro depending on the severity of the circumstances.

### **Second Offense**

The offender(s) will be removed from the vehicle at the discretion of StarMetro and riding privileges may be suspended for the remainder of the day. An incident report form will be completed by the supervisor or security officer.

### **Third Offense**

Riding privileges may be suspended for a period of five (5) days at the discretion of StarMetro. An incident report will be completed by the supervisor or security officer, and law enforcement will be notified if warranted by the circumstances of the incident. StarMetro will prepare a letter of suspension for riding privileges. The letter will state why the passenger was suspended and describe any documented history of inappropriate/disruptive behavior.

### **Subsequent Offenses**

When a rider returns from a suspension, the rider's behavior will be closely monitored. If there is another documented incident of inappropriate or disruptive behavior, the rider may be suspended for an additional period of time and/or have all transit riding privileges permanently revoked. This will be determined based upon the nature of the offense, and at the discretion of StarMetro. StarMetro has the right to implement the Trespass Chapter 810 of Florida Statutes.

### **III. Level I Inappropriate Conduct on Buses**

For any of the following inappropriate conduct on buses, passengers will be given a verbal first warning by the Bus Operator not to engage in the conduct. If further warnings by the Bus Operator is necessary for failure of the passenger to comply, a StarMetro Supervisor will 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. If the individual replies with the request of the supervisor, the supervisor will obtain the name and contact information, along with the video of the individual. A written warning, along with the photo, will be placed into the trespass binder and logged into the supervisor's spreadsheet. If the individual declines to leave a bus after being ordered to do so by the StarMetro Supervisor, or security officer, he/she 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, Transit Exclusion Procedure.

- Eating or drinking with the exception of bus operators who have permission to do so when vehicles are not in motion. Permission may be given to patron's with medical emergencies.
- 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 that is not contained in a kennel or pet carrier, except service animals that assist those with disabilities. Animals in pet carriers 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 StarMetro Bus Operators.
- Engaging in unauthorized canvassing, selling, soliciting or distributing any material on-board buses.
- Changing a child's diaper.
- 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.
- Willfully refusing to pay a fare, or show specific fare media to the bus operator.
- Otherwise disorderly or inappropriate conduct which is inconsistent with the orderly and comfortable use of buses for their intended purpose.
- Any other inappropriate conduct of this nature.

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

The following conduct is prohibited in all StarMetro facilities. Any individual observed engaging in inappropriate conduct may be requested by a Security Officer, 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 security or law enforcement assistance if necessary. These offenses may also subject passenger(s) to the Transit Exclusion Procedure, for no less than 6 months and no more than 1 year, as described in Section VI; further legal action may be taken as applicable and appropriate.

- Bringing any items of a dangerous nature on-board buses including: fishing rods which are not broken down or have unsecured or exposed hooks or lures; sheet glass and sharp objects. Lawn and gardening tools that consist of sharp-blades, or flammable liquids.
- Behavior that is disruptive, harassing, or threatening in nature to StarMetro passengers or employees. This includes following or stalking passengers or employees.
- Causing sounds that are unreasonable and highly disruptive of other individuals using StarMetro 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.
- Any other inappropriate conduct of this nature.

#### **V. Level III Inappropriate Conduct on Buses or StarMetro Facilities/Emergency Situations**

The following conduct in all StarMetro vehicles and facilities will be cause for law enforcement 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 StarMetro property. The Bus Operator is authorized to request law enforcement assistance immediately and refrain from taking matters into their own hands. 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, Transit Exclusion Procedure for a period of 1 year to permanent exclusion from the system.

- Use of counterfeit or stolen fare media
- Bringing any items of a dangerous nature on-board buses including weapons (pistols, rifles, knives or swords); flammable liquids; dangerous, toxic or poisonous substances; vessels containing caustic materials, chemicals, acids or alkalis
- Fighting
- Assault or threat of assault.
- Stealing or willfully damaging, defacing or destroying StarMetro property. The City will prosecute anyone who steals or willfully damages, defaces or destroys StarMetro 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
- Continuing to enter, or remain, on StarMetro buses or facilities after being requested by an Bus Operator, Security Officer, Supervisor or law enforcement to leave, and not enter, the bus or facility (See NON-COMPLIANCE WITH EXCLUSION ORDER; TRESPASSING (VIII)).
- Any other inappropriate conduct of this nature.

#### **VI. Transit Exclusion Procedure**

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

1. The Supervisor of Transit services will issue, or cause to be issued, to the individual involved a written exclusion letter from StarMetro 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 exclusion 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 Supervisor of Transit services shall provide a copy of the letter to the Superintendent of Operations and will inform necessary staff involved about the reasons for and length of the exclusion.
2. At the discretion of the Transit Director, a juvenile may be restricted to use of StarMetro 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.
3. Complaint– the following procedures are established to provide opportunities for complaints  
Customers may file a complaint by telephone at (850)891-5200 or by submitting the complaint in writing within 48 hours of the incident. Specific information should be provided which includes:
  - The name and address of the complainant;
  - An explanation of the complaint in a clear and concise manner; and
  - An explanation of the relief desired by the complainant.

Staff will investigate the complaint within five (5) business days of receipt of the complaint and respond in writing to the complainant within ten (10) business days following the investigation. If the complainant is not satisfied with the response from the staff, an appeal may be filled with the Transit Director utilizing the Appeal Procedures (See Section VII Appeal Procedures).

#### **VII. 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, law enforcement will be called, and the individual will be subject to arrest for trespassing in accordance with Florida law.

#### **VIII. Appeal of Suspension or Trespass**

For those receiving a suspension for longer than five (5) days or have received a trespass citation, an appeal may be filed within five (5) business days of the date of suspension or trespass citation by contacting the Transit Director. The appeal must be submitted in writing to:

555 Appleyard Drive  
Tallahassee, Florida 32304



**ATTN: Appeals**

or

By email to:

*StarMetro.CustomerService@talgov.com* with **Appeal** in the subject line.

The appeal must include:

- The name and address of the appellant;
- an explanation of the incident that led to the suspension, and
- why the suspension or trespass citation should be reduced or vacated

The Transit Director or designee will investigate the incident within three (3) business days of receiving the appeal. A written response will be provided within thirty (30) days of receiving the appeal.