

San Benito County Transit



COUNTY EXPRESS

Operational and Enforcement Policies

July 2011

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San Benito County Local Transportation Authority Operational and Enforcement Policies

I. PURPOSE

The purpose of the San Benito County Local Transportation Authority (LTA) is to provide all current and potential passengers of County Express and Specialized Transportation information about its policies.

II. GOAL

The goal of these Policies is to provide all its passengers with important information to have safe, reliable, convenient, and pleasant transportation to their destination in a timely manner.

III. COUNTY EXPRESS TRANSPORTATION SERVICES

1. Fixed Route – The Fixed Route service operates only in the City of Hollister and there are three routes with approximately 80 stops within the service area. The service operates Monday – Friday from 6:20 a.m. to 11:00 a.m. and 2:00 p.m. to 5:45 p.m. Fixed Route is subject to seasonal service hours.
2. Demand Response – County Express operates two demand response-type services: Complementary Paratransit and General Public Dial-A-Ride.
 - a. Complementary Paratransit – Operates $\frac{3}{4}$ mile radius along the Fixed Route and during Fixed Route hours. The service is curb-to-curb service that complies with 49 CFR Part 37 ADA Paratransit Service Standards. The passengers of Paratransit are certified by the LTA. Once certified, all Paratransit passengers must present their eligibility card at the time of boarding to the driver.
 - b. General Public Dial-A-Ride – Operates Friday from 6:00 a.m. to 6:00 p.m. and Saturday – Sunday 9:00 a.m. to 3:00 p.m.
 - c. Weekday Reservations – Reservations for weekday service may be up to 14 days in advance or on the same-day for Complementary Paratransit and General Public Dial-A-Ride. Same day service is subject to availability and a \$1.00 convenience fee each way (see e. of

Paragraph 2).

- d. Weekend Reservations – Reservations for the weekend be made from Monday, 9:30 a.m. to Friday, 1:00 p.m. for General Public Dial-A-Ride. Cancellations can be made until Friday, 5:00 p.m. Trips to and from destination must be booked at the same time. Subscription or same-day services are not available for weekend service.
- e. Same-Day Service and Convenience Fee – For the convenience of the riders, same-day service is available during the weekday. All same-day service requests are subject to availability and a convenience fee each way. The current convenience fee is \$1.00 each way. The fee is subject to change at the discretion of the LTA Board of Directors.

There is no same-day service for weekend demand response services.

- f. Wait Time – Clients are giving a window of 15 minutes before or 15 minutes after the scheduled pick-up time. Clients must be ready to board the County Express vehicle anytime within the 30 minute window pick-up window. County Express will wait no more than three minutes at each pick-up location as a courtesy to other riders on the vehicle and those waiting to be picked-up.
 - If the vehicle arrives at the pick-up location before the scheduled pick-up time, the vehicle will continue to wait until three minutes after the pick-up window. If the client does not show up to board the vehicle during the 3-minute wait time, the client will be marked as a “No-Show” and the vehicle will leave the location.
 - If the vehicle arrives at the pick-up location at or after the scheduled pick-up time, the vehicle will wait three minutes after arrival. If the client does not show up to board the vehicle during the 3-minute wait time, the client will be marked as a “No-Show” and the vehicle will leave the location.

g. Ride Time – County Express Paratransit and Dial-A-Ride riders may experience rides up to one hour from the time they board the vehicle due to other pick-ups and drop-offs, weather, or traffic.

h. Modification to Service Requests – For the convenience of the clients, trips scheduled in advance may be rescheduled on the day of the request for an earlier or later time on the same day. However, the request to reschedule must occur before the initial scheduled request pick-up time. Dispatch will determine the availability to accommodate the new request.

If the accommodation is possible, dispatch will inform the client and the new request would not be subject to the convenience fee.

If the accommodation is not possible, the client will need to inform dispatch if he/she will keep the initial request or cancel the request.

If the vehicle has arrived at the point of pick-up as scheduled and the client is not ready to board the vehicle, the client may reschedule the trip for a later pickup. However, the late reschedule is subject to availability and convenience fee.

i. Trip Cancellation – Trips may be cancelled by the client no later than one (1) hour before the scheduled pickup.

j. No-Show Policy – Reservations cancelled less than one (1) hour before the scheduled pick-up time are considered a “no-show” unless the bus is operating more than 30 minutes behind schedule. Whenever possible, dispatchers will call the client when the bus arrives and he/she cannot be seen by the driver.

Clients, who habitually “no-show,” are subject to a temporary suspension of eligibility following the third occurrence in a 30-day period. The enforcement of the “no-show” policy will be adhered to as followed by the LTA:

- The first notice documents the date of the no-show and informs the client that a subsequent no show will result in \$5.00

service charge.

- The second notice documents the date of the no-show and charges a \$5.00 service charge to the client. It also informs the client that a subsequent no show will result in suspension of service for 30 days.
- The final notice informs the client that their service has been suspended for 30 days, with a 14 day notice provided.

Hardship: Clients who are not able to pay the \$5.00 service charge must inform the LTA of the financial hardship in writing or by phone. The LTA will make the determination if the exemption is valid. If the exemption is valid, the client will not pay the service charge. However, the client is still subject to the “no-show” policy and the third offense will result in suspension for 30 days. A detailed record of the number of exemptions claimed by each client will be kept and if abuse of this policy is found, the client will be responsible for all service charges that have been exempted. If the exemption is found not to be valid, then the client will have to pay the service charge. Failure to pay when an extension is not made will result in 30 day suspension.

3. Intercounty Service

a. Gavilan College – Operates Monday – Friday and the route travels through the Cities of Hollister and San Juan Bautista to Gavilan College in the City of Gilroy. The service operates on a full schedule when Gavilan College is in session and limited service during the summer session. The Gavilan service also has a holiday schedule.

b. Caltrain – Operates Monday – Friday and the route travels from the City of Hollister to the Caltrain Station in the City of Gilroy. The service meets three trains in the early morning and three trains in the evening. The last evening run from Caltrain station does not leave until Caltrain has arrived.

c. Greyhound – Operates Saturday and Sunday. The route travels through the Cities of Hollister and San Juan Bautista to the Greyhound Station in the City of Gilroy.

d. Inclement Weather and Dusk-to-Dawn Stop Program – In times of inclement weather and from dusk-to-dawn, passengers on Intercounty may call dispatch requesting the driver pick-up/drop-off at a location not designated as a bus stop. The following steps shall be followed by the passenger and dispatch:

- i. Rider calls dispatch at least two hours, but no more than twenty-four hours, in advance to determine a pick-up/drop-off location that is safe.
 - Both parties agreed upon location must be in a safe location. However, an established bus stop is the preferred choice of the LTA.
 - The safe location must be located along the route as the bus cannot detour off route.
 - Client must leave their name for the dispatcher to record.
 - Dispatchers have the right to group passengers requesting this service at a more centralized location to decrease the inconvenience to other passengers on board and ensure schedule adherence.
- ii. Driver will be notified by dispatch of approved pick-ups/drop offs. Drivers will not stop at locations not pre-approved by dispatch.
 - For pick-ups, driver will verify the name of the pick-up. If the rider requesting the stop is not at the pre-designated location, the driver will not stop. It is the rider's responsibility to be at the location before bus arrives and to signal the driver to stop.
 - For drop-offs, the driver will call the name of the person requesting the stop upon arrival at the alternative location. Passengers who do not call ahead may also disembark at the location at their own discretion.

IV. SPECIALIZED TRANSPORTATION SERVICES

Specialized Transportation services have door-through-door services that provide above and beyond what is required under the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 et. seq. Their services include escort and minor translation services to its clients.

1. Out-of-County Non-Emergency Medical Transportation (OOCMT) – The OOCMT service operates Monday – Saturday to transport clients residing in San Benito County to medical services not available in the County. Services hours vary depending on the time of the appointment and travel time. Rides must be scheduled seven days in advance.

Transportation to medical service areas will be limited to the southern boundary of the City of Monterey, western boundary of the City of Santa Cruz, eastern border of the City of San Jose, and northern border of the City of Palo Alto.

2. Senior Lunch Transportation Program (SLTP) – The SLTP service operates Monday – Friday to transport seniors to congregate meal programs in the Cities of Hollister and San Juan Bautista. Service area is limited to the city limits of Hollister and San Juan Bautista. Reservations must be scheduled one day prior to when the lunch is needed.
3. Medical Shopping Assistance Program (MSAP) – The MSAP operates Monday – Friday to provide in-town transportation to and from medical services, banking, grocery shopping, and the pharmacy. The service is open to persons over the age of 60 or persons with disabilities residing in San Benito County.

V. PARATRANSIT SERVICE CERTIFICATION

1. Eligibility - County Express follows the Americans with Disabilities Act (ADA) of 1990 as amended, 42 U.S.C. 12101 et. seq eligibility standards for Paratransit services. People with disabilities in the following categories are eligible to receive Paratransit services:

- Category 1 – Client are not able to independently use County Express Fixed Route service.
- Category 2 – Client who can use or learn

- to use an accessible transit system, but the system is not fully accessible.
- Category 3 – Client who have a specific impairment that prevents them from getting to or from a bus stop.
2. Short Term Disability – Eligibility will be considered and granted for clients are involved in a short-term disability such as (but not limited to) a schedule of physical therapy, surgical recovery, or pregnancy.
- Pregnancy Paratransit Program – Pregnant clients are eligible for Paratransit service three (3) months prior to and after the expectant due date. Pregnant clients believe they need Paratransit service more than three (3) months before and after their expectant due date may request for an extended eligibility period. However, a doctor/caseworker must verify circumstances and must substantiate the extended eligibility period.
3. Application Process – Clients interested in applying for Paratransit Eligibility must complete and submit an application that includes contact information and information relative to the nature of his/her disability. The application is available in both English and Spanish and should be mailed to the LTA Office or dropped off in-person.
- Once received, the application will be reviewed by the LTA. A determination of eligibility will be made within 21 calendar days. If a determination cannot be made at that time, LTA will grant default eligibility until a permanent finding can be made.
4. Determination – The LTA uses the information supplied by the applicant to make the determination. Verification by the applicant's doctor or caseworker may be warranted. If the information from the applicant or doctor/caseworker's verification is not sufficient to make the determination, the LTA may contact the applicant for more clarification.
- Once a determination is made, the LTA staff will notify the applicant by mail. If the applicant is approved for ADA services, the notification will include an identification card. If the applicant is denied ADA services, the applicant will be informed of the reasons for the denial and informed of the Appeals Process option.
5. Determination of Appeal Process – If the applicant has been denied eligibility for Paratransit services, he/she has the right to appeal the determination. The appellant must submit the Eligibility Appeal Form to the LTA within sixty (60) days of the determination date. The appeal can be submitted in-person or by mail.
- a. The Eligibility Appeals Form is time stamped upon receipt.
 - b. The Form will be forwarded to a person who has not seen the applicant's initial eligibility application. All information from the initial application will not be disclosed to the person reviewing the appeal.
 - c. The reviewer will schedule an in-person interview with the applicant. The appellant has the right to refuse the in-person interview. The LTA will provide transportation through County Express or Specialized Transportation Services free of charge to the appellant.
 - d. Within thirty (30) days of the receipt of the Eligibility Appeals Form or the in-person interview, whichever is the latest, the reviewer will send a letter of determination.
 - e. If the appeal remains unresolved by the end of the thirty (30) days, temporary eligibility will be given to the appellant until an Appeals Hearing can be scheduled.
- The Appeals Panel Hearing will consist of three members of the Social Services Transportation Advisory Council (SSTAC). SSTAC membership consists of representatives from a local public transportation provider, social services, and peers.
 - Panel Members will have the opportunity to review the Eligibility Appeals Form within five (5) business days before the date of the hearing. All information will be treated as confidential by Panel Members and staff.
 - Panel members will disqualify themselves should they have a conflict-of-interest

that would bias their decision on the individual's eligibility appeal.

- The Appeals Hearing is confidential and is *not* a public meeting. The location will be held at a neutral site.
- f. The appellant will be notified of the hearing date, time, and location. Appellant is strongly encouraged to attend the hearing. The appellant may be accompanied by one representative and/or one attendant. The LTA will provide transportation through County Express or Specialized Transportation Services free of charge to the appellant. The appellant or representative does not need to be present at the hearing. If needed, appellant may provide an interpreter or may request that an interpreter be provided. If interpreting services are needed, allow 72 hours notice so that the LTA has sufficient time to make arrangements.

On the day of the hearing:

- Staff introduces appellant to the Panel Members and reviews determination of eligibility for County Express' Paratransit Service.
- Appellant and staff each have equal time (15 minutes) to present information specific to eligibility before the Appeals Panel.
- Panel Members may ask questions, after presentation by staff and appellant at their discretion.
- Upon completion of questions, appellant is informed within thirty (30) days of the hearing.
- The appellant and staff must be excused before the Panel Members discuss the appellant's case and evidence. Panel Members shall deliberate cases as necessary.

Panel Members will then:

- Come to a common conclusion on eligibility.
- Vote on determination of eligibility.

- State reason for decision or special conditions for eligibility or denial of service.
- Instruct staff to follow-up with appellant.

Panel decision is communicated in writing to appellant within thirty (30) days of completion of the appeals process.

The Appeals Hearing is the final stage in the eligibility determination. After six (6) months of the final determination, the applicant may reapply and is required to submit additional medical information. If the second request is denied, the applicant may reapply within six (6) months of denial only if his or her condition changes.

6. Renewal – Paratransit clients should contact the LTA for an application to renew their eligibility if they continue to need the service. The renewal process will be the same as the new applicant process.
7. Visitors – Visiting persons that are certified by an outside Paratransit agency may use the County Express Paratransit service for a period of up to thirty (30) days without completing a LTA application. It is advisable to inform the LTA of the upcoming visit to inform drivers and dispatchers of the visit. The visiting person will be asked to provide some substantiation for the ADA eligibility from their home agency (Disability Card, physician's note) if it is available.

VI. FARES

Fares for County Express and Specialized Transportation services are required at the time of boarding. Change will not be made by the driver to the passenger. Cash, check, or money orders are accepted and shall be made payable to: "LTA."

Bounced checks are subject to \$16.75 bank fee. The LTA will contact the check writer to recoup the cost of the tokens/passes purchased in addition to the bank fee. If payment is not received by the LTA, the check writer will no longer be able to purchase tokens/passes from the LTA using checks.

1. County Express – Clients shall pay the appropriate fare at each boarding. Fares may

be paid with cash, pre-paid tokens, and monthly passes (if available). Adults between the ages of 18 and 64, pay regular fare. Discounted fares are offered to youths (ages 5 to 17), seniors (ages 65 and over), and persons with disabilities. Children ages 4 and under ride with a paying adult for free.

- a. Clients paying the discounted fare may be asked to prove their eligibility for the discount fare by the driver. This will require the rider to show an identification card. The LTA provides a free Courtesy Card (see Paragraph 5 of this Section) as a convenience to the client.
- b. The fare structure as of July 2009 is on Table 1.
2. Specialized Transportation Services - Riders shall pay the appropriate fare at each boarding. The fare structure as of January 2011 is on Table 2.
3. Personal Care Attendants (PCA) – A PCA shall be identified by the Paratransit clients and certified by the LTA. Each certified PCA will be

issued a card by the LTA and must be shown to the bus driver at the time of boarding with his/her client.

In order to qualify for the PCA's free fare, the PCA must:

- Be certified by the LTA.
- Accompany a certified Paratransit client; and
- Arrive at the same destination servicing the client.

A certified Paratransit client may have more than one PCA. However, only one PCA may ride with the client free of charge. Additional PCAs shall be considered a "companion" and pay the companion fare. The PCA policy is extended to all LTA transportation services.

4. Companions – As a convenience to Paratransit clients, all paratransit clients are allowed to have companions travel with them. Companions must pay the companion fare on Paratransit and Dial-A-Ride and may only qualify for the companion fare if they:

Table 1 - County Express Fares

Service	Rider	One-Way	10-Tokens	Monthly Pass
Fixed Route	Regular	\$1.00	\$8.00	\$27.00
	Discount	\$0.75	\$5.00	\$18.50
Intercounty	Regular	\$2.00	\$18.00	\$60.00
	Discount	\$1.25	\$11.00	\$40.00
Dial-A-Ride	Regular	\$2.00	\$18.00	
	Discount	\$1.25	\$11.00	
Paratransit	ADA Eligible	\$1.25	\$11.00	
	Companion	\$1.25		
	Personal Care Attendant (PCA)	Free		

Table 2 - Specialized Transportation Fare

Service	Zone	Distance from Hollister	Cities in Zone	One-Way Fare
Out-of-County Non-Emergency Medical Transportation	1	0 to 15 miles	Gilroy	\$2.00
	2	16 to 30 miles	Watsonville, Salinas, and Morgan Hill	\$3.00
	3	31 to 45 miles	Monterey, Santa Cruz and San Jose	\$4.00
	4	46 to 65 miles	Palo Alto	\$5.00
Medical Shopping Assistance Program	--	--	Entire San Benito County	\$1.25

- Accompany a certified Paratransit client; and
- Board and disembark at the same location as the Paratransit client.

Companions on Fixed Route, Intercounty, and Specialized Transportation shall pay the applicable fare on Fixed Route and Intercounty services.

5. Courtesy Cards – For the convenience of County Express clients, the LTA will issue a Courtesy Card to those eligible for a discounted fare, tokens and/or passes. The Courtesy Card only indicates that the cardholder qualifies for the discount fare based on age and/or a disability. It does not mean the cardholder is eligible for Paratransit service. Eligibility determination and notification will occur within 7 to 10 business days. Upon expiration, cardholders are required to submit a new application form for recertification.

a. Eligibility – Individuals in the following categories are eligible to receive a Courtesy Card:

- Under the age of 17
- Over the age of 65
- Medicare Recipient
- Physical, Developmental, Cognitive, or Mental Disability

b. Application Process – Clients interested in applying for a Courtesy Card must complete and submit a completed application, bring a photo identification card, and accepted supportive document (Section c.) for a list of acceptable documents) in-person to the LTA Office. The LTA will review the application for completeness and review the required documents. Applications not fully completed or have no acceptable supportive documents will be returned to the applicant without being processed. A determination and notification will be processed within seven (7) to ten (10) business days.

c. Acceptable Supportive Document – Below is a sample of acceptable documents for each eligible category:

- Age: Identification Card; Driver's License; Passport; Birth Certificate; Elementary and Middle Student School Identification; or any other official documents with name and date of birth
- Disability: Medicare Card, Physician's or Caseworker note confirming disability, DMV Placard, Service Connected Disability ID Card, VA Certification, or other California Transit Agency (i.e. Regional Transit Connection, Paratransit Eligibility Card, etc.)
- Medicare: Valid Medicare Card
- d. Renewal – Courtesy Cardholders should contact the LTA for an application to renew their eligibility if they continue to need the service. The renewal process will be the same as the new applicant process.
- 6. Changes to Fares – Require a public hearing and the effective date to be sixty (60) days after adoption by resolution.

VII. ANIMALS

1. Service Animal - According to the Americans with Disabilities Act (ADA) of 1990 as amended, 42 U.S.C. 12101 et. seq, a service animal must meet the following two requirements:
 - Individually trained to perform tasks or work for the benefit of a disabled individual.
 - Trained to behave properly in places of public accommodations.

Inappropriate behavior that disrupts normal course of business or threatens the health or safety of others is automatic grounds for excluding the team from the premises. However, allergies and/or fear of animals are generally not valid reasons for denying access or refusing service to people with animals.

2. Pets, Companion, and Therapy Animals – Animals identified by the owner as a non-service animal when asked (i.e. pet, companion or therapy animal), must be muzzled and/or securely caged for the safety of the driver and other passengers.

VIII. MOBILITY DEVICES AND LIFE SUPPORTIVE EQUIPMENT

The LTA will make every attempt to accommodate common wheelchairs, scooters, and other mobility devices. As defined by ADA, these devices are not to exceed 48 inches in length, 30 inches in width, and 600 pounds in total weight while occupied. Mobility devices exceeding these standards may be denied service. For passenger safety, LTA will load passengers in mobility devices backwards and will not transport riders using broken mobility devices. The LTA strongly recommends that wheelchairs and similar devices be equipped with working brakes.

County Express and Specialized Transportation drivers are required to secure standard wheelchairs and scooters to the vehicle. If it is too difficult or impossible to secure the wheelchair or mobility device, the driver may suggest that the passenger transfer to a seat. It is the passenger's choice to transfer or remain in their mobility device.

Clients that need assistance up the entry stairs and into bus may ask the driver for assistance. If client using a walker requests to use the wheelchair lift, they will be allowed to board the bus on the wheelchair lift. The wheelchair lift may not be used to load or unload the client's belongings from the vehicle.

Passengers that require the use of medically prescribed, life supportive equipment in a container designed for such use and personal use items in the immediate possession of a passenger will be transported with the passenger. Drivers are not permitted to assist passengers in using the equipment. If the passenger requires assistance with the equipment, the client must travel with a qualified personal care attendant. The LTA may refuse service if a passenger requiring assistance with his/her equipment refuses to travel with a qualified attendant. A qualified attendant is defined as a person over the age of eighteen who is trained on the use of the oxygen equipment and understands the needs of the client with regard to oxygen use.

IX. BICYCLES

The LTA provides bicycle racks on County Express vehicles. Each rack is equipped to carry up to two bicycles and are conveniently located on the front of the bus. The racks can accommodate two-wheeled bicycles with wheel spans of 16 inches in diameter or larger. Space is available on a first-

come first-served basis. Motorized or tandem bikes are not permitted.

Caution should be used when loading and unloading the bicycle. The LTA is not responsible for any damage that may be caused while the bicycle is being loaded and unloaded or while it is in the rack. Clients should:

- Notify the driver before loading a bicycle.
- Load and unload bicycles from the side of the bus nearest the curb.
- Exit the bus from the front door and advise the driver that you will be unloading a bike.

Clients are responsible for loading and unloading their own bicycles. Bus drivers do not assist with loading or unloading bicycles, therefore, it is important to follow the instructions below carefully.

1. Lower the rack – To lower the rack, grasp and squeeze the handle with one hand while supporting the bicycle with your other hand. Slowly lower the rack.
2. Place bicycle on rack – Lift the bicycle into the rack, placing the wheels in the wheel wells. The first bicycle should be placed in the position closest to the bus. The front wheel is in the proper position when it is facing the support arm. Only the bicycle's tires come in contact with the rack to reduce the possibility of damaging the bicycle's frame.
3. Secure the bicycle – The bicycle is secured with the support arm. Pull the hand of the support out and lift up over the front tire. Release the handle to allow the support rest on the tire.

To remove the bicycle from the rack:

1. Pull the support arm handle out.
2. Lower the support arm over the front tire.
3. Lift bicycle out of the rack. If there is no other bicycle on the rack, return the rack to the upright position.

X. GENERAL CODE OF CONDUCT ON LTA PROPERTY

LTA property shall consist of bus stop, bus stop

shelters, transit vehicles, and the transit maintenance facility. A bus stop shall consist of a sign and pole at a minimum. The following are prohibited at LTA properties:

1. Allowing any animal to occupy a seat on transit property, to run at large without a leash, to unreasonably disturb others, or to obstruct the flow of passenger or bus traffic; but animals may occupy a passenger's lap while in a transit vehicle or facility;
2. Allowing an animal to leave waste on transit property and not properly disposed;
3. Rollerskating, rollerblading, or skateboarding;
4. Riding a bicycle, motorcycle or other vehicle except for the purpose of entering or leaving passenger facilities on roadways designed for that use. However, nothing in this section shall be construed to apply to commissioned peace officers or government employees engaged in authorized activities in the course of their employment;
5. Eating and Drinking. However, eating and drinking nonalcoholic beverages are permitted at the bus stops. Drinking a nonalcoholic beverage from a container designed to prevent spillage is permitted on transit property;
6. Bring onto a transit passenger vehicle any package or other objects that block an aisle, emergency exits, steps, doorways, or occupies a seat. The driver has sole discretion on whether they will allow this to occur and dictate where objects can be placed;
7. Operating, stopping, standing or parking a vehicle in any roadway or location restricted for use only by transit vehicles or otherwise restricted;
8. Riding on transit vehicles or using benches, floors, or other facilities for the purpose of sleeping rather than for their intended transportation relating purposes;
9. Camping in or on transit property; storing personal property on benches, floors or other areas of transit property. Bicycles may be locked in designated bicycle racks at bus stops. Bicycles that are parked at bus stops, secured or unsecured to LTA property, will be moved/removed if the bicycle is:

- Blocking pedestrian traffic;
- Blocking access to a bus stop or transit bus; or
- A tripping hazard.

Secured bicycles on transit property that were moved/removed by the LTA will be held by the LTA on behalf of the owner for thirty (30) days. If the bicycle remains unclaimed beyond the thirty (30) days, the LTA reserves the right to dispose of the bicycle in a manner it sees fit.

The LTA is not responsible for damage or theft of bicycles or bicycle peripherals on LTA property.

10. Extending an object or portion of one's body through the door or window of a transit vehicle while it is in motion;
11. Hanging or swinging on bars or stanchions, with feet off the floor, inside a transit vehicle or other transit property; hanging onto or otherwise attaching oneself at anytime to the exterior of a transit vehicle or other transit property;
12. Engaging in any sport or recreational activities on transit property;
13. Smoking or carrying a slighted or smoldering pipe, cigar or cigarette while in a transit vehicle or facility;
14. Discarding litter other than in designated receptacles;
15. Playing a device that emits sound, except when the equipment is connected to earphones that limit the sound to the individual listeners. However, communication devices used by employees, LTA contractors, and government officials in the line of duty is permitted, as is the use of private communication devices used to summon, notify or communicate with other individuals;
16. Spitting, expectorating, urinating or defecating except in restroom facilities;
17. Carrying flammable items, explosive, acidic, basic or any other article or matter of a type or in a manner that is likely to cause harm to others. However, cigarette, cigar or pipe lighters, firearms, weapons, and ammunition may be carried if in a form or manner that is not otherwise prohibited by law or ordinance;

18. Intentionally obstructing or impeding the flow of transit vehicle or passenger movement, hindering or preventing access to transit services, causing reasonable delays in boarding and alighting, reclining or occupying more than one open seat, or in any way interfering with procession or use of transit services;
19. Unreasonably disturbing others by engaging in loud, raucous, unruly, harmful, abusive or harassing behavior;
20. Defacing, destroying or otherwise vandalizing transit property or any signs, notices, or advertisements on transit property;
21. Drinking an alcoholic beverage or possessing an open container of an alcoholic beverage;
22. Entering nonpublic areas, including but not limited to equipment room, maintenance facilities except when authorized by the Executive Director, or when instructed to by LTA personnel;
23. Dumping any materials whatsoever on transit property, including but not limited to chemicals and automotive fluids;
24. Throwing an object at transit property or at any person on transit property;
25. Failing to present a valid, unexpired pass, transfer or token or otherwise failing to pay the appropriate fare as required;
26. Possessing or tendering an unissued transfer as proof of fare payment;
27. Falsely representing oneself as eligible for a special or reduced fare or obtaining any permit or pass related to the transit system by making a false representation;
28. Falsely claiming to be a transit operator or other transit employee; or through words, actions and/or use of the clothes, insignia or equipment resembling department-issued uniforms and equipment, creating a false impression that he/she is a transit operator or other transit employee;
29. Bringing onto transit property odors which unreasonably disturb others or interfere with their use of the transit system, which such odors arise from one's person, clothes, articles accompanying animal or any other source;
30. Engaging in gambling or any game of chance for the winning of money or anything of value; and
31. Discharging a laser-emitting device on a transit vehicle, directing such a device from a transit vehicle toward any other moving vehicle or directing such device toward any transit operator or passenger.
- Violations of Section X are subject to immediate service refusal and/or prosecuted to the fullest extent of the law.

XI. GENERAL CODE OF CONDUCT IN LTA VEHICLE

A transit vehicle shall consist of an automobile that is either owned by the LTA, or current contractor, for the purpose of transporting passengers. The vehicle may be used for County Express services or Specialized Transportation services. The following shall be adhered to by all passengers on County Express or Specialized Transportation vehicles:

1. Be respectful to operator and fellow passengers. No abusive, threatening or obscene language or actions.
2. Do not disturb or distract the bus operators.
3. Pay at the time of boarding or pre-purchase tokens or monthly passes prior to boarding.
4. Vacate seats in the front for seniors and persons with disabilities.
5. No eating, drinking or smoking in the vehicle.
6. No littering in the vehicle.
7. No defacing vehicles, signs or stops.
8. No skateboarding or wearing roller skates in the vehicle.
9. Bicycles are to be stowed on bicycle racks provided.
10. Shirts, pants and shoes are required to board the vehicle.
11. All children under the age of five must be accompanied by an adult.
12. Passengers can only get on and off at designated stops on services that have designated stops. Exceptions may be made through Section III,

Paragraph 3.d.

13. Wheelchair life users are to be loaded in backwards. No exceptions will be made.
14. Large and bulky items are prohibited unless the items: fit under the seat, can be placed on the floor by the passenger's feet, or the passenger can hold them securely. Strollers and carriages must be collapsible.

Violations of Section XI are subject to immediate service refusal and/or prosecuted to the fullest extent of the law.

XII. ITEMS NOT ALLOWED ON TRANSIT VEHICLES

The flowing are items that are not allowed on County Express and Specialized Transportation vehicles. Drivers have the right to refuse anyone with item(s) that have potential to cause damage, injury, or harm. No items shall be placed or be allowed to remain in aisle, doorway, steps or emergency exits.

- No hazardous materials as defined in California Motor Vehicle Code Section 353 shall be transported or allowed on board. Exceptions shall be made for:
 - Oxygen medically prescribed, in a container designed for such use, and in the possession of a passenger.
 - Personal use items in the immediate possession of a passenger.
- Fuel shall not be transported except in the vehicle's regular fuel tank.
- Large and bulky items prohibited unless the items:
 - Fit under the seat, can be placed on the floor by the passenger's feet, or the passenger can hold them securely.
 - Strollers and carriages must be collapsible.

XIII. SERVICE REFUSAL

1. Behavior – Riders who exhibit any of the following traits may be immediately be expelled from transit property and may also face service suspension and criminal penalties:
 - Riders who engage in physical abuse to another rider or bus driver.

- Riders who are verbally abusive, offensive, threatening, vulgar, profane or bullying to another rider and bus driver.
- Riders who engage in illegal activity.
- Riders that cause damage to any part of transit property.

The following are considered insufficient grounds for service refusal:

- Constant talking.
- Outbursts that are not directed at individuals in the vehicle or in the transit property.

2. Public Health – Riders who arrive for bus service with the existence of excrement or bodily fluids on person, clothes, or mobility devices pose the potential for the spread of diseases. Driver may consult with dispatch to determine if a service denial is appropriate.

If a Dial-A-Ride or Paratransit rider is denied service, the rider has two options:

- Client has the right to be placed on a waitlist for the next available vehicle after he/she has cleaned themselves and/or clothes have been changed or the bodily fluid is adequately addressed. Incident shall not be recorded as a "no-show" when a second vehicle is dispatched to pick up the rider. If the second vehicle arrives and client is not waiting or ready, the client will be considered a "no-show" and must reschedule another ride with dispatch.
- Client has the right to refusing being placed on a waitlist for the next available vehicle. Incident shall be considered "Refusal of Service." Dispatch shall inform the Operations Manager who will document the details of the situation and the basis of determining service refusal. In the case were the service refusal is at a non-home location, County Express and Specialized Transportation shall strive to arrange an alternative form of transportation to home for the individual.

If a Fixed Route or Intercounty client is denied service, the rider will be allowed onto the next regularly scheduled run when the public health concern has been adequately addressed.

If a Specialized Transportation client is denied service, the driver will notify dispatch. Dispatch will make the decision on the course of action, which may or may not include, waiting for the client to remedy the issue, notify family member/caretaker, or taking the client directly home.

If a client exhibits behavior or conditions as identified in Item 1 and/or 2 of this Section or Sections IX and X, the driver shall notify dispatch of situation and dispatch shall make final determination on whether the individual may board the vehicle. Dispatch shall inform the Operations Manager who will document the details of the situation and the basis of determining service refusal. Driver shall submit an "Incident Report" detailing the incident at the end of his/her shift to the LTA.

XIV.ENFORCEMENT OF PASSENGER VIOLATIONS

All violations of civil and criminal federal, state, and local laws are punishable to the fullest extent of the law and are subject to immediate expulsion, suspension of privileges, civil, and/or criminal penalties.

1. Role of the Bus Driver – The bus driver's primary job is to operate the transit vehicle safely. If problems arise in the transit vehicle, the bus driver's first priority is to determine if a passenger's safety or security is at risk. The driver will assess the severity of the problem and resources available, and respond accordingly. The assessment may include contacting dispatch and/or the operations manager for further assistance. The bus driver, at his/her discretion, may choose to talk to passenger, call for assistance, submit a report of the incident at the end of their shift, or take no immediate action. In case of minor infractions of LTA policies, the bus driver acts as of a peacekeeper, not an enforcer. Enforcement of LTA policies is handled through a network of professionals that can be called upon by the bus driver, if and when needed.
2. Role of the Passenger – Passengers are encouraged to follow LTA policies and inform the driver if any problems arise. However, if the situation prevents the passenger from alerting the driver of a serious problem being committed or a medical emergency, call 9-1-1 to report the problem when it is safe to do so.

Be prepared to give the route name, location, and direction the bus is traveling.

3. Immediate Expulsion – Any person violating a rule or any federal, state, or local law may be ordered to leave transit property by a commissioned peace officer, LTA personnel as authorized by the Executive Director, or authorized personnel of contracted service provider in accordance with the terms of applicable service contract. Failure to immediately comply with such expulsion order shall be grounds for prosecution of criminal trespass.
4. Suspension of Privileges – All clients who violate any rules stated in LTA policies shall be subjected to the following with each progressive violation.

Step 1: First warning letter sent or service refusal

Step 2: Letter of Suspension for 7 days sent

Step 3: Letter of Suspension for 30 days sent

Step 4: Letter of Suspension for 3 months sent

All student customers who violate any rules stated in these policies will be subjected to the above mentioned with an additional step;

Step 5: Letter of Suspension from bus service for the rest of the school year

In addition to the letters notifying the student's parent/guardian(s), his/her school principle will also be notified and may consult with County Express or Specialized Transportation with alternative solutions prior to the suspension of bus privileges.

Violation of policies or any federal, state, or local law shall be immediate cause for suspension of person's privileges to enter upon transit property and use the transit system. Such suspension may be ordered by LTA personnel authorized by the Executive Director, or by the authorized personnel of a contracted service provider in accordance with the terms of the applicable service contract. Notice of such suspension shall be in writing and shall inform the person suspended of the cause, period of the suspension, and that failure to comply shall be grounds for criminal prosecution.

Service of suspension notice may be

accomplished by personal delivery or by mailing a copy, addressed to the person's last known address, by certified U.S. mail. Unless otherwise specified on the notice, the suspension shall take effect immediately upon actual or constructive receipt of the notice by the person being excluded. A person may not defeat the effectiveness of a suspension by refusing to accept the notice. Receipt of the notice is construed to have been accomplished if the person knew or reasonably should have known from the circumstances that his/her privileges to enter upon transit property and use the transit system have been suspended. Receipt of the notice is also construed to have been accomplished two days after a suspension notice is placed in the U.S. Mail. Failure to immediately comply with such a suspension order shall be grounds for prosecution for criminal trespass.

XV. APPEALING A SUSPENSION

A person whose use privileges have been suspended may submit a written request for a suspension review. The request must be received by the director within ten calendar days after the effective date of suspension. Upon receiving a timely request, the Executive Director shall designate a person to review the suspension. The appellant may orally present his/her reasons why the suspension should not be served, by phone or in person at a time and location mutually agreed upon with the reviewer. Within ten calendar days after the appellant presents his/her reasons, the reviewer shall make a decision affirming, modifying, or terminating the suspension.

If the suspension is upheld, the appellant may appeal to a review panel made up of three members of the Social Services Transportation Advisory Council. Members of the panel will be chosen randomly and then by availability. The Appellant may choose to submit additional information to the panel and have the opportunity to address the panel. After the meeting, the panel shall make a decision affirming, modifying, or terminating the suspension in writing in ten calendar days.

If the suspension is upheld, the appellant may appeal to the LTA's Board of Directors. The appeal shall be held at the next available regularly scheduled public meeting nor more than sixty calendar days from the review panel's decision. Appellant may submit additional information to the Board of

Directors. However, the appeal shall be held in regular session of the meeting and information disclosed orally and in writing will be considered public information as the meeting is recorded. Appellant shall be responsible for exercising his/her discretion on the information provided at the meeting.

XVI. LIMITATION ON OBLIGATION

Nothing in the rules of requirements set forth in these policies shall create a duty to any person on the part of the LTA or form any basis for liability on the part of the LTA, members of its Board, its agents or employees. The obligation to comply with said document is solely that of any persons entering upon transit property and the LTA's enforcement of these policies is discretionary, not mandatory.

XVII. TITLE VI NOTICE

The LTA is committed to ensuring that no reason is excluded in participation in, or denied the benefits of its services on the basis of race, color or national origin as protected by Title VI of the Civil Rights Act of 1964 (49 CFR Part 21), as amended. If you believe you, or any specific class of persons, have been subjected to discrimination under Title VI, you may file a written complaint no more than 180 days after the date of the alleged discrimination at: San Benito County Local Transportation Authority, Title VI Complaint Department, 330 Tres Pinos Road, Suite C7, Hollister, CA 95023.

XVIII. CHANGES IN POLICIES

The LTA may change its policies from time and time and policies will be updated accordingly. For the most up-to-date policies, visit the website www.SanBenitoCountyExpress.org or contact the LTA's Office at (831) 637-7665 or ask for the policies at 330 Tres Pinos Road, Suite C7, Hollister, CA 95023.

XIX. LTA CONTACT INFORMATION

The LTA may change its contact information from time and time and policies will be updated accordingly.

NOTES

San Benito County

**LOCAL
TRANSPORTATION
AUTHORITY**



330 Tres Pinos Rd, Suite C-7
Hollister, CA 95023
