

# GUNS ON TRANSIT

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# Guns on BART

- The teaser for this program is “what happens when a passenger shows up with a firearm on your bus, train or ferry?”
- The short answer is that in the San Francisco Bay Area, this particular passenger will likely have the police called on them.

# No Concealed Weapons

- Concealed firearms are illegal.
- Illegal to carry “concealed upon the person any pistol, revolver or other firearm capable of being concealed upon the person.” (Calif. Penal Code §25400)
- Exceptions include if a permit has been issued or law enforcement related.

# No Open Carry

- Statute prohibits “..openly carrying an unloaded handgun...” in most public places, including a rail vehicle. (Cal. penal code §26350.)
- Young v. Hawaii, 896 F.3d 1044 (2018)



# Public Notice



## Code of Conduct



No Smoking  
No Vaping



No Eating  
No Drinking



Proof of  
Payment



24-hour  
Surveillance



No Littering



Headphones  
Only



No Bike  
Riding



No Vandalism

## Prohibited Behavior:

- Bikes on Escalators
- Bikes on First Train Car
- Possessing Hazardous or Explosive Materials
- Animals unless enclosed in Carrying Case or Service Animals
- Public Urination or Defecation
- Restroom Access without Ticket
- Sitting on Stairs or Exit Path
- Skateboarding
- Spitting
- Tampering with Equipment
- Carrying Unlawful Weapons
- Vending without a Permit
- Aggressive Panhandling

Violations to any rules mentioned above while on BART property is subject to one or more of the following: CA Public Utilities Code §99170; CA Penal Code Section 19.8, 171.7, 374.4, 369i, 594, and 640; CA Vehicle Code Section 21113. Violations may result in up to one year imprisonment, fines of up to \$50,000, and/or community service; or the maximum penalty allowed by law.

## Public Safety



No Strollers  
on Escalators



Watch the  
Gap



Do not Text  
and Walk



Hold onto  
Escalator  
Handrails



Wait behind  
Platform  
Edge Tiles



Report  
Unattended  
Items

## Assisted Evacuation



- Make yourself known to Station Agent or Operations Control Center (OCC) by using Elevator Intercom or White Courtesy Phone
- Ask for assistance from other BART Riders or call 911
- During Station evacuation, Station will be checked and swept by Station Agent, OCC, BART Police Officers, and/or First Responders

## Customer Code of Conduct

It is the policy of the San Francisco Bay Area Rapid Transit District to help ensure the safety, security, comfort and convenience of all those who use its services. BART has established the following passenger conduct regulations to ensure that any one person may not adversely affect others using the system or operating the BART system. Customers shall use the BART system in a responsible manner to preserve and protect the aesthetics, and promote the longevity of this essential public resource for greater mobility in the San Francisco Bay Area. Customers shall treat other patrons and BART representatives with consideration, patience, respect and civility to allow use, operation and enjoyment of the BART system in a safe and gratifying manner for all persons.

A person is prohibited from committing the following acts on a BART vehicle, BART facility, or BART property unless otherwise specified in this Section:

- I. Smoke or expel the residue of any tobacco product including chewing tobacco.
- II. Consume any alcoholic beverage or possess an open container of any alcoholic beverage.
- III. Eat or drink in the paid areas of the stations or on the trains.
- IV. Engage in disruptive, disturbing behavior including: loud conversation, profanity or rude insults, or operating any electronic device used for sound without an earphone(s).
- V. Take any animal into the paid area of the BART system unless the animal is secured in a container sufficient to contain the animal. Exceptions will be made for service animals or service dogs in training.
- VI. Carry or possess any weapon in violation of the law.
- VII. Possess or transport any flammable liquid, combustible material or other dangerous substance such as gasoline, kerosene or propane.
- VIII. Litter.
- IX. Vandalize a BART vehicle or BART property by writing, marking, scribbling, defacing or causing destruction to the vehicle or property in any manner.
- X. Beg or solicit by accosting another person.
- XI. Spit, urinate, defecate or inappropriately expose oneself.
- XII. Possess, use or sell any illicit substance.
- XIII. Enter a paid area without proper fare payment.

- XIV. Be present after hours of operation without authorization.
- XV. Use a BART facility or BART property for non-transportation related purposes without authorization.
- XVI. Interfere with the operation of a BART vehicle.
- XVII. Threaten, harm or assault a BART employee or passenger.

Any person who violates one or more of these regulations may be warned and/or ordered to immediately leave a BART vehicle, BART facility, or BART property by a BART employee. Situations where a person refuses to leave a BART vehicle, BART facility or BART property after being ordered to do so may be handled by the BART Police Department or other appropriate law enforcement agencies.

This policy does not seek to limit or conflict with any federal, state, or local law or ordinance; or to prevent any law enforcement agency or entity from taking any lawful action against any person on a BART vehicle, BART facility, or BART property.

# What actually happens

- Easy to report, BART Watch app, intercom or otherwise.
- Dispatch an officer and a backup, if available.
- If on a train, get them off the train to platform. If on the platform, it is dealt with there. Disrupts service.
- Examples