

**METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY TEXAS
(METRO)**

CODE OF CONDUCT

**CODE OF CONDUCT FOR PERSONS ON METRO VEHICLES
FACILITIES OR PROPERTIES**

Section 1.01 – Purpose

The Metropolitan Transit Authority of Harris County, Texas (METRO) desires to operate and maintain a safe, efficient, and effective public transportation system. For the safety, convenience, and experience of all persons, METRO establishes the following Code of Conduct.

Section 1.02 – Authority

METRO is a regional transportation authority created and operating under Chapter 451 of the Texas Transportation Code. These rules are issued under Chapter 451 of the Texas Transportation Code and specifically, under Sections 451.107 & 451.0611.

Section 1.03 – METRO’s Commitment to its Customers

METRO is committed to provide the best possible public transportation services for its customers. To do so requires all persons and personnel work together to meet this goal. METRO is dedicated to the comfort and care of its passengers. Safety and customer service are top priorities.

To fulfill this commitment, METRO endeavors to provide the following:

1. A safe and secure transportation system.
2. Comfortable and reliable performance.
3. Personnel, including operators and police officers, trained in safety procedures.
4. Clean buses, light rail vehicles and facilities.
5. Employees who will address customer matters with courtesy and professionalism.
6. Timely schedule updates and re-routing information whenever necessary.
7. Customer Service Department dedicated to properly receive and process any commendation, concern, or complaint.

Section 1.04 – Common Courtesy – It’s the Right Thing to Do

While the following are usually not subject to enforcement by the METRO Police Department, they are nonetheless important and vital to the safety and overall ride experience. Therefore, METRO strongly encourages your compliance. Failure to follow a request by the operator to cease one of the listed activities may result in a referral to the METRO Police Department – particularly in the case of conduct that might be deemed unsafe or hazardous to life or property.

1. Remember that seats are for passengers to use. Do not occupy more than one seat with belongings or feet when others need a seat.
2. Offer seats to parents with small children.
3. Honor the priority seats to seniors and customers with physical limitations, allowing them to also board first.
4. Please keep all conversations, including cellular phone, at an appropriate volume.
5. Respect your fellow customers.
6. When standing, do not block doors so that other riders can easily board and de-board.
7. Remember, “If You See Something, Say Something.” Report panhandling, soliciting, loitering or any other illegal conduct occurring on METRO property.
8. Do not run through boarding areas.
9. When boarding, do not rush the doors, form an orderly line, and allow riders exiting the vehicle to vacate before boarding.
10. Use designated walkways and crosswalks where provided.
11. Properly stow carryon items and remain seated or secure until the bus or railcar comes to a complete stop.
12. Have your fare ready when you board.
13. Honor requests from METRO operators and do not speak to them when vehicle is in motion.
14. Always stand behind the yellow line and the operator’s seat. When possible, move to the rear of the vehicle and exit using the rear door.
15. Allow passengers in wheelchairs or with physical limitations to board first.
16. Use the request cord as soon as possible to signal your stop and not at the last moment before your intended stop.
17. Allow passengers to exit first before you board.
18. Do not hold doors open or lean on doors.

Section 1.05 - Prohibited Conduct

In the interest of public safety as well as compliance with state law and city ordinances, persons may not engage in prohibited conduct on any METRO’s vehicles and at its facilities, including bus shelters; bus stops; rail platforms; administrative, operational and maintenance facilities; and/or on buses/railcars.

Pursuant to Chapter 451 of the Texas Transportation Code and powers granted to police officers through the Texas Commission on Law Enforcement, any person who engages in prohibited conduct may be subject to enforcement ranging from:

1. A verbal or written warning,
2. Immediate suspension, and/or
3. A criminal citation.

The following is a non-exhaustive list of prohibited conduct subject to enforcement:

1. No loud or abusive language.
2. Eating, drinking, and open containers are not allowed on METRO bus and rail.
3. Collapse strollers and walking aids and place them either under or between the seats.
4. Obey all notices and signs duly posted by METRO on its property.
5. Do not congregate or loiter or otherwise disrupt METRO operations.
6. Persons cannot use any METRO facility for non-transit related purposes without written permission.
7. Refrain from any activity that could impact safety such as roller-skating, roller-blading, longboarding, or skateboarding on METRO property.
8. No commercial activity without written permission.
9. No camping in or on METRO property as well as storing personal property on METRO property.
10. Assault or threat of assault. (Tex. Penal Code, § 22.01).
11. Urinating, defecating, public nudity, or indecent exposure. (Tex. Penal Code, § 21.08), (Houston, Tex., Rev. Ordinances ch. 28, art. I, §§ 28-18 & 28-19).
12. Possession or use of any prohibited drug or substance while on METRO property or public conveyance. (Tex. Health & Safety Code, ch. 481).
13. Unlawfully carry a dangerous or prohibited weapon. (Tex. Penal Code, ch. 46).
14. Disorderly conduct in public place. (Tex. Penal Code, § 42.01).
15. Misuse of fare media (*e.g.*, use of student, senior or disabled reduced fare media belonging to another, sell to another or copy any fare media used by METRO). (Tex. Penal Code, § 31.04).
16. Consumption of alcoholic beverage on METRO's buses, railcars and facilities (Houston, Tex., Rev. Ordinances ch. 3, art. I, § 3-1 – 3-4) (Metro Board Resolution No. 2000-109).
17. Eating or drinking on a METRO bus or Light Rail vehicle. (Houston, Tex., Rev. Ordinances ch. 28, art. I, § 28-30).
18. Smoking tobacco, any plant material, or any other combustible substance in any form or to produce or carry an open flame or lighted match in any METRO vehicle, rail station or platform, bus shelter, transit center, covered Park & Ride loading zone, or inside any METRO building. (Tex. Penal Code, § 48.01), (Houston, Tex., Rev. Ordinances ch. 21, art. IX §21).
19. Stealing or willfully damaging, defacing, disabling or destroying METRO property. (Tex. Penal Code, §§ 28.03 & 31.03).
20. Aggressive panhandling, sell or solicit for donations. (Houston, Tex., Rev. Ordinances ch. 28, art. I, § 28-46).
21. Littering. (Houston, Tex., Rev. Ordinances ch. 28, art. I, §).

22. Use or enter a vehicle or paid-fare zone without the payment of the correct fare or refuse to produce fare media for inspection by a designated METRO official. (Tex. Penal Code, § 31.04), (Tex. Transp. Code, §§ 451.0611 & 451.0612).
23. Impairing or interrupting public transportation operations. (Tex. Penal Code, § 28.03(4)(D)).
24. Possess or distribute any counterfeit or stolen METRO fare media. (Tex. Penal Code, § 31.03).
25. Play any radio receiver, magnetic tape player, or other electronic device without using earphone(s) while on any METRO vehicle. (Houston, Tex., Rev. Ordinances ch. 28, art. I, § 28-30(3)).
26. Enters or remains on or in METRO property without effective consent and person either knows entry was forbidden or told to depart but failed to do so. (Tex. Penal Code 30.05). Examples: i) passenger remains on a bus or rail car after such vehicle completed its scheduled route and passenger had been asked to exit the vehicle; ii) when a person enters a garage or other restricted area; (iii) boarding or remaining on METRO buses or rail cars during the period when an individual has been banned from the premises.
27. Passengers who refuse an operators request to stand behind the yellow line or hold or block the vehicle doors of a METRO vehicle will be subject to prosecution for interfering with public transportation. (Tex. Penal Code, § 28.03(4)(D)).

Section 1.06 - Immediate Suspension

METRO Police Officers have authority to immediately remove a person from METRO property who violates the Prohibited Conduct set forth in Section 1.05 above. The METRO Police Officer will issue to such person an order to immediately exit the property for the remainder of the service day.

Section 1.07 - Transit Suspension Procedure

Committing an infraction of the Prohibited Conduct set forth in Section 1.04 above may be cause for suspension of a person's privileges to enter upon METRO's property and use the transit system. Notice of such suspension shall be in a written Suspension Notice and shall inform the person suspended of the cause, the period of the suspension, and that failure to comply may be grounds for criminal prosecution. A Suspension Notice may only be issued by a METRO Police Officer.

Section 1.08 - Length of Suspensions

A person receiving a Suspension Notice that does not involve violence, injury, or property damage shall be suspended for a period up to 14 days.

A person who violates an active Suspension Notice will be suspended for an additional period up to 30 days.

A person receiving a Suspension Notice for vandalism or property damage, trespass (not including the violation of a current suspension notice), or fare violation shall be suspended for a period up to 60 days.

A person receiving a Suspension Notice for criminal act against a person or involving a firearm or other dangerous weapon shall be suspended up to one (1) year and may, given the severity of the offense, be permanently banned from the transit system.

Section 1.09 - Appeal of Suspensions

Persons who have been issued a Suspension Notice may appeal their suspension to the Appeals Coordinator within five (5) business days of issuance.

A request for appeal must include the citation number, grounds for appeal, date of request and contact information of requestor. Appeals may be submitted through the Appeals Coordinator either by e-mail to SuspensionAppeals@ridemetro.org, written letter to the METRO Appeal Program, P.O. Box 61429, Houston, TX 77208-1429 or by telephone, (713) 739-4941. Further details concerning the appeals process will be provided on the Suspension Notice.

If the person issued the Suspension Notice is unable to submit an appeal, the request may be submitted by their representative, upon written verification regarding the authority to act on behalf of such individual.

The Appeals Coordinator will review all relevant information and provide notification via e-mail or written letter within five (5) business days of their decision. The Appeals Coordinator has the authority to reconsider and modify the suspension period. The written notification will provide details for person to make a final appeal to the Suspension Appeal Panel.

Section 1.10 - Suspension Panel

Within five business (5) days from receipt of the Appeals Coordinator's decision, the person may seek final resolution from the Suspension Appeal Panel. The Panel shall act on behalf of and at the direction of the President & CEO. The Suspension Appeal Panel shall be comprised of five (5) voting members: Manager - Customer Service, Manager - Operations, Manager - Safety, or their designees, and two (2) community representatives. Three (3) members of the Panel shall constitute a quorum. Appeals will be decided by a majority.

Section 1.11 - Fare Forfeiture

An individual who is suspended from the transit system will not be entitled to any refund of unused fare media that may expire during the time of his/her exclusion.

Section 2.01 - Definitions

The following terms used in these rules shall have the following meanings:

- (a) **Facilities** include all property and equipment, including buses, light-rail vehicles (LRVs), and all other vehicles operated by METRO, bus stops, bus shelters, transit centers, Park & Ride lots, rights of way (along with related signal, power, fuel, communication and ventilation systems), power plants, stations, signage, storage yards, depots, repair and maintenance shops, yards, offices, and other real estate or structures used or held for or incidental to the operation, rehabilitation or improvement of any public transit or rail line owned or operated by METRO.
- (b) **METRO vehicle** means any METRO public transit vehicle to include any METRO bus, light-rail vehicle (LRV), vehicles affiliated or contracted with METRO to provide transit services, and any other vehicle previously used or held for use by METRO as a means of transportation of passengers.
- (c) **Fare** means the lawful charges established by METRO for the use of its services and facilities.
- (d) **Fare media** means the various instruments that have been or may be issued by or on behalf of METRO to use for the payment of fare such as METRO fare cards (Q-Cards), Day Pass, and single-ride tickets.

Section 2.02 – Compliance

METRO will comply with the American with Disabilities Act and Title VI in the administration of this Code of Conduct.

Section 2.03 - Specific Repeals

All prior policies and resolutions of the METRO Board of Directors that are inconsistent with this Code of Conduct are superseded.

Section 2.04 - Construction Against Implicit Repeals

Since this Code of Conduct are general policies of METRO, no part of this Code of Conduct shall be impliedly repealed or modified by subsequent action of METRO if such construction can be reasonably avoided.

Section 2.05 - Effective Date

- (a) A notice of each rule adopted by the METRO Board of Directors shall be published in a newspaper with general circulation in the area in which the authority is located once each week for two (2) consecutive weeks after adoption of the rule.

- (b) The notice must contain a condensed statement of the substance of the rule and must advise that a copy of the complete text of the rule is filed in the principal office of METRO where the text may be read by any person.
- (c) A rule becomes effective ten (10) days after the date of the second publication of the notice under this section.

A RESOLUTION

APPROVING AND ADOPTING METRO'S CODE OF CONDUCT FOR PERSONS ON METRO VEHICLES, FACILITIES, OR PROPERTIES; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is committed to providing a safe, welcoming and equitable transit system for its customers and employees; and

WHEREAS, Chapter 451 of the Texas Transportation Code authorizes the METRO Board to adopt rules for safe operation and maintenance of the system and the use of the transit authority system; and

WHEREAS, the adoption of METRO'S Code of Conduct will provide for the safety, convenience and improved experience of all its customers and employees on METRO's transit system and properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

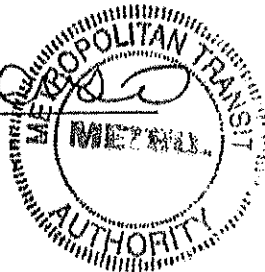
Section 1. The Board of Directors hereby approves and adopts the METRO Code of Conduct for Persons on METRO Vehicles, Facilities or Properties.


Section 2. This Resolution is effective immediately upon passage.

PASSED this 26th day of March, 2015
APPROVED this 26th day of March, 2015

ATTEST:


Assistant Secretary




Gilbert Andrew Garcia, CFA
Chairman