

Suspension of Service

Unified Human Services Transportation Systems, Inc., doing business as RADAR, is concerned about the security and safety of the traveling public and its vehicle operators. We believe that it is the obligation of each and every member of the traveling public to contribute to the safety of RADAR vehicles, bus shelters, bus stops, and any RADAR facilities, by refraining from threats, violence or any activities that may provoke violence. To this end, a standard of conduct is expected from every patron of the RADAR system, whether on a RADAR vehicle or at any RADAR facility. Any time inappropriate behavior is exhibited on RADAR properties, the person(s) may lose the privilege of using the RADAR system. Safety is everyone's responsibility and we require anyone that witnesses inappropriate behavior in or around RADAR facilities to report it to our Administrative staff before boarding or to the RADAR operator after boarding.

DEFINITIONS

Violence. Physical force employed so as to violate, damage, abuse, injure, or strike in any manner.

Threat. An expression or action showing intent to inflict harm. The giving of signs or warnings of violence or the announcement of violence as a possibility.

RADAR Properties. Any capital equipment, vehicles, designated RADAR stops, personal property, and transportation facilities used in connection with the RADAR system.

Inappropriate Behavior. Any conduct that does not demonstrate respect for the rights and dignity of others or that interferes with the orderly provision of transportation services. Following are examples of inappropriate behavior, which will not be tolerated in or around RADAR facilities. This list is not intended to be all-inclusive. Other behaviors offensive to RADAR operators or passengers can be considered inappropriate behavior resulting in temporary or permanent suspension of ridership. The distinction between the various levels of behavioral infractions is one that may not be easily defined. In applying consequences to address specific behavioral issues, two variables must be considered: severity of the behavior and frequency of the behavior.

Examples of inappropriate behavior include but are not limited to the following:

TYPICAL MINOR VIOLATIONS

- Profanity
- Refusal to share seat with another passenger
- Body odor or personal hygiene which disturbs the reasonable comfort of other passengers or RADAR operators
- Talking too loudly
- Trying to distract driver's attention
- Pushing and jostling when getting on the RADAR vehicle

- Changing seats while the RADAR vehicle is in motion
- Crowding to the door before the RADAR vehicle stops
- Eating or drinking on RADAR vehicle
- Loud music

TYPICAL MAJOR VIOLATIONS

- Physical violence, intimidation and/or harassment toward another passenger or operator
- Discourteous treatment of passengers or RADAR operators
- Participation in illegal activity (such as, for example: sale, distribution, possession of stolen property or controlled substances such as alcohol, narcotics, etc., in or around RADAR facilities or vehicles)
- Possession of weapon on or around RADAR facilities
- Sexual touch or comment that is unwanted by the recipient
- Touching a sexual part of the body either directly or indirectly via physical contact or force
- Damaging or destroying RADAR facilities or the personal property of another passenger or RADAR operator
- Consuming alcohol
- Uttering death threats
- Language intentionally used to threaten or intimidate another passenger or RADAR operator
- Use of racial slurs, racial/ethnic name calling and/or displaying racist behaviors
- Throwing objects in RADAR vehicle or out of windows
- Use of tobacco or smoking on RADAR vehicle
- Spitting
- Failure to obey the RADAR operator
- Public Intoxication

Juveniles

At the discretion of the Executive Director or his/her designee, a juvenile may be restricted to use RADAR 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.

Body Odor or Personal Hygiene

A passenger may not be allowed on a vehicle if his or her body odor or personal hygiene will disturb the reasonable comfort of other passengers or RADAR operators. A passenger will be given notice and an opportunity to correct the odor or hygiene problem prior to discontinuing riding privileges, unless in the judgment of RADAR staff, that person places existing passengers in extreme discomfort or is considered a health risk to others.

Violent Behavior

If it is determined that a passenger exhibits violent behavior towards him/herself, another passenger or the vehicle operator, the operator must notify the dispatcher/supervisor immediately. A dispatcher will meet the vehicle, and when applicable, with proper law enforcement officials, remove the rider. The Director of Transportation will make verbal contact with the passenger, parent/guardian, and agency officials (when applicable) to notify the passenger of suspension from transportation service until investigation of the incident is completed.

Consequences

A range of consequences or strategies will be used to address violations of this policy. In accordance with 28 CFR Part 36, Subpart B, Section 36.208 Direct Threat of the Americans with Disabilities Act, the determination of whether an individual poses a direct threat to the health or safety of others will be made on an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids or services, will mitigate the risk.

Minor Violations

Minor violations of conduct rules are handled as follows:

- a) **First Offense** – Verbal warning by RADAR operator or supervisor to correct behavior.
- b) **Second Offense** – Warning to offender or offenders that the offender or offenders will be suspended from RADAR services and will be put off the RADAR vehicle. If a passenger is put off the RADAR vehicle, the passenger is suspended from riding privileges on any RADAR vehicle for twenty-four (24) hours. Any time

a passenger is put off the vehicle their fare shall be forfeited and if the passenger suspended is seen riding another RADAR vehicle during the suspension period it will be considered trespassing and the local police will be called to handle the situation.

An incident report shall be completed.

- c) **Third and Subsequent Offenses** – Same as first major offense.

Major Violations

Major violations may result in:

- a. Police action where a criminal act has occurred;
- b. Immediate removal from RADAR vehicle and suspension; or
- c. Very serious and/or repeat concerns may result in RADAR privileges being permanently terminated.

Major violations of conduct rules are handled as follows:

a. **First Offense** – Riding privileges could be suspended for one to five (5) days. A greater number of days are possible depending on the nature and severity of the offense as decided by RADAR staff. The offender is not allowed to ride any RADAR vehicle when put off for major violations. Any time a passenger is put off the vehicle their fare shall be forfeited and if the suspended passenger is seen riding another RADAR vehicle during the suspension period it will be considered trespassing and the local police will be called to handle the situation.

b. **Second and Subsequent Offenses** – Riding privileges may be suspended for a specified number of days or indefinitely depending on the nature and severity of the offense as decided by RADAR staff.

Procedure

1. Passenger Complaints: Passenger complaints should be directed to the Director of Transportation who is responsible for writing up an incident report and correcting inappropriate behavior on RADAR properties.

2. Incidents On-Board RADAR vehicles: When a passenger exhibits inappropriate behavior on a RADAR vehicle, the RADAR operator will complete an incident report.

The incident report is given to a supervisor and/or the Director of Transportation by the end of the working day.

3. Incidents on Other RADAR Property: When a person exhibits inappropriate behavior on RADAR properties other than RADAR vehicles, staff will complete an incident report.

4. Submission of Incident Report: Completed incident reports will be submitted to the Director of Transportation within 24 hours of the incident. The Director of Transportation

will prepare a written letter to the Director of Safety and Maintenance recommending suspension of RADAR services by the end of the next working day. The letter should state why the passenger should be suspended, documented history of disruptive behavior, etc.

5. Investigation of Incident: Within forty-eight hours following receipt of an incident report, the Director of Safety and Maintenance will further investigate the matter. This investigation will include conversations with the dispatching staff, operator, law enforcement, parent/guardian, agency officials, and the allegedly disruptive passenger, as appropriate. On the basis of this investigation, the Director of Transportation will determine if further action is merited.

6. Notification of Passenger: If appropriate, the Director of Transportation will prepare a letter to the allegedly disruptive passenger, informing them of his/her pending suspension and advising them of their right to an investigative hearing and a hearing date.

7. Investigative Hearing: If requested, an investigative hearing will be held by the Executive Director and a Committee of no more than three members appointed by the Executive Director within four days of receipt of the passenger's request. Once the incident has been heard by the appropriate staff a decision will be made as to whether or not the passenger is eligible to use the service. RADAR will make the final decision as to the length of suspension or whether permanent termination of RADAR riding privileges is appropriate. This decision will be communicated verbally to the Director of Transportation, the parent/guardian of the passenger, and agency officials, as applicable. The decision of the committee is final.

The Executive Director will prepare a letter confirming the passenger's suspension. The letter will be sent to the passenger or passenger's parent/guardian, service eligibility officer, and agency official (when applicable).

When the suspension has been completed, RADAR staff will inform all interested parties via written communication that the passenger is eligible for service. If there is another documented incident of disruptive behavior, the passenger will be suspended for a longer time period or indefinitely.