

# **BULLETIN: MTA NEW YORK CITY TRANSIT (NYCT) RULES OF CUSTOMER CONDUCT**

## **PROHIBITED CONDUCT**

Customer use of NYCT bus, subway and Access-A-Ride service is subject to compliance with MTA's rules of conduct. These rules are enforced on buses and subways and other transit facilities through summonses issued by law enforcement or other duly designated officers.

On Access-A-Ride, ADA permits the suspension of customers (from the service) who engage in violent, seriously disruptive or illegal conduct towards other passengers, drivers or NYCT staff or its agents' staff. Section 1035 of the MTA rules governing paratransit service implements the enforcement of ADA-permitted suspensions from service. MTA rules apply to all transit conveyances and facilities, including paratransit service.

The following is a partial list of MTA rules concerning prohibited conduct. These items are being highlighted in this Bulletin because they commonly apply to paratransit service. NYC Transit's customers may be fined or suspended, as applicable (and criminal conduct may lead to arrest), for engaging in any of the following prohibited acts:

- Litter, dump garbage, liquids or other matter, create a nuisance, hazard or unsanitary condition (including, but not limited to, spitting or urinating);
- Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch;
- Carry or bring onto an AAR vehicle any item(s) that may present a danger or hazard to persons, interfere with customer traffic and/or impede paratransit service;
- Commit any act which causes or may tend to cause injury or harm to oneself or to any other person;

- Conduct oneself in a manner that causes or may tend to cause annoyance, alarm, or inconvenience to a reasonable person or create a breach of the peace;
- Drink any alcoholic beverage or possess any opened or unsealed container of any liquid;
- Create any sound through the use of any sound production device. “Sound production device” includes, but is not limited to, radios, televisions, musical instruments, tape recorders, cassette players and speaker devices; or
- Deface, destroy or otherwise vandalize AAR property or any signs, notices or advertisements.

## **ENFORCEMENT**

NYCT reserves the right to suspend customers who engage in violations of these rules of conduct to the extent permitted by ADA and/or to issue summonses when such conduct is observed by a Police Officer or other officer duly designated to issue summonses.

## **APPEAL PROCESS**

Except for suspensions for violent or seriously disruptive conduct, before suspending service, NYCT will notify the customer in writing. The notice will identify the specific conduct leading to the suspension and the duration of the suspension. The customer will have an opportunity to be heard and to present information and arguments as to why the suspension should not be imposed. Following this process, NYCT will notify the customer in writing of NYCT’s final decision and the reasons for it.

In the case of suspensions for violent or seriously disruptive conduct during a paratransit trip, the suspension will take effect immediately, but the customer will be entitled to a post-suspension appeal. The same appeal procedures noted above will be followed.