



Mountain Line

3773 N. Kaspar Drive · Flagstaff, AZ 86004 · 928-679-8900 · FAX 928-779-6868 · www.mountainline.az.gov

Mountain Line Rider Code of Conduct and Transit Services Suspension Policy

Purpose: It is Mountain Line's mission through the efforts of dedicated, well-trained employees, to get passengers where they want to go in a safe, reliable, convenient, and efficient manner. Mountain Line has the right to refuse service to anyone not complying with rider policies, state and local laws, and instructions given by Mountain Line employees. Mountain Line's Rider Code of Conduct is available for reference within the Ride Guide and can be found posted in all transit vehicles and on Mountain Line's website. Mountain Line has established this transit suspension policy to promote the safety and comfort of its riders and employees, and to facilitate the proper use of transit facilities and services. For purposes of this policy, facilities include building, buses, bus stops and connection centers.

Prior to enforcement, Mountain Line will make every attempt to first educate a person on conduct prohibited by this code when possible. However, any person who engages in prohibited conduct may be subject to enforcement ranging from a verbal warning to an immediate suspension, including a criminal citation.

Conduct prohibited by this code is subject to reasonable modification under the Americans with Disabilities Act.

Authority: This Code of Conduct and Transit Services Suspension Policy was amended on September 9, 2021 by Mountain Line's CEO and General Manager on behalf of the Board of Directors.

Prohibited Conduct: A person is prohibited from committing, attempting to commit, or assisting any other person to commit the following acts in or on any Mountain Line vehicle, facility, or property.

Fares / Locations

1. Riding on a vehicle without proper fare or complying with Mountain Line fare payment systems including, but not limited to failure to obtain and keep evidence of payment such as day passes, failure to validate a mobile ticket, and failure to tap smart card media.
2. Failing to obey any request from staff to stand behind yellow standee lines or within other safe locations on vehicles or property.
3. Loitering, riding without purpose, and staying on bus for more than one loop, or sleeping at a transit stop without a transportation related purpose.
4. Unauthorized presence on any Mountain Line Property that is not open to the public or presence in public access areas after hours of operations.

Smoking / Eating / Drinking / Littering

5. Smoking or vaping any substance including but not limited to tobacco, marijuana, or use of chewing tobacco, on any Mountain Line vehicle or within any prohibited area. Prohibited area for purposes of this rule include:
 - a. Any Mountain Line facility or property where smoking is prohibited by state or local law.
 - b. Any indoor Mountain Line facility.
 - c. Any outdoor or enclosed Mountain Line facility or property where no smoking signs are posted.

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- d. The area within a radius of 20 feet of an entry door to a Mountain Line vehicle or facility.
6. Consuming any alcoholic beverage or possessing an open container of any alcoholic beverage in or on any vehicle, facility, or property.
7. Eating on any vehicle unless and solely to the extent that it is medically necessary.
8. Bringing a non-spill proof beverage container on a vehicle.
9. Distributing or posting advertisements and other information on vehicles or property.
10. Littering, including spilled food or liquids.

Disturbances

11. Exhibiting disruptive behavior that disturbs the reasonable comfort of other passengers or personnel, including but not limited to, use of profanity, disruptively loud talking, operating any device used to listen to music or other sound without earphones other than a mobile phone when being used for communications.
12. Soliciting or otherwise engaging in unwanted conversation with any other person while such person is a captive audience.
13. Panhandling on the bus or at a signed bus stop.

Occupancy

14. Taking any animal in an indoor facility or onto a vehicle unless:
 - a. The animal is intended and trained to assist a person with a disability.
 - b. The animal is in training to assist a person with a disability.
 - c. The animal is in an appropriate animal carrier.
15. Obstructing passengers with disabilities from accessing accessibility features necessary to enable passengers with disabilities to use transit services such as ramps and lifts.
16. Possessing or transporting articles, baggage, or packages that restrict the safe movement of passengers on or around transit vehicles or otherwise disrupting the use of transit.
17. Possessing or transporting any flammable liquid, combustible material, or other dangerous or hazardous item or substance such as gasoline, car batteries, kerosene, or propane, including in a canister or machinery.
18. Carrying any weapon, dangerous instrument or any other item intended for use as a weapon, except to the extent and in the manner authorized by law.
19. Writing, marking, scribbling, defacing, or causing destruction on or to any vehicle or property in any manner.
20. Entering or remaining on property or vehicle while a person is so severely impaired by the consumption of alcohol or by the taking of any drugs that the person is unable to function safely in the environment of a transit system.
21. Impeding the safe boarding or exiting of passengers or restricting the opening or closing of doors.

Wheeled Devices

22. Using or riding a skateboard, inline or roller skates, bicycle, scooter, Segway, hoverboard, or other wheeled personal transportation device (unless used as a mobility aid for an individual with a disability) in or on any vehicle, facility, or property (strollers, non-ridden and non-straddled bicycles, and wheeled luggage are permitted).
23. Placing a bicycle on any Mountain Line vehicle other than the bicycle rack.

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Sanitation

24. Bathing or washing clothes in restrooms.
25. Leaving needles in restrooms except in designated sharps disposal containers.
26. Failure to wear footwear, shirts/tops, and pants/shorts/skirts on or in any vehicle or facility.
27. Putting shoes/feet up on any seat in a facility or vehicle.
28. Intentionally soiling any seat or other area (other than designated trash receptacles) with liquids, soils, greases, oils, foods, litter, urine, feces, other bodily fluids, or any other substances.
29. Spitting, urinating, or defecating other than in facilities intended for such purposes.
30. Displaying an unacceptable level of hygiene where the situation disrupts the provision of service.

Other Prohibited or Illegal Activity

31. Any illegal activity under any applicable federal, state, or local law, ordinance, or regulation, including but not limited to assault, menacing, theft, possession of illegal drugs, counterfeiting, littering, vandalism, hindering public transportation, and endangering public transportation.
32. Failure to comply with a reasonable request from an employee or representative related to Mountain Line operational policies.
33. Violations of notices/policies and procedures posted on board vehicles or at signed bus stops.

The ADA and Reasonable Modification:

Under the Americans with Disabilities Act (ADA), transportation entities are required to make reasonable modifications to their policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities. In accordance with this directive, Mountain Line will make every effort, to the maximum extent feasible, to ensure that a person with a disability has access to, and benefits from, its services.

Mountain Line will make reasonable modifications to its policies, programs, and procedures applicable to its transportation services when necessary to avoid discrimination and ensure accessibility for people with disabilities.

There may be certain situations when Mountain Line's policies and procedures do not achieve ADA objectives/accessibility. A modification to these policies and procedures may be needed to ensure that a passenger with a disability has access our services.

When making a reasonable modification for an individual with a disability, the modification is not intended to:

- Cause a direct threat to the health and safety of others
- Create undue financial and administrative burdens
- Constitute a fundamental alteration to a service
- Be more than necessary to provide equal access to a Mountain Line services

Any questions or concerns on reasonable modification should be directed to Mountain Line's Title VI Officer at 928-679-8900.

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Enforcement:

Mountain Line will comply with the Americans with Disabilities Act and Title VI of the Civil Rights Act in the administration of this Code of Conduct.

A person who engages in any of the above prohibited conduct may be warned and/or ordered to immediately exit the vehicle, facility, or property by authorized personnel or law enforcement.

Situations where a person refuses to leave a vehicle, facility, or property after being ordered to do so may be considered trespassing and referred to law enforcement personnel.

A person who engages in any of the above prohibited conduct may be issued a suspension of transit services, suspending the person from all vehicles, properties, and services for a determined amount of time pursuant to Mountain Line's transit services suspension policies and procedures.

A person ordered to leave or who is suspended from Mountain Line's property will not be entitled to any refund of unused fare media that may expire during the time of the person's suspension.

Suspension or orders to exit Mountain Line property may be appealed pursuant to Mountain Line's transit services suspension policies and procedures.

In addition to any other enforcement under this Code, illegal activity may result in a citation under any applicable federal, state, or local law, regulation, or ordinance.

This Code of Conduct does not seek to limit, replace, or conflict with any federal, state, or local law, regulation, or ordinance and does not limit or prevent any law enforcement agency or entity from taking any lawful action against any person in or on any Mountain Line vehicle, facility, or property.

Mountain Line Transit Suspension Procedure

Committing a violation of federal law, state law, and/or Mountain Line's Code of Conduct may cause for suspension of a person's privileges to enter Mountain Line property and use of the transit services. Notice of such suspension shall be in a written Notice of Suspension form when possible, and will notify the person suspended of the cause, the period of the suspension, appeal procedures, and that failure to comply may be grounds for criminal prosecution. Only an authorized Mountain Line representative may issue a Notice of Suspension.

In the event of immediate suspension, the authorized Mountain Line representative will order an immediate exit from Mountain Line property. In addition to prompt removal from Mountain Line property, the passenger will also receive a Notice of Suspension when circumstances allow. In the event of an immediate suspension, the duration of the suspension becomes effective at the time of issuance of the Notice of Suspension.

Length of Suspension

Generally, the following criteria will determine the length of suspensions for each passenger found in violation of federal law, state law, and/or Code of Conduct.

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1. A person receiving a Notice of Suspension for fare evasion is subject to a suspension from transit services for 30 days.
2. A person receiving a Notice of Suspension for prohibited activities on transit system is subject to a suspension from transit services for 30 days.
3. A person receiving a Notice of Suspension for prohibited misuse of transit system is subject to a suspension from transit services for 30 days.
4. A person receiving a Notice of Suspension for the criminal act of vandalism or property damage is subject to suspension from transit services:
 - a. First Offense: 90-day suspension
 - b. Second Offense: 180-day suspension
 - c. Third Offense: 365-day up to permanent suspension of transit services
5. A person receiving a Notice of Suspension for a criminal act against a person, and/or a crime involving a firearm or other dangerous weapon is subject to suspension from transit services:
 - a. First Offense: 365-day suspension
 - b. Second Offense: 365 days up to permanent suspension of transit services
 - c. Any criminal act against a Mountain Line employee: 365 days up to permanent suspension of transit services.

If the suspended passenger elects to use transit services during the period of suspension, they may incur additional penalties, from additional suspension days up to and including charges for criminal trespass.

Appeal of Suspension

1. Right to a Hearing

Every person issued a Notice of Suspension shall be entitled to a hearing as a matter of right. The purpose of the hearing is (a) to review and determine whether the evidentiary basis for issuance of the suspension is sufficient pursuant to Mountain Line's Code of Conduct; (b) to determine whether the length and scope of the suspension is appropriate with the nature of the violation; (c) to render a finding on whether it is more probable than not that the individual engaged in conduct justifying the suspension; (d) consider any mitigating and aggravating factors relevant to the scope and length of the suspension; (e) and issue a final suspension order to sustain, modify, or set aside the passenger suspension. All persons receiving a notice of suspension receive notice of their right to a hearing on the Notice of Suspension.

2. Proceedings

Any persons issued a Notice of Suspension may appeal their suspension to the Mountain Line Safety Manager within ten (10) business days of issuance.

A request for appeal must include the following:

- a. The Notice of Suspension
- b. The grounds for appeal
- c. The date of request and contact information of requestor

If a person issued the Notice of Suspension is unable to submit an appeal, a representative may submit the request. A representative may include, but is not limited to, an attorney, parents of minor suspended, guardian and/or representative with the power of attorney.

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In the event the person does not appeal their suspension to the Safety Manager, or his/her designee within ten (10) business days, the original Notice of Suspension becomes final.

3. Scheduling of Appeal Hearings

Hearing Date: The person seeking an appeal of their suspension must submit their request to the Safety Manager either by email to transportation@mountainline.az.gov, or written letter to Mountain Line, 3773 N. Kaspar Dr., Flagstaff, AZ 86004. The Safety Manager, or his/her designee, will contact the individual by phone or mail to schedule a hearing within three (3) business days of receipt of the Notice of Appeal.

Continuance: The Safety Manager, or his/her designee, may grant a continuance if it is warranted or necessary. The Safety Manager, or his/her designee, has the sole discretion to grant or deny a continuance.

4. Evidence at Hearing

The Safety Manager, or his/her designee, will review all relevant information and shall consider any mitigating or aggravating factors in determining the appropriate scope and length of the suspension, in his/her sole discretion. After consideration of the evidence presented, the Safety Manager, or his/her designee may sustain the suspension, modify the suspension, or set aside the suspension.

5. The Final Order

Within ten (10) business days following the conclusion of the hearing, the Safety Manager, or his/her Designee, shall issue a Final Order setting forth all findings and decisions on the suspension, unless issuance of a final order within ten (10) days is not possible. If a final order cannot be issued within ten (10) business days of the conclusion of the hearing, the Safety Manager, or his/her Designee, shall extend the stay on the suspension until the final order is effect. The Final Order shall be deemed issued on the date of mailing to all parties at the address provided by the parties, through regular U.S. Mail, or Email, and becomes effective three (3) business days from the date of issuance.

The Final Order shall set forth the findings of the Safety Manager, or his/her Designee, and the basis for such findings. If the Final Order Sustains or modifies the Notice of Suspension, the Final Order shall clearly set forth the period of the suspension, including the exact starting and ending date.

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