

## MARTA CUSTOMER CODE OF CONDUCT

Metropolitan Atlanta Rapid Transit Authority (MARTA) provides important services to the traveling public in the MARTA service area. Safety is the guiding principle by which MARTA operates. A successful partnership between MARTA and the public is dependent upon MARTA employees and the traveling public behaving in a mutually respectful and courteous manner. In an effort to improve the experience of its patrons, the MARTA Board of Directors has adopted a policy that is commonly referred to as the Customer Code of Conduct (**Code**). The Code sets out prohibited behaviors for everyone who uses MARTA facilities and/or rides the MARTA system and authorizes certain personnel to expel from MARTA property persons who commit Transit Violations (as defined herein) and to suspend their privileges to thereafter enter upon transit property and use the transit system.

This policy also describes the process that those who feel they have been unfairly cited may use to appeal their suspension.

### **POLICY**

It is the mission of MARTA, through the efforts of dedicated, well-trained employees to provide a safe and secure environment for customers and employees of MARTA. MARTA has established a Customer Code of Conduct to promote the safety and comfort of its riders, to facilitate the proper use of transit facilities and services, to protect transit facilities and employees, to assure the payment of fares and to ensure that MARTA vehicles and facilities are safe, welcoming and provide equitable access for MARTA customers.

### **TRANSIT VIOLATIONS AND PROHIBITED BEHAVIORS**

No individual may engage in inappropriate conduct on, at or in both the public and non-public areas of MARTA facilities, including in shelters, at bus stops, and at administrative, operational, and maintenance facilities, or on bus, rail or Atlanta Street Cars (ASC) used to provide MARTA fixed route or paratransit services.

The following are those behaviors and activities that are prohibited on MARTA:

#### **A. Animals**

1. Bringing prohibited animals. This does not include a guide dog or service dog as described in O.C.G.A. § 30-4-2, or other service animal as permitted by federal statute or regulation, provided that such guide dog or service dog is accompanied by a person with a disability or a person who is responsible for training a guide dog or service dog. Small pets in pet carriers are permitted. Carriers must be rigid, have locks or latches and must fit on customer's lap.

## **B. Commercial Activity/Solicitation**

1. Engaging in unauthorized commercial activity. MARTA must grant express permission or a concession to allow persons to sell goods or services or solicit money. This applies to vehicles and paid areas of any rail station or intermodal bus station.
2. Giving commercial handbills or flyers to the operator or passengers of a bus, or rail car. This applies to vehicles and paid areas of any rail station or intermodal bus station.
3. Engaging in the distribution or sale of drugs.

## **C. Conduct/Civility**

1. Spitting.
2. Littering.
3. Bringing commercial or large-size carts or dollies unless collapsed. A small, personal-use-size stroller or small cart must be securely held and must not block passageways.
4. Roller-skating, roller-blading, or skateboarding on buses or rail cars or in transit stations.
5. \* Indecent exposure.
6. Other disorderly conduct. This refers to actions that prevent customers and employees from comfortably using buses, rail cars, or transit facilities for their intended purpose.
7. \* Stealing or willfully damaging MARTA property.
8. Defecating or urinating.
9. Consuming alcohol.

## **D. Fares**

1. Refusing to pay a fare, or show specific fare media to a MARTA employee.
2. Misusing fare media.

3. \* Distributing or selling counterfeit or stolen fare media.

**Note: (\*) These could constitute a jailable offense.**

#### **E. Food, Drink & Smoking**

1. Bringing open food or beverage containers onto vehicles. Open food containers are not allowed on vehicles. Open beverage containers are also not allowed on vehicles, unless they are resealable. This does not apply to bus, and train operators at authorized locations or to anyone giving food or beverage to a child under age five.
2. Smoking any kind of tobacco or using electronic cigarettes or vaporizers in a bus, rail car, rail station, or intermodal bus station.

#### **F. Noise**

1. Inappropriate use of audio devices. Audio devices, including radios, cassette players, CD players, iPods, MP3 devices, mobile phones, laptops, tablets, and other similar devices, must not be audible to other passengers.
2. Conduct that is unreasonably loud or disturbing. Engaging in indecent, profane, boisterous, unreasonably loud or highly disruptive of other individuals' use of MARTA facilities or services. This does not mean ordinary conversation at reasonable volumes.

#### **G. Safety**

1. Remaining aboard a bus, ASC or rail car when not allowed. Passengers should not remain in vehicles after they have completed their routes and passengers have been told to exit or when vehicles have entered a garage or other area not open to the public. Passengers should not enter a MARTA vehicle if told by an authorized person not to do so or remain on vehicles if banned from the premises.
2. Entering, exiting, or passing through any emergency door of any rail car or bus unless there is an emergency.
3. Entering the operator's cab or driver's seat of any rail car or bus unless there is an emergency.
4. Boarding any bus through the rear exit door, unless told to do so by the operator or other authorized MARTA personnel.

**Note: (\*) These could constitute a jailable offense.**

5. Standing in front of the yellow standee line at the front of the bus near the driver's seat.
6. \* Assault or threat of assault.
7. \* Hindering or disturbing the operation, operator, or passengers of a bus or rail car.
8. \* Fighting.
9. \* Harassing or threatening MARTA passengers or employees. This includes following or stalking.
10. Avoiding or interfering with a properly functioning security measures, such as a metal detector.

#### **H. Weapons**

1. \* Bringing explosives, acids, other dangerous articles, destructive devices, or hoax devices as defined in O.C.G.A. § 16-7-80 onto MARTA property. Bringing any items of a dangerous nature on-board buses or rail cars including: flammable liquids; dangerous, toxic or poisonous substances; vessels containing caustic materials, chemicals, acids or alkalis; fishing rods which are not broken down or have unsecured or exposed hooks or lures; sheet glass and sharp objects.
2. \* Pointing or aiming a gun or pistol at another as defined in O.C.G.A. § 16-11-102 on MARTA property. Using, utilizing, and/or discharging a gun or pistol on MARTA property. If the weapon is prohibited by federal law, it is not allowed on MARTA property, even with a license.

**Note: (\*) These could constitute a jailable offense.**

**IMMEDIATE EXPULSION**

MARTA police may expel a person who violates MARTA's Customer Code of Conduct from MARTA property by issuing such person an order to immediately exit the property.

This type of expulsion order is effective for twelve (12) hours following the expulsion. After this time, it does not suspend a person's ability to re-enter MARTA property. If a person refuses to exit immediately and remain off of the property, they will be arrested for criminal trespass. A person can be expelled from MARTA property either orally or in writing. Twelve-hour expulsions cannot be appealed or reviewed.

## **TRANSIT SUSPENSION PROCEDURE**

Those who violate the rules listed above may be suspended from entering MARTA's property and using the transit system. A person appealing a citation may be assessed a fine, as described in the "Length of Suspensions/Fines" section below, in lieu of suspension at the sole discretion of the hearing officer.

Violators will receive a citation. The citation will include the cause of the suspension, the length of suspension, and notice that violating the suspension may result in criminal prosecution. The citation will also include the fine amount that may be paid in lieu of suspension or the fine amount that must be paid, as applicable.

Citations may be issued by MARTA Police Officers.

Citations shall state the date on which they become effective.

A person may also be issued a conditional exclusion letter, which will allow their use of transit facilities and services under certain conditions. Juvenile passengers, for example, may be required to have an accompanying guardian.

Citations also inform the person of his/her right to appeal the citation. The appeal process is described on the back of the citation.

## **LENGTH OF SUSPENSIONS/FINES**

A person receiving a citation for a violation of one of the following Code sections shall be suspended for fourteen (14) days: A1, B1, B2, C1, C2, C3, C4, C6, E1, E2, F1, F2, G1, G2, G4, G5. A person appealing a citation for a violation with an associated penalty of a fourteen (14) day suspension may request a fine be assessed in lieu of suspension. If such request is made, the hearing officer, in his or her sole discretion, may assess a fine of up to fifty dollars (\$50.00) in lieu of suspension.

A person receiving a citation for a violation of one of the following Code sections shall be suspended for a period of sixty (60) days: C8, C9, D1, D2, D3, G3, G10. A person appealing a citation for a violation with an associated penalty of a sixty (60) day suspension may request a fine be assessed in lieu of suspension. If such request is made, the hearing officer, in his or her sole discretion, may assess a fine of up to two hundred dollars (\$200.00) in lieu of suspension.

A person receiving a citation for a crime against a person involving a firearm or other dangerous weapon or a crime against a person or sexual offense that is a felony or misdemeanor under Title 16 of the Georgia Code, shall be suspended for three hundred and sixty-five (365) days and may, given the severity of the offense, be permanently banned from the system. A person receiving a citation for a violation of one of the following Code sections: B3, C5, C7, G6, G7, G8, G9, H1 or H2, shall be suspended for three-hundred and sixty-five (365) days and may, given the severity of the offense, be permanently banned from the system. A person receiving a citation for a violation with an associated penalty of a three hundred and sixty-five (365) day suspension, or permanent ban, must pay a three hundred dollar (\$300.00) fine in addition to suspension.

A person who violates an active suspension notice will be suspended for a period of thirty (30) days. A person appealing a citation for a violation with an associated penalty of a thirty (30) day suspension may request a fine be assessed in lieu of suspension. If such request is made, the hearing officer, in his or her sole discretion, may assess a fine of up to sixty dollars (\$60.00) in lieu of suspension.

A person who receives three (3) citations (which are not appealed or if appealed, a final determination of guilt has been made) within a ninety (90) day period shall receive a three hundred and sixty-five (365) day suspension. A person who receives four (4) citations (which are not appealed or if appealed, a final determination of guilt has been made) within a ninety (90) day period shall be permanently banned from the system.

Note: On the suspension form, officers shall list the code section that corresponds to the violation on the description violation line. Example; Fare Evasion, D1, violator refuse to pay the required fare of \$2.50.

## **APPEAL/ REVIEW OF SUSPENSIONS**

A citation may be appealed by written request sent by registered or certified mail, statutory overnight delivery, or hand delivery within thirty (30) days of the issuance of such citation. Within ten (10) days of receipt of a request for a hearing, MARTA shall respond to the person requesting a hearing to schedule a hearing date, which shall be no later than thirty (30) days from the receipt of the request.

If no hearing is requested within thirty (30) days of the issuance of a citation, the suspension (and fine if applicable) issued shall be deemed final and become effective immediately.

MARTA may, at its sole discretion, pursue any and all legal remedies for the collection of outstanding fines including, but not limited to, referral to a collection agency, garnishment, or lien.

If no appeal is made, use of Authority services or entry upon Authority property is forbidden and subsequent use of services or entry upon property during a period of suspension shall constitute criminal trespass under O.C.G.A. § 16-7-21. Violation of this notice shall be grounds for issuance of an additional suspension from MARTA and prosecution for criminal trespass.

## **FARE FORFEITURE**

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