

VALPARAISO PUBLIC  
TRANSPORTATION  
CODE OF CONDUCT AND  
SUSPENSION OF SERVICE  
POLICY



Approved By Board of Public Works and Safety on:

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Amended By Board of Public Works and Safety on:

Misuse of Valparaiso public transportation services may result in suspension of transit services to a passenger. The following are examples of misusing Valparaiso public transportation services:

### **1. Suspension for No Shows and Late Cancellations (V-Line only).**

Customers who fail to show up or fail to cancel at least two hours in advance of their scheduled deviation pick-up will be charged with a No-Show. Passengers charged with repeated No-Shows will be suspended. **(See V-Line Route Deviation Cancellation Policy for more information.)**

Suspensions will not be imposed for circumstances beyond a passenger's control if the customer provides an explanation with a phone call and when documentation when requested. Examples of situations not within your control are:

- A sudden personal emergency
- Sudden or worsening illness
- A job cancels or changes the passenger's work schedule on very short notice.
- Late arrival of the EXAMPLE vehicle (more than 20 minutes late)

The table below is a list of no show violations and the resulting suspension of service:

- 2 No Shows within 7 days—1 week suspension
- 4 No Shows within 14 days – 2 week suspension
- 6+ No Shows within 30 days– 1 month suspension

### **2. Suspension for abusive or disruptive behavior.**

For the safety and comfort of all public transportation customers and operators, the City has established the **Code of Conduct (Attachment A)** to address incidents of disruptive or abusive behavior by customers. The Code of Conduct is comprised of three levels of offenses. Level I offenses are considered minor. Level II offenses are considered serious. Level III offenses are considered major. Please see **Attachment A** for a list of offenses and the Levels of offense.

For any offense that is determined to be minor (Level I), a written warning, or notification will be issued to the customer upon first offense. If the offenses continue, the customer will be suspended. Customers found to have been disruptive or abusive and those that have previously received a written warning will be suspended for the following periods:

- 1<sup>st</sup> occurrence – 1-month suspension.
- 2<sup>nd</sup> occurrence – 6-month suspension.
- 3<sup>rd</sup> occurrence – 1 year suspension, at the end of which time the passenger must reapply for deviation eligibility or half fare passes.

For any offense that is determined to be serious (Level II), a written warning, or notification may be issued to the customer upon first offense. If a customer has received a warning letter and the offenses continue, the customer will be suspended. The City has the option to issue a warning letter or not upon violation of Level II. Customers found to have committed Level II violations and those that have previously received a written warning for violating either Level I or II and have also violated Level II of the Code of Conduct will be suspended for the following periods:

- 1<sup>st</sup> occurrence – 6-month suspension.
- 2<sup>nd</sup> occurrence – 1-year suspension.

Should a person violate Level II or III of the Code of Conduct a 3<sup>rd</sup> time, the City may suspend the person for an indefinite period of time. Following the 3<sup>rd</sup> violation, the Transportation Manager and the transit service General Manager will determine the terms of the suspension and send written notice to the person. An individual may appeal the suspension. Written instructions on how to appeal shall be given with any notice of suspension.

### **Special Considerations (ADA)**

If a passenger with a disability as defined under the Americans with Disabilities Act (ADA) believes his or her actions causing violations of these rules is due to his or her disability, the person should contact the City of Valparaiso Transportation Manager to receive reasonable accommodations;

Transportation Manager  
166 Lincolnway,  
Valparaiso, IN 46383  
twegrzyn@valpo.us.  
219.462.1161

The Transportation Manager will follow up with the customer and may make recommendations to resolve any outstanding issues concerning the continued use of public transportation services by the customer. The Transportation Manager will provide any reasonable accommodations for passengers who require it.

### **3. Suspension Notices and Appeal Process**

The City of Valparaiso Transportation Manager will investigate all incidents subject to a suspension. The Transit Manager will issue, or cause to be issued, to the individual involved a written exclusion letter from Valparaiso public transportation facilities, including services as may be warranted. The letter shall indicate the reasons for the exclusion, the time period of the exclusion, and the facilities and/or services to which the exclusion order applies. If continued use of transit facilities and/or services is made subject to safety conditions or restriction (e.g., presence of a parent or guardian in the case of a juvenile; accompaniment by a personal care attendant or aide), a conditional exclusion letter may be issued specifying that the individual will be subject to exclusion unless the imposed restrictions are complied with. The letter shall also advise the individual of his/her right to appeal the decision and include a copy of the appeal procedure. The Transit Manager shall provide a copy of the letter to the V-Line Manager and will inform all staff involved, who have a need to know, about the reasons for the length of the exclusion

Suspensions will not be imposed until the customer has had the opportunity to complete the appeals process.

A passenger may appeal a suspension or termination of transit service by filing an appeal within 5 business days of receiving the written notification.

**The City reserves the right to impose an immediate suspension for any offense that is found to pose a serious physical threat to the operator, other passengers, or the general public.**

**There are NO appeals under these circumstances.**

# **Attachment A**

## **Code of Conduct**

### **I. Purpose**

It is the mission of the City of Valparaiso, through the efforts of dedicated, well-trained employees, to provide safe, reliable, convenient, and efficient public transportation to the citizens and visitors of the City of Valparaiso. The City has established this behavior policy to promote the safety and comfort of its riders, to assure the payment of fares and to ensure that public transportation vehicles and facilities are safe, welcoming and provides equitable access for passengers. Responses to inappropriate and/or illegal conduct are outlined here.

### **II. Overview and Definitions**

No individual may engage in inappropriate conduct on, at or in public transportation facilities, including at transfer points, in shelters, at bus stops, and at administrative, operational, and maintenance facilities, or on buses used to provide revenue service. Inappropriate conduct includes any individual or group activity which is disruptive or injurious to other individuals lawfully using public transportation facilities or services; damaging or destructing of transit facilities of services; or disruptive, harassing threatening or injurious to transit employees. Inappropriate conduct may also constitute a violation of an ordinance or criminal law. The fact that an individual is or is not charged or convicted of an incident of inappropriate conduct does not bar investigation and/or exclusion under this Policy.

- **The terms ChicaGo Dash, V-Line Transit or V-Line mean the City of Valparaiso.**
- **The term “facilities” means all the property and equipment of the City, including without limitation, inside and outside areas of City property, bus shelters, bus stops, transfer points, signage and buses used to provide public transit services.**
- **The term “ facilities” includes both public and non-public areas of transportation facilities.**
- **The term “public area” includes those portions of facilities that are open for public use for transit or transit related purposes.**
- **The term “transit services” means any City sponsored bus service.**

### **III. Level I Violation**

For any of the listed conduct considered to be a Level I violation, on buses, persons will be given a first warning by the bus driver not to engage in the conduct. A Supervisor may be called to the scene by the bus driver if the customer continues to exhibit inappropriate behavior. The Supervisor is authorized to and may ask the passenger(s) to leave the bus. An individual who declines to leave a bus after being ordered to do so by the Supervisor is subject

to arrest and prosecution for trespassing and/or disorderly conduct. The following inappropriate conduct will result in a written warning upon first offense or suspension for customers that have already received a written warning.

- **Using an audio device (e.g. portable radio, tape, CD player, TV, etc.) unless such equipment is used with earphones so that sound is limited to person's own listening only**
- **Standing in front of the standee line at the front of the bus near the driver's seat.**
- **Bringing any animal on buses, except working animals that assist those with disabilities.**
- **Bringing on-board any large or large quantity of articles, packages, baggage, non-collapsible strollers, baby buggies, or other materials which block the aisle and restrict the free movement of passengers.**
- **Engaging in indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance. This is not intended to prohibit ordinary conversation between passengers in normal conversation tones.**
- **Having distracting conversations with Bus Operators.**
- **Engaging in unauthorized canvassing, selling, soliciting or distributing any material onboard buses.**
- **Changing a child's diaper.**
- **Exhibiting inappropriate personal hygiene, i.e. an individual whose bodily hygiene is so offensive as to constitute a nuisance to other passengers.**
- **Boarding unattended minors: children five years of age and under must be closely accompanied at all times by an older responsible individual.**
- **Roller-skating, rollerblading, or skateboarding on buses.**
- **Hanging or swinging from stanchions or other bus equipment with feet off the floor.**
- **Hanging out, reaching out, or putting anything out of bus windows.**
- **Willfully refusing to pay a fare, or show specific bus pass to the bus operator.**
- **Otherwise disorderly or inappropriate conduct which is inconsistent with the orderly and comfortable use of buses for their intended purpose.**

#### **IV. Level II Violations**

The following conduct is prohibited in all public transportation facilities. Any individual observed engaging in the conduct may be told by a bus driver or supervisor or other authorized individual to leave the facilities immediately and may be subject to arrest by proper authorities. Public transportation service personnel are authorized to request police assistance if necessary.

- **Fighting**
- **Bringing any items of dangerous nature on-board buses including: weapons (pistols, rifles, knives or swords); flammable liquids; dangerous, toxic or poisonous substances; vessels containing caustic material, chemicals, acids or**

alkalis; fishing rods which are not broken down or have unsecured or exposed hook or lures.

- **Behavior that is disruptive, harassing, or threatening in nature to bus passengers or employees. This includes following or stalking passengers or employees.**
- **Causing sounds that are unreasonable and highly disruptive of other individuals using the transportation facilities or services, including but not limited to prolonged loud, abusive, indecent, profane or drunken conduct.**
- **Misuse of fare media**
- **Lighting an incendiary device (e.g. match, lighter, torch).**
- **Drinking alcoholic beverages or possessing open alcoholic beverages.**
- **Otherwise disorderly or inappropriate conduct which is inconsistent with the safe and orderly use of transit facilities for their intended purpose.**

## **V. Level III Violations**

The following conduct in any public transportation vehicle and/or facility will be cause for police intervention, arrest and/or prosecution. An emergency situation can be defined as any situation in which an individual's actions present an imminent danger to the life or safety of him/her or others, or to City property. The Bus Operator is authorized to request police assistance.

- **Use of counterfeit or stolen fare pass**
- **Assault or threat of assault**
- **Stealing or willfully damaging defacing or destroying City property. The City will prosecute anyone who steals or willfully damages, defaces or destroys City property.**
- **Lighting an incendiary device with criminal intent (e.g. match, lighter, torch).**
- **Obstructing or interfering with the Bus Operator's safe operation of the bus**
- **Indecent exposure**
- **Entering or remaining on buses after having been notified by an authorized individual not to do so, or boarding or remaining on buses during the period when an individual has been banned from the premises.**

Approved by the Valparaiso Board of Works on

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Jon Costas  
Mayor

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Sharon Emerson Swihart  
Clerk Treasure

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David L. Hollenbeck  
City Attorney

Alternate formats available upon request to: Transit Manager, 166 Lincolnway,  
Valparaiso, IN 46383. 219.462.1161