



Passenger Behavior Policy



Clovis Transit



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Passenger Behavior Policy

Policy Statement:

Clovis Transit is concerned about the security and safety of all our passengers, the transit operators, and the transit vehicles. The Federal Transit Administration (FTA) Americans with Disabilities Act (ADA) provides guidance that permits transit agencies to suspend passengers who “establish a pattern or practice of missing scheduled trips” after providing the passenger due process. A “pattern or practice” involves “intentional, repeated or regular actions, not isolated, accidental, or singular incidents.” The regulations and guidance expressly authorize a public transit agency to refuse or suspend service to a passenger if he/she engages in conduct that is “violent, seriously disruptive, or illegal.”

This policy establishes the determination, procedure, and length of disciplinary actions that will include everything from service refusals to permanent suspension. This policy incorporates other Clovis Transit policies such as Round Up and Stageline User Policies, No-Show and Late Cancellation, and Appeals Policy.

SECTION 1 – Applicable Policies

Definitions

DELAYING SERVICE:

Isolated instances or demonstrated behaviors causing service disruption, i.e., that result in the bus operator having to interrupt service for a significant time or having to put the vehicle out of service, preventing pick-up or drop-off of other passengers, or actions that have a similarly disruptive effect on service.

Such behavior includes but is not limited to:

- Continuous shouting, screaming, banging the windows, upsetting other passengers, causing other passengers to engage in seriously disruptive conduct.



- Opening emergency windows or ceiling hatch.
- Demonstrated pattern of uncontained incontinence biohazard.
- Excessive cancellations, excessive carry-on items, fare evasion and endangerment of public health.
- Not cooperating with the driver or following transit policies that lead to a delay in service.

INSUFFICIENT REASONS TO SUPPORT SUSPENSION:

There is not sufficient reason to suspend a passenger's service when they display isolated incidents, rather than a pattern of behavior, of:

- Abusive or profane outbursts.
- Language or comments that are offensive, annoying, or harassing to Clovis Transit operators or staff.
- Refusal to follow Clovis Transit guidelines pertaining to carry-on items.

ILLEGAL:

Isolated instances or a demonstrated pattern of unlawful behavior, such as possession of drugs or an open container of alcohol, smoking, exposing oneself, sexual harassment of Clovis Transit passenger or employees, and any other illegal behavior.

NO-SHOWS AND LATE CANCELLATIONS:

Must be a documented pattern or practice of not canceling in advance, and/or not being present to take trips scheduled by the passenger. A demonstrated pattern of no-shows is, under the ADA, expressly mentioned as a basis for refusing or suspending demand response service. Please see the No-Show and Late Cancellations Policy.

SERIOUSLY DISRUPTIVE:

Demonstrated pattern of refusal to travel safely, such as:

- Refusing to abide by the Passenger Code of Conduct.
- Not following basic instructions of the driver or arguing with the driver.
- Refusing to remain seated, seat belted, in an upright position with feet on the floor, refusal to have a mobility device secured.
- Throwing items, talking too loudly, interrupting others, and playing media without personal hearing devices.



- Speaking inappropriately to a fellow passenger or the driver, such as sexually explicit content.

VIOLENT:

Physical actions toward operators or other passengers, such as striking, biting, kicking, and spitting; causing damage to vehicles such as tearing seats, breaking windows, breaking seatbelts, removing, or disabling equipment, and similar conduct; touching a fellow passenger or the driver inappropriately, including sexual behavior.

1.1 Passenger User Policies

The following are prohibited on Clovis Transit buses:

1. **Elderly Disabled Seating** - The seats at the front of the buses are reserved for the use of disabled and elderly passengers. Non-qualifying passengers must vacate such seating upon request of any Clovis Transit Operator or employee.
2. **Littering or Spitting** - No person shall discard Littering, marking, defacing, or damaging the vehicle and/or its contents or bus stop.
3. **Alcohol and Drugs Prohibited** - No person shall use or possess alcohol or illegal drugs on/in a Clovis Transit vehicle or Building, except for lawfully possessed and unopened alcoholic beverages.
4. **Threatening or Offensive Language** - No person shall intentionally or recklessly disturb, harass, or intimidate another person by means of threatening or offensive language, or obscenities on a Clovis Transit vehicle or in a Clovis Transit Building or bus stop.
5. **Food and Beverage** - For the protection of public safety, no person shall bring aboard a Clovis Transit vehicle any food or beverage in any open containers. No person shall consume food or alcohol on any Clovis Transit vehicle. Passengers may consume non-alcoholic beverages only from containers made of plastic or metals with snap-on or screw-on lids.
6. **Smoking Prohibited** - No person shall smoke tobacco or any other substance, or carry any burning or smoldering substance, in any form, aboard a Clovis Transit vehicle or within the boundaries of any Clovis Transit Building.



7. **Criminal Activity** – No person shall engage in any activity prohibited by Federal, State or Municipal law while on a Clovis Transit vehicle, or within a Clovis Transit Building, or any part of the Clovis Transit system.
8. **Safety**
 - a. All passengers (except infants who are held) must wear shoes, pants/shorts and shirt, a dress/skirt or comparable clothing on Clovis Transit vehicles and in Clovis Transit Buildings. In addition, all passengers must cover any exposed skin that may transmit communicable disease.
 - b. No person shall in any manner hang onto or attach himself or herself onto any exterior part of a Clovis Transit vehicle at any time. In addition, no person shall extend any portion of his or her body through any door or window of a Clovis Transit vehicle.
 - c. No person shall ride a skateboard or bicycle, or roller skate or in-line skate in a Clovis Transit vehicle or in a Clovis Transit Building.
 - d. No person shall throw or cause to be thrown or projected, any object at or within a Clovis Transit vehicle, Clovis Transit Building or Bus Shelter.
 - e. No person shall interfere, in any manner, with the safe operation or movement of any Clovis Transit vehicle.
 - f. No person shall impede or block the free movement of passengers, or otherwise disrupt the functions of Clovis Transit operations, vehicles, or shelters.
 - g. No person shall engage in unnecessary and distracting conversation with the Clovis Transit Operators.
 - h. No person shall stand while the bus or vehicle is in motion.
9. **Harassment** – No person shall intentionally or recklessly harass or annoy another person by:
 - a. Subjecting such other person to offensive physical contact.
 - b. Publicly insulting such other person by abusive words, racial slurs or gestures in a manner intended and likely to provoke a violent response; or
 - c. Making sexually harassing comments or gestures.
10. **Disorderly Conduct** – No person shall intentionally or recklessly cause inconvenience, annoyance, or alarm to another by:



- a. Fighting, or violent, tumultuous, or threatening action (physical or verbal), within any Clovis Transit vehicle, building, bus stop or shelter.
 - b. Fake fighting, slap boxing or engaging in any other horseplay that may escalate and/or interfere with the comfort and safety of any other passenger.
 - c. Making any excessive and unreasonable noise within any Clovis Transit vehicle or building.
 - d. Obstructing the free movement of passengers within any Clovis Transit vehicle or building.
 - e. Creating a hazardous or physically offensive condition within Clovis Transit vehicle or building.
11. **Animals** – No person shall bring or carry aboard a Clovis Transit vehicle, or take into a Clovis Transit building, any animal not housed in an enclosed carrying container that is small enough to fit on the person's lap, except for a person who requires a service animal.
 12. **Packages / Strollers** – Any packages or parcels brought aboard a Clovis Transit vehicle must be able to be stored on and/or below one seat (if available) and must be secured so as to prevent displacement should the vehicle have to make a sudden stop or sharp turn. In no event shall any package or parcel be allowed to block access to any aisle way. No person shall bring or carry aboard any Clovis Transit vehicle a carriage or stroller unless such item is folded and unoccupied. Carriages and strollers must remain folded while aboard the Clovis Transit vehicle.
 13. **Electronic Devices** – No person shall play radios, tape players, personal communication devices or any other audio device or musical instruments on a Clovis Transit vehicle or in a Clovis Transit building, unless the sound produced thereby is only audible through earphones to the person carrying the device.
 14. **Repulsive Odors** – No person shall board or remain on a Clovis Transit vehicle or enter or remain in a Clovis Transit building if the person emits/applies excessive fragrances, lotions, perfumes, colognes or odors that unreasonably disturbs other Clovis Transit passengers or employees on the vehicle or in the building and which causes a nuisance or extreme discomfort to Clovis Transit passengers or employees.
 15. **Emergency Exit** – No person shall activate the “Emergency Exit” or alarm device of a Clovis Transit vehicle or in a Clovis Transit building in the absence of an emergency.



16. **Clovis Transit Seats** – No person shall place his or her feet on any seat of any Clovis Transit vehicle or Clovis Transit building seating.
17. **Flammable Substance** – No flammable substance in excess of a quart (e.g. gasoline, starting fluid) or any other materials meeting this description will be permitted on Clovis Transit vehicles or in Clovis Transit buildings.
18. **Weapons / Hazardous Items** – No person, except a Law Enforcement Officer, shall bring into or carry aboard a Clovis Transit vehicle, or bring into a Clovis Transit building, any knife, gun, bow/arrow, explosive device or material, fireworks, blackjack, club, and/or any illegal or unlawfully possessed weapon of any kind.
19. **Pornography** – No person shall read, view, expose or utilize any form of pornographic material from any media source on Clovis Transit vehicles or in Clovis Transit buildings that may be viewed or heard by any passenger or Clovis Transit employee.
20. **Solicitation/Panhandling** – No person shall solicit, sell or distribute any materials or products on Clovis Transit vehicles or in Clovis Transit buildings unless written authorization is obtained from the Transit Manager or designee. No person shall panhandle, beg or make request for donation on Clovis Transit vehicles or in Clovis Transit buildings.

1.2 Paratransit Policy on Eligibility and Certification

Individuals aged 6 and over, must apply for and be determined eligible in order to receive transportation services on Round Up. Clovis Transit will not certify children under the age of 6. To determine Americans with Disabilities Act (ADA) eligibility, an application must be completed and evaluated. Applications are evaluated by staff that is knowledgeable in ADA eligibility requirements. A Clovis Transit staff member may contact the applicant or their physician for further information regarding their abilities. In some cases, the application may be referred to an outside evaluator for certification, and/or the applicant may be required to complete their assessment in person. If a passenger has been determined ADA eligible at another transit agency and have proof of their approval (an identification card or letter from the agency), they will be allowed to ride Round Up for up to 21 days while their Clovis Transit application is being processed. Applicants will be notified by mail within 14 days of receipt of their application whether or not they are approved and any conditions, if applicable.



Recertification may be required if the condition is temporary, has changed, or fixed- route service has changed to a degree that the Round-Up passenger may now be able to successfully ride the service.

Policy on Appeals:

Applicants and certified users shall have access to an appeals process administered by Clovis Transit to contest a denial of eligibility, their eligibility category determination, a trip denial, or a suspension from service. All appeals must be filed in writing within sixty (60) calendar days from the date of the eligibility or service denial notification letter.

1.3 Paratransit Policy on Personal Attendants, and Guests or Companions

ADA certified passengers may travel with one (1) attendant who is traveling with the passenger from the same pick-up location to the same destination and the attendant is in the capacity to assist the ADA certified passenger. Up to one (1) guest who is not assisting the passenger may travel with the passenger from the same starting point to the same destination if space is available on the vehicle. Please inform the reservationist when you make your appointment that an attendant or companion will be traveling with you.

1.4 Paratransit Policy on Reservations

Reservations for rides can be made the same day and will be accepted as far in advance as 14 days. Reservations can be made any time of day or night through the Clovis Transit app. Phone in reservations are made during regular office hours, Monday through Friday 7:00 am to 7:00 pm and weekends from 7:30 am to 3:30 pm. Please have all trip information available when you call including pick up and drop off addresses (not cross streets or destination names), phone numbers, appointment times, if you need any special assistance, and whether anyone will be traveling with you.

If the appointment time you request is not available, you may be offered an alternate time up to one-hour prior or one-hour after your requested time.



Passengers will be given a time in which to be ready for the trip. Since the service is a shared ride service, delays may be caused by other passengers, traffic, weather, delays in boarding persons with a disability, etc. Therefore, the “ready” time will not necessarily be the pick-up time. Passengers are asked to be ready for all booked trips. The driver will only wait 5 minutes after arrival time for the passenger and then will leave to accommodate on-time service for other passengers.

Passengers may schedule their return trip if they know in advance the exact return time. However, same day trips are also acceptable. In this case, the dispatcher will give an estimated time or arrival for the transporting vehicle. This time is approximate and could vary depending upon other passenger trips in the area, weather, traffic, etc.

Unwanted passenger trips must be cancelled prior to the driver being enroute to their pick-up location or may be considered a no-show. Early cancellation of unwanted appointments allows another passenger to take the place of the canceled trip.

Subscription trips may be scheduled for those passengers who regularly go to/from a destination, for example school on Monday, Wednesday, and Friday at 11:00am.

Per ADA regulations, Clovis Transit subscription trips cannot exceed 50% of the total number of allowed trips during a particular time. For example, if Clovis Transit has twelve (12) trips into Fresno at 10:00am, only six (6) of them can be scheduled subscription trips and the rest must remain open for call-in appointments. Clovis Transit staff closely monitors demand for trips and attempts to accommodate all trip requests as capacity allows.

1.5 Paratransit Policy on No-Shows

A No-Show is defined as a scheduled trip where the driver arrives at the pick-up location at the designated time, but the passenger does not take the scheduled ride, or where the passenger cancels within one hour of the pick-up time thereby eliminating the chance of another passenger using the allocated time slot. Drivers will only wait 5 minutes after arrival for the passenger to arrive at the vehicle and will depart after 5 minutes, therefore constituting a no-show. No-shows are costly and create an inconvenience for



the driver and other passengers. If a passenger logs two (2) no-shows within a one-month period, the right to use Round Up service may be suspended for one month. Passengers placed on suspension will receive a letter stating the days of the recorded no-show incidents and the time period for suspension.

- ***Requesting specific drivers or requesting not to be transported by specific drivers.*** Our drivers have completed a thorough background check and extensive training on safe driving, customer service, and transporting persons with disabilities. Passengers are encouraged to share compliments and complaints with the Transit Supervisor. Please note that refusal to be transported by a driver who arrives for a paratransit appointment or will-call trip, will be considered a no-show and another vehicle will not be dispatched, and the passenger will need to secure alternative transportation. Some options for alternative transportation may include fixed-route transit service (Stageline or Fresno FAX), a taxicab, ride hail service such as Uber or Lyft, or contacting a friend or family member. Repeated denials of trips or no-shows will result in suspension in accordance with our no show policy contained herein.

1.6 General Policy on Assisting Passengers with Packages and Service from Origin to Destination

While Round Up service is generally from the curb in front of your pickup and departure point, please notify us at the time of scheduling if you need assistance to/ from the door if you are unable to navigate the path due to an obstruction, condition, or your disability. However, for safety purposes, drivers are always required to stay in sight of the vehicle and may travel no farther than one hundred (100) feet to provide assistance. Drivers will enter a foyer/lobby area to collect a passenger but will not enter a private residence or individual room inside a building. Drivers will assist passengers using a wheelchair over one curb or step only. Case-by-case situations may require additional modifications to ensure that the origin-to-destination requirement is met. Please notify the reservationist at the time you schedule your trip if assistance is necessary.



As a courtesy, drivers will assist carrying packages: a maximum of five (5) packages and no more than twenty-five (25) pounds combined. Drivers cannot carry heavy items on stairs.

1.7 General Policy on Service Animals and Pets

Service animals are welcome on Clovis Transit vehicles. The U.S. Department of Transportation (DOT) defines a service animal as “any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” Section 37.3 of 49 CFR Part 37- Transportation Services for Individuals with Disabilities (ADA).

Clovis Transit like the U.S. DOT definition in Section 37.3 does not allow emotional support or “comfort” animals which have not been trained to perform a task for an individual with a disability. A comfort animal provides comfort or emotional support just by being with the individual. As noted in Section 2.6 of the FTA ADA Circular, simply providing comfort is something that an animal does passively.

For safety reasons, Clovis Transit recommends service animals do not ride the passenger lift platform. Their tails, paws, head, or equipment may catch in the lift mechanism.

Service animals are permitted to accompany individuals with disabilities in Clovis Transit vehicles and facilities. The passenger must exercise control over the service animal which can be verbal and does not necessarily involve a leash or harness. Clovis Transit will not transport service animals that pose a direct threat to the health or safety of drivers or other riders, are seriously disruptive, or are otherwise not under the rider’s control. An example of prohibited behavior includes growling, biting, aggressive behavior toward people or other animals, and repeated barking.

Small Animal Exception:

Except for transporting small animals in a completely enclosed and secured cage or carrier, animals that do not meet the definition of "service animals"



are not permitted in Clovis Transit vehicles or facilities. The cage or carrier must be small enough to fit on the person's lap. The animal must not misbehave as described above.

1.8 General Policy on Fares

Clovis Transit provides transit service to all passengers on Stageline and Round Up at no cost.

1.9 General Policy on Service Area

Clovis Transit's Round Up service area is detailed in the Round Up brochure. Passengers must reside or otherwise be picked up within the service area within the Clovis city limits. County residents in the Tarpey service area are served through a reimbursement agreement with the County of Fresno.

Passenger trips may be provided within the eligibility service area. Trips into Fresno travel west to West Avenue, south to Kings Canyon Avenue, north to Shepherd Avenue, and include downtown Fresno east of Highway 99. Service to Fresno is only offered weekdays from 6:00am to 5:00pm. Round Up does not allow passengers to make Fresno to Fresno trips which means that any return trips from Fresno must end in Clovis.

Qualified registrants are not entitled to service outside of the defined service area and/or boundaries. Clovis Transit will assist with coordination with other transit services for completing trips outside of the service area as applicable.

- **Requesting to be taken directly to a destination.** The transit vehicle may pick-up or drop-off other passengers along the way to a destination and cannot accommodate a request for a direct route to a destination.
- **Requesting the driver drop you in a specific location.** Drivers will drop passengers as close as possible to a requested destination as long as it does not expose the vehicle, driver, or passengers to hazards that pose a direct threat. For example, we cannot accommodate a request



to stop in the middle of a traffic lane. The driver will stop in a safe location as close to a destination as possible.

1.10 General Policy on Service Vehicles

The Clovis Transit fleet consists of buses and vans. Clovis Transit reserves the exclusive right to determine which vehicle and driver will provide transportation service to its passengers. Passengers may not request a specific vehicle type or style, nor a particular driver, to complete their trip.

- **Requesting particular types of vehicles.** While passengers may prefer one type of vehicle to others, all our buses and vans are equipped to provide you with safe transportation. We are unable to accommodate a request for a certain type of vehicle as it is considered an alteration of the transit service.

1.11 General Policy on Transporting Other Life-support Equipment

Passengers may travel with respirators, portable oxygen, and other life-support equipment, provided such transport does not violate laws or rules related to transportation of hazardous materials.

1.12 General Policy Regarding Wheelchair Lift and Securement Use and Other Mobility Devices

Passengers using a mobility device are encouraged to remain in their chairs and wear a lap belt during boarding and exiting and while riding in the paratransit vehicle. Passengers using a scooter are encouraged to transfer to a seat during travel and wear a lap belt. During boarding and exiting, electric mobility devices are required to be set on the lowest speed or turned off.

Mobility devices are required to be in good working order and must adhere to ADA requirements/limitations which limit the size and weight to the capacity of the equipment used for transport. The maximum combined weight of a



passenger and their mobility device is 1,000 pounds. All mobility devices except walkers, canes, and carts must be secured to the bus. All other items need to be kept clear of the aisles.

The law also requires parents of children between 8 years and 16 years old to make sure their children use seat belts, if provided, while riding a bus. Parents must make sure that children under 8 years old and under 4 feet 9 inches in height be “acceptably restrained by a safety belt” while on a bus. If it is not possible to do so, the child must be secured in an appropriate child passenger restraint system. If the child is under two years old, they may be held by a parent or guardian.

Clovis Transit will secure wheelchairs and scooters within the interior of the bus. Unsecured wheelchairs or scooters can tip over, slide, or otherwise move dangerously during sudden stops or other vehicle movements. Unsecured wheelchairs are not only a potential safety issue for the wheelchair passenger but for all passengers who could be struck by an unsecured wheelchair. To ensure proper securement, the bus operator may utilize webbing loops or straps which would be attached to your wheelchair. If you are a frequent rider, the loops may be left attached for future boardings. Trainers may also schedule an appointment to visit your residence and mark your wheelchair with colored tape to note the safest securement location for your wheelchair design. If your wheelchair is deemed to lack suitable points on the wheelchair frame to properly secure the wheelchair (due to its design), the bus operator will attempt to secure it to the best of their ability. You may still choose to ride Clovis Transit while in the wheelchair with the understanding that this may present a safety hazard to you, your wheelchair, or other passengers.

Drivers will also secure other mobility devices such as walkers and canes during travel. Securing these devices reduces injury to passengers and the driver by flying objects during a collision.

1.13 General Policy on On-Board Camera Systems

All Clovis Transit vehicles are equipped with on-board camera systems that record both video and audio. Each bus has 5 or 6 cameras. Passengers or staff may request a camera be reviewed by the Transit Manager or other city staff for safety or passenger service reasons. When requesting a review, please provide the following information: vehicle number, date and approximate time



of incident, location of incident, description of the incident, and your contact information. Video footage is not ordinarily kept during the course of business. However, once requested to be reviewed, footage will be maintained for a period of time, or as necessary for litigation.

1.14 General Policy on the Complaint Process

An inquiry, compliment, or complaint may be filed either by contacting Round Up via phone at (559) 324-2760, by email at: clovistransit@cityofclovis.com, or by mail at the address listed below. Within 10 days of receiving the complaint, transit supervisory staff will investigate the incident and respond to the complainant. Please provide as much information as possible when filing a complaint including date, time, location, and event.

Clovis Transit
155 N. Sunnyside Ave.
Clovis, CA 93611
(559) 324-2760

1.15 Fixed Route Policy on Transfers

Clovis Transit does not provide transfers because our service is free.

1.16 General Policy on Transporting Bicycles

Clovis Transit Stageline vehicles are equipped with bike racks that allow for the transport of two bicycles at one time. Passengers are required to load and unload their own bikes and to inform the driver that they will be removing a bike when their destination is reached.

Each bus is equipped with a rack that accommodates two bikes. Bike racks are on a first-come, first-served basis. If the bike rack is full, the passenger will not be allowed to take the bike inside the transit bus and must wait for the next scheduled bus.



SECTION 2 – Provisional Denial of Service

Provisional denial of service is the act of denying rides to a passenger based on legitimate safety concerns or inability to perform the service. These are provisional because if modifications can be made to the reason for denial, the passenger would be able to begin or resume service.

The following are examples, but not an exhaustive list, of legitimate safety concerns:

- A mobility device that, with the combined weight of the device and rider, exceeds the weight capacity of the lift or would block the aisle.
- A mobility device that cannot fit on the lift.
- Property that creates an unsafe pathway, unrestrained animals, or other safety concerns.
- Property that does not have safe egress, ingress, driveway, or ramps for passengers with mobility devices.
- A residence that is outside the service area or accessed by unmaintained roads that would cause safety risks for the passengers, drivers, or vehicles.
- The passenger is not or becomes incapable of traveling without assistance.

2.1 Investigation

The Clovis Transit Manager or designee will investigate the safety conditions in question, including taking pictures, conducting interviews with witnesses, visiting a property in question, taking pictures or videos, and other means to compile enough evidence to make a determination.

2.2 Written Documentation

The documentation collected through the investigation will be compiled into a report. The passenger will be notified of the determination along with the report.



2.3 Reinstatement

The passenger will be given the opportunity to take corrective action. If possible, the service will begin or be reinstated. For example, if the path of travel that was unsafe is cleaned up or an animal is restrained, the service may be reinstated.

SECTION 3 – Service Refusal

3.1 General

Service refusal is the act of the agency, driver, or dispatcher refusing a ride to a passenger. In most cases, this is a decision that is made at the scene of a pickup where the passenger is committing an infraction of the Passenger Code of Conduct. For example, a passenger is trying to board with an item that is hazardous and unsafe to transport.

The driver must immediately notify dispatch of the service refusal and the reason(s) for his/her decision. The service refusal must be recorded in a written format, based on articulable and documentable reasons. Service refusals may not be used as a substitute for a service suspension. Behavior occurring repeatedly will be reviewed and addressed in accordance with the guidelines for service suspensions. Service suspensions cannot be used as an excuse to refuse rides for clients who may be difficult for any reason. For example, if the driver does not like a particular passenger, the driver may not refuse service based on that fact.

Service refusal may be assessed as a No-Show or Late Cancellation, which may lead to suspensions. Repeated problematic behavior may also lead to suspensions.



SECTION 4 – Suspension Procedure

Clovis Transit strives to create a welcome, safe, and secure environment for passengers and employees. When a passenger or passengers' behavior or actions threaten the health and security of others, transit staff will take the appropriate action. The suspension procedures cover the steps in which Clovis Transit will investigate, determine the levity, and the appropriate disciplinary action needed to correct inappropriate behavior. In most cases, the passenger will be given verbal and written warnings, and the passenger will be given the chance to correct the behavior before disciplinary actions are used. In some cases, such as severe violence, discussed in "**Exceptional Behavior**" below, no warning will be given before the passenger is removed and/or permanently suspended from service.

In making this determination, the cause of the conduct will be considered; for example, if information is brought forward indicating the passenger's conduct is asserted to be involuntary due to a disability. In such circumstances, the relationship of the disability condition to the conduct at issue must be considered.

If the available information shows the conduct is involuntary and caused by the passenger's disability, we must consider whether the conduct is such that some reasonable modification would enable the individual to use the service. If reasonable modification is not possible, or if the conduct is not involuntary or caused by the passenger's disability, reasonable modification would not be required. If appropriate, continued use of transit service is conditional upon the passenger's compliance with measures reasonably calculated to ensure the safety of the passenger, other passengers, and employees.

4.1 Investigation

The Clovis Transit Manager or designee will investigate the pattern of behavior or misconduct to the extent practicable to determine the facts of the events giving rise to the report. If the investigation confirms that the conduct is valid,



then the investigator must determine if the conduct meets the criteria of violent, seriously disruptive, or illegal.

4.2 Warning

Generally, a service suspension will be implemented only after the passenger has been given at least one (1) written warning regarding the conduct or behavior for which a service suspension is contemplated, unless it falls under “exceptional conduct”.

The written warning describes the behavior or conduct that needs to be corrected, including the time, date, location, and any other relevant facts. It will include a description of the conduct expected or the modification offered or required as a condition of continuing to ride with Clovis Transit.

If the warning is a verbal discussion with the passenger or their representative, it will be followed up with a written report and kept on file. The passenger will receive a copy. Written warnings may take the form of a physical mailed copy, electronic email and/or text messages.

4.3 Notice of Suspension

A Notice of Suspension must be in writing, even when discussed verbally with the passenger. The notice must include a description of the behavior(s) and a record of the warnings that have taken place previously. The description will include the specifics of the behavior, including the date, time, location, and other relevant facts. The notice will include the beginning and ending date of the suspension.

4.4 Duration of Suspension

The duration of suspension will be set at seven-day intervals, such as seven (7) days for the first suspension, fourteen (14) days for the second suspension and so on.



SECTION 5 – Exceptional Conduct

Conduct that inflicts serious harm on another passenger or on Clovis Transit employee(s), that results in serious damage to Clovis Transit property, and/or creates an immediate actual risk to safety, may warrant immediate suspension of service without a warning and permanent suspension from the service.

As soon as practicable, following imposition of a suspension for exceptional conduct, the passenger will be advised in writing of the basis for the suspension, including a description of the behavior or conduct involved, the time, date and location of the conduct and any other relevant facts.

SECTION 6 – Appeal Policy

Passengers have the right to appeal decisions that may affect their ability to ride with Clovis Transit. The passenger can appeal individual No-Shows or Late Cancellations if he/she feels the trip status is incorrect or should be excused. The passenger can also appeal disciplinary actions such as temporary or permanent suspensions due to excessive No-Shows, Late Cancellations, or infractions of the Passenger User Policy.

The Suspended Service due to No Show or User Policy Appeals Process includes an opportunity to present information and arguments in writing or in person to an individual who was not involved in the initial decision to deny eligibility.

6.1 Instructions

Step 1: Within fourteen (14) days of the Notice of Suspension, please provide an appeal in writing to the physical address or email to the address listed below. Include a copy of the notice submitted to the passenger. The appeal should state the reason the passenger believes the No-Show, Late



Cancellation or Suspension is invalid.

Transit Manager
City of Clovis Transit
155 N. Sunnyside Avenue
Clovis, CA 93611
(559)324-2769

clovisransit@cityofclovis.com

Step 2: Upon receipt of the request for appeal, Clovis Transit will determine whether the No-Show, Late Cancellation penalty or suspension should be withdrawn. The investigation and decision will consider:

- The passenger's trends and patterns
- Medical emergencies or situations outside the passenger's or caregiver's control

Step 3: If the passenger is not satisfied with the Clovis Transit's investigation or decision, he/she may request a meeting with Clovis Transit Management to review the decision along with all documentation leading up to the decision. Once an appeal is filed, a suspension will not occur until all appeal remedies requested have been exhausted, except if the suspension is based on violent or illegal behavior on the bus, in which the suspension will stand until the appeal process has been fulfilled.