

  


# AREA IV PUBLIC TRANSPORTATION OF TIPPECANOE COUNTY

Passenger's Rider Guide

Mission Statement

*To inspire hope and spark positive change in the lives of those we serve  
and the communities where we live.*

**Phone (765) 447-7683, Option 2**

**Indiana Relay Service Dial**

**(800) 743-3333**

**(For the Hearing Impaired)**

***Area IV Agency on Aging and Community  
Action Programs, Inc.***

**660 N 36<sup>th</sup> St., Lafayette, IN 47905**

**[www.areaivagency.org](http://www.areaivagency.org)**

## PASSENGER DISCIPLINARY POLICY

### PURPOSE

Area IV Public Transportation of Tippecanoe County is a service administered by Area IV Agency on Aging and Community Action Programs, Inc. that manages and operates the demand response transit service in non-urbanized Tippecanoe County. Area IV Public Transportation of Tippecanoe County's mission is to provide safe, reliable, convenient, and efficient public transportation for citizens and visitors.

These Rules of Conduct ('Rules') are designed to:

- ◆ Promote the health, safety and comfort of Area IV Public Transportation of Tippecanoe County Riders and assure that Facilities are safe, clean and accessible;
- ◆ Promote and facilitate the safe, efficient and proper use of Area IV Public Transportation of Tippecanoe County Facilities and Services;
- ◆ Protect Area IV Public Transportation of Tippecanoe County Facilities, staff, and Riders; and

These Rules describe conduct that is appropriate and conduct that is prohibited when on or using Area IV Public Transportation of Tippecanoe County Facilities and Services. These Rules also detail the procedures Area IV Public Transportation of Tippecanoe County will follow for ordering Riders who exhibit prohibited conduct off Area IV Public Transportation of Tippecanoe County vehicles and other Facilities and temporarily or permanently prohibiting such persons from using Area IV Public Transportation of Tippecanoe County Facilities and Services ('Excluding' such persons). They also describe the process to be followed for appealing such Exclusion actions.

The Area IV Public Transportation of Tippecanoe County may suspend, amend, modify, or revoke the application of any or all these Rules at any time as it deems necessary.

### GOALS

To provide Area IV Public Transportation of Tippecanoe County with a documental means of addressing passenger violations of policy, and behavior or other occurrences that impact the safety of other passengers, transit staff or the vehicle.

The passenger rider guide provides the required passengers' policies for Area IV Public Transportation of Tippecanoe County and should be referenced when addressing violations. Note: this policy is intended to be utilized to address passenger's violation of service policies and other behaviors that impact the safe operation of the transit vehicle and is not intended to be utilized as a means of denying service. Each policy violation must be independently investigated.

#### APPLICABILITY

This policy applies to all passenger that utilize Area IV Public Transportation of Tippecanoe County services, while on Area IV Public Transportation of Tippecanoe County properties and while communicating with Area IV Public Transportation of Tippecanoe County staff.

#### CONDUCT

All persons using Area IV Public Transportation of Tippecanoe County Facilities and Services shall exhibit conduct that supports and is consistent with the safe and orderly use of the Area IV Public Transportation of Tippecanoe County public transit system in which Riders of different ages and abilities travel in close proximity to one another on ADA paratransit vehicles.

Appropriate conduct ('Appropriate Conduct') means that all persons using Area IV Public Transportation of Tippecanoe County Facilities or Services shall:

- ◆ Listen to and follow the lawful orders and directives of Area IV Public Transportation of Tippecanoe County Operators and Supervisors;
- ◆ Obey written instructions Area IV Public Transportation of Tippecanoe County posts;
- ◆ Conduct themselves in ways that:
  - Does not threaten their own health or safety or the health or safety of others;
  - Does not unreasonably annoy, disturb, or intrude on the space of others; and
  - Does not unreasonably obstruct the aisles, seats, or doors of vehicles or obstruct others from using or accessing Facilities or Services.

- Unreasonable riding the vehicle with the intention of exceeding all normal round-trip ride times.

No person using Area IV Public Transportation of Tippecanoe County Facilities or Services shall engage in prohibited conduct. Prohibited Conduct is conduct that:

- ◆ Is illegal under any federal, state, or local law, regulation, or ordinance;
- ◆ Damages any real or personal property of Area IV Public Transportation of Tippecanoe County, Operator, any Rider, or any other person;
- ◆ Injures an Operator, any Rider, or any other person; or
- ◆ Substantially interferes with or tends to interfere with Area IV Public Transportation of Tippecanoe County Service or Facilities.

Specific Prohibited Conduct is more fully described below. A Person who exhibits Prohibited Conduct may also be subject to criminal process or civil legal actions pursued by Area IV Public Transportation of Tippecanoe County or others.

#### DEFINITIONS

In addition to the definitions contained elsewhere in these Rules, the following definitions apply.

**Exclude, Excluded, Exclusion:** Means a person may not enter upon or remain on Area IV Public Transportation of Tippecanoe County Facilities or use Area IV Public Transportation of Tippecanoe County Services for a specified period of time.

**Facilities:** Means all real and personal property and equipment of or used by Area IV Public Transportation of Tippecanoe County in the provision of Area IV Public Transportation of Tippecanoe County Services. Facilities include, but are not limited to:

- ◆ Bus stops and transfer points, and areas inside and adjacent to such stops, and points;
- ◆ Buses and other vehicles and equipment; and signs.

**Operator:** Means the driver of an Area IV Public Transportation of Tippecanoe County vehicle.

**Person:** Means any individual, association, or entity.

**Rider:** Means any Person using Area IV Public Transportation of Tippecanoe County Facilities or Services.

**Services:** Means Area IV Public Transportation of Tippecanoe County ADA paratransit and related services and such other services as may be offered from time to time by Area IV Public Transportation of Tippecanoe County.

**Service Animal:** Means a 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,
- ◆ Fetching dropped items

Unless required by law, the term Service Animal does not include a therapy animal or animal used for emotional support or comfort. The term Service Animal does include a working dog or other animal of a law enforcement agency.

**Sound Production Device:** Means any device capable of producing sound including but not limited to: radio, television, musical instrument, tape recorder, cassette or compact disc player, speaker device or system, computer, computer tablet, smart phone, and any sound amplifier or sound-producing device like those items listed but excluding an auxiliary aid or assistive device when utilized by a person with a disability as defined by the Americans with Disabilities Act.

**Supervisor:** Means the Area IV Public Transportation of Tippecanoe County Transit Services Administrator or an Area IV Public Transportation of Tippecanoe County employee in a supervisory position. Supervisors are authorized to trespass a Person from Facilities.

**Vehicle:** Any Area IV Public Transportation of Tippecanoe County bus or other vehicle used for public transport.

#### PROHIBITED CONDUCT

**Level I Prohibited Conduct includes:**

- ◆ Entry onto a Vehicle when a Person's ability to function safely and in an orderly manner is believed to be weakened or diminished by the consumption of alcohol or by the taking of any drugs or other substance.
- ◆ Disturbing other Riders or the Operator or impeding, interfering with, or obstructing the provision of safe, efficient, comfortable, clean, and hygienic Service. This includes but is not limited to:
  - Refusing to vacate seats and areas designated by signs for senior citizens and people with disabilities when requested by a senior citizen or a person with a disability or by the Operator on behalf of such persons.
  - Using a Sound Production Device except when such Sound Production Device is used with headphones or earphones such that sound from such device is heard by the user only.
  - Standing when the Vehicle is in motion in front of the standee line at the front of the Vehicle near the Operator's seat.
  - Bringing any animal on a Vehicle unless such animal is caged. The cage must be capable of being held in the lap of the Rider possessing the animal. This prohibition does not apply to Service Animals.
  - Bringing on-board a Vehicle any packages, articles, or equipment that cannot be safely carried by the Rider in one trip and that cannot be or are not secured by the Rider outside of the aisle. Packages, articles, or equipment may not block any exits or restrict the free and safe movement of Riders. Strollers and carts are permitted provided they are collapsed, secured by the Rider outside of the aisle, and do not block exits or restrict the free and safe movement of Riders. This prohibition does not apply to wheelchairs, crutches, canes, or other mobility aids or assistive devices.
  - Distracting, or attempting to distract, an Operator.
  - Engaging in canvassing, selling, or soliciting on or at a Facility.
  - Distributing any paper or other material on or at a Facility.
  - Changing a child's diaper in a Vehicle.
  - Spilling food or drink, littering, or otherwise leaving trash or garbage on or at a Facility.
  - Exhibiting personal hygiene that may cause a health or safety hazard.

- Hanging or swinging from stanchions or other Vehicle equipment with feet off the floor.
- Hanging out, reaching out, or putting any item, article or other substance outside of Vehicle windows.
- Engaging in conduct that may cause a safety hazard.
- Excessive riding on a vehicle beyond the normal roundtrip length of the route or trip.

**Level II Prohibited Conduct includes:**

- ◆ Destroying any property including marking, soiling, painting, inscribing, writing, spray painting, or placing graffiti upon and Facility; removing, injuring, or tampering with any Facility; or attempting to commit any of those acts.
- ◆ Stealing or wrongfully taking any Area IV Public Transportation property or the property of another Person while on or using a Facility.
- ◆ Disorderly or disruptive conduct, including:
  - Fighting.
  - Assaulting another or threatening to inflict bodily injury on another through words or actions.
  - Offensively touching another or using force on another without their consent or intentionally injuring another.
  - Harassing another.
  - Screaming or shouting offensive and unwelcome words at another.
  - Stalking another.
- ◆ Smoking or lighting any incendiary device, including a match, lighter, or torch on a vehicle; or using vapor products, including but not limited to electronic cigarettes, on a Vehicle.
- ◆ Possession of a weapon on Area IV Public Transportation of Tippecanoe County property or vehicles (except as permitted under Indiana Code 35-47-11.1).
- ◆ Obstructing or interfering with the Operator's safe operation of the Vehicle.
- ◆ Exposing any private part of a Person's body.

ENFORCEMENT OF THE RULES

The Operator may refuse entry onto a Vehicle to any Person who violates these Rules of Conduct. The Operator or a Supervisor may provide oral and written warnings and may eject (order a Person to leave) or Exclude Persons from Facilities and suspend the use of Area IV Public Transportation of Tippecanoe County Services as follows:

- ◆ If an Operator or Supervisor becomes aware that any Person is engaging in any Prohibited Conduct, such Operator or Supervisor may give that Person an oral First Warning to immediately cease engaging in the Conduct and/or not to engage in the Conduct again. If the Person does not cease engaging in the Conduct, or if the Person was engaged in any Level II Prohibited Conduct, then the Operator or Supervisor may direct the Person to immediately leave the Vehicle or other Facility.
- ◆ If a Person fails or refuses to leave a Vehicle or other Facility after being directed to do so by an Operator or Supervisor, then such Person is subject to arrest and prosecution. Additionally, failing to leave a Vehicle or other Facility after being directed to do so may also subject a Person to the Exclusion Procedure, described in Section 5.

The remedy described in this section is not exclusive, and Area IV Public Transportation of Tippecanoe County or any other person may pursue such further legal action as applicable and appropriate.

#### FACILITY EXCLUSION PROCEDURES

If a Person has failed or refused to follow an order to cease Prohibited Conduct and Area IV Public Transportation of Tippecanoe County determines that an individual should be excluded from Area IV Public Transportation of Tippecanoe County Facilities and/or Services, or that conditions should be placed on the Person's continued use thereof, the process is as follows:

- ◆ The Area IV Public Transportation of Tippecanoe County Transit Services Administrator or his/her designee will issue an Exclusion Order to the Person stating the reasons for the exclusion, the time period of the exclusion, and the Facilities and/or Services to which the Exclusion Order applies. In general, Level I Prohibited Conduct may result in exclusion for not less than 14 days or more than 3 months and Level II Prohibited Conduct may result in exclusion for not less than 90 days or 24 months.

Repeated instances of Prohibited Conduct will result in longer exclusion periods. If continued use of Facilities and/or Services is made subject to safety conditions or restrictions (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 Order may be issued specifying that the Person will be subject to exclusion unless the imposed restrictions are complied with. The Exclusion Order may be issued verbally; however, any verbal notice will be followed by a written Exclusion Order.

- ◆ The written Exclusion Order shall also advise the Person of his/her right to appeal the decision and include a copy of the appeal procedure. The Area IV Public Transportation of Tippecanoe County Transit Services Administrator shall provide a copy of the written Exclusion Order to the appropriate staff about the reasons for and length of the exclusion.
- ◆ If an appeal is not filed by the excluded party within ten (10) business days from the commencement of the exclusion, the right to appeal terminates and the Exclusion Order is final.

#### APPEALS

Any Person Excluded from Area IV Public Transportation of Tippecanoe County Facilities or Services may appeal such Exclusion Order by submitting a written Notice of Appeal to the Transit Services Manager at the following address:

- ◆ ***Area IV Public Transportation of Tippecanoe County; 660 N 36<sup>th</sup> St., Lafayette, IN 47905***

1. Such Notice of Appeal must be submitted within ten (10) business days from the date of the Exclusion Order. The Notice of Appeal shall state with specificity the grounds for the appeal and all the facts that the Excluded Person believes are relevant to the appeal.

The Transit Services Manager shall review and may uphold, reconsider, or modify the Exclusion Order and shall make his/her decision in writing within fifteen (15) business days of receipt of the Notice of Appeal. Exclusion Orders shall remain in effect pending an appeal.

- ◆ Should the Excluded Person wish to appeal the decision of the Transit Services Manager, the Excluded Person may appeal the Transit Services

Manager's decision to the Deputy Director of CAP by filing a written Notice of Appeal of Transit Manager's Decision within ten (10) days of the date of the decision of the Transit Administrator at the following address: 660 N 36<sup>th</sup> St., Lafayette, IN 47905.

- ◆ The Deputy Director of CAP will have ten (10) days to issue a final suspension decision in writing to the passengers involved. All decisions made by the Deputy Director will be final.

#### NON-COMPLIANCE WITH EXCLUSION ORDER: TRESPASSING

If any Person subject to an Exclusion Order enters the specified Facilities or Services before the termination date listed in the Exclusion Order, that Person shall be trespassing and is subject to arrest and prosecution.

#### APPEAL SUSPENSION OF SERVICE

##### PURPOSE

The purpose of this policy is to provide procedures for handling the suspension of service and appeals process for those passengers who have had their use of the service with Area IV Public Transportation of Tippecanoe County suspended. The purpose of the suspension may include violations of passenger behavior rules, violation of the no-show policy or inappropriate or disruptive behavior. Regardless of the reason for suspension, every passenger has a right to appeal the decision through this appeals process.

##### DEFINITIONS

Pattern or Practice of No-show - is determined by the number of trips scheduled compared to the number of trips travelled. A pattern is established when a customer No-Shows for 30% or more of booked trips in a 30-day period.

Advanced Cancellation - when the customer (or the customer's representative) calls and cancels a specific scheduled trip at least one (1) hour prior to the pickup time. Early morning same-day, trips scheduled for

pickup before 8:00 AM, are to leave a cancellation message on the Transportation voicemail; Option 2.

Late Cancellation - the customer (or the customer's representative) does not call to cancel a specific scheduled trip at least 1 hour prior to the pickup time (other than early morning trips as identified above). Late cancellations will be treated as No-Shows.

A Missed Trip occurs when a vehicle arrives after the end of the 30-minute window and the rider is not available or chooses not to take the trip. This will not count as a rider No-Show. It will be counted as a missed trip. If the rider chooses to board the vehicle, this will count as a late pick-up by Area IV Public Transportation of Tippecanoe County for the purposes of calculating Area IV Public Transportation of Tippecanoe County on time performance.

Cancel at Door - when the paratransit vehicle arrives at the location designated for a specific scheduled trip within the 30-minute pick up window and the customer (or the customer's representative) notifies the driver at that time that they no longer need the scheduled trip. The driver is not responsible for canceling any other trips booked for that day.

Area IV Public Transportation of Tippecanoe County schedules pick-up and return trips separately and assumes all scheduled return trips are needed unless notice is given by the customer or their representative. If a pick-up trip is a No-Show, Area IV Public Transportation of Tippecanoe County will not cancel the return trip unless advised by customer. If the return trip is also a No-Show, the customer will be assessed two (2) No-Shows. Drivers are required to wait five minutes after the agreed schedule time.

Area IV Public Transportation of Tippecanoe County defines a No-Show as when any or all the following criteria have occurred:

- There was no call by the customer (or the customer's representative) to cancel the scheduled trip one (1) hour or more before the pick-up window.

- The paratransit vehicle arrives at the scheduled pick-up location within the 30-minute pick up window and the customer does not show. The dispatch office is notified. At this time, dispatch will verify that the operator is at the correct location.
- Late cancellations and cancellations at the door will also be treated as no-shows.

### No-Shows Beyond a Passenger's Control

Trips cancelled for reasons that are beyond the customer's control will not be considered No-Shows. This includes missed trips resulting from sudden illness, family or personal emergency, appointment delay, or other unforeseen reasons for which it is not possible to call Area IV Public Transportation of Tippecanoe County to cancel in time, or to take the trip as scheduled. Although No-Shows will not be issued for reasons beyond the customer's control, the customer should always make every effort to cancel scheduled trips in a timely manner. It is the customer's responsibility to provide the reasoning for not canceling a trip.

Contact should be made with Area IV Public Transportation of Tippecanoe County as soon as possible. Lack of any contact will result in a No-Show being issued. Repeated failures to take scheduled trips, regardless of the reason, are subject to review.

### Pattern or Practice of No-Shows

Service suspension penalties will be assessed for a pattern or practice of No-Shows. Area IV Public Transportation of Tippecanoe County imposes penalties for consistent late cancellations and No-Shows. Drivers are required to wait five minutes after the agreed scheduled time. Customers may be suspended for two-weeks from paratransit service when they show a "pattern and/or practice" of No Shows of 30% or more during a 30-day period.

A practice of No-Shows is considered when No-show's total 30% or more of a customer's total trips in a 30-day period and may result in a rider suspension for two-weeks as described above.

### PROCEDURE

Customers will be notified in writing each time there is a rider suspension. This notice could be a letter in the mail, or an e-mail if there is an e-mail address on record. The mail or e-mail message will list the reasons for the rider suspension and the length of the suspension.

The “No-Show” appeal process is as follows:

1. Riders who wish to appeal a decision will have 10 days from the receipt of their suspension letter to appeal the decision in writing to Area IV Public Transportation of Tippecanoe County.
2. Appeals will be decided within 30 days of the receipt of the request.
3. While the appeal is in process, riders will still be able to receive transportation services until a final decision is rendered.
4. The Transportation Manager and Deputy Director of CAP will decide regarding appeals.

The determination made from the appeal will be in writing and will be final.

The Transit Manager will have ten (10) days to issue a final suspension decision in writing to the passengers involved. All final decisions will be implemented within seven (7) days of passenger notification.

All communications will be made available in alternate format upon request.