



Administering The Rules of Conduct (ROC) Program

POL-SE-0012 SECURITY AND EMERGENCY MANAGEMENT

Definitions:

Authorized Individuals: Individuals authorized, as outlined in this policy, to implement consequences against an individual in violation of the Rules of Conduct.

Bias-Based Enforcement: Bias-based enforcement is the different treatment of any person by Authorized Individuals motivated by any characteristic of protected classes under federal, state, and local laws as well as other discernible personal characteristics of an individual.

Camping: To pitch, use, or occupy a tent, hut, temporary shelter, or vehicles if being used as temporary living quarters, as evident by the presence of tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, clothes, cooking equipment or other personal items.

Community Transit Property: Community Transit owned, controlled, and leased premises. This includes any passenger facility, structure, stop, shelter, bus zone, property or right-of-way of any kind that is owned, leased, or held by Community Transit for the purpose of providing public transportation services.

Community Service in Lieu of Exclusion (Also known as community restitution): A form of consequence intended to benefit the community that's been harmed by an individual's behavior that violated the Rules of Conduct. In certain situations, offenders may agree to perform community service instead of an exclusion. The community service must be approved by Security Services in advance and arranged by the offender with written verification of completion provided to Security Services.

Contractor: Contractor includes any entity who provides goods, services, or public works services pursuant to a contract with Community Transit. The term includes subcontractors and employees of such Contractor/Subcontractors.

Customer: Individuals on Community Transit property or vehicles who use, or plan to use, Transportation Services as a customer. May also include employees, while using Community Transit services as a customer.

De-Escalate: Taking steps and/or actions to reduce the intensity of a conflict.

Personal Characteristics: Include, but not limited to the following: age, disability status, economic status, family status, gender, gender identity, homelessness, mental or behavioral health condition, national origin, political ideology, race, ethnicity, color, religion, sexual orientation, veteran status.

Electronic Smoking Device: Any noncombustible product that may contain nicotine and that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor or aerosol from a solution or other substance ([RCW 70.345.010](#)). For Community Transit purposes, this includes means of consuming cannabis.



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Exclusion (also called excluded): A civil process where an Authorized Individual identifies and prohibits someone from being on Community Transit property or using Community Transit services. Anyone violating a notification of exclusion may be arrested for the offense of criminal trespass.

Preponderance of the Evidence: Based on the facts presented, it is more likely than not that the enforcement action—such as an exclusion—was appropriate and justified. This standard is met when the evidence shows that there is greater than a 50% chance that the action taken was in accordance with the Rules of Conduct.

Reasonable Cause: A factual and objective basis, supported by specific observations or circumstances, that would lead a reasonable person to believe that a rule has been or is about to be violated, or that a person's behavior poses a potential safety threat, and that an enforcement action is necessary to prevent harm or disruption.

Reseat: A civil process where an Authorized Individual may request a person to move to a different seat on a Community Transit vehicle or property, without prior verbal or written notice, to a person who has engaged in prohibited conduct under Rules of Conduct.

Service Animal: A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Emotional Support Animals are not considered service animals by the Americans with Disabilities Act (ADA) or under WA state law.

Temporary Denial of Service: A civil process where an Authorized Individual may refuse transportation for a Trip (see definition of Trip below), without prior written notice, to a person who has engaged in prohibited conduct under Rules of Conduct, which in a Community Transit Authorized Individual's or Transit Police discretion violates a Rule of Conduct or reasonable safety concern.

Threat: Expression of the intent to cause physical or mental harm, including oral words, written words, gestures, or symbols that would communicate direct or indirect threat of physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry out the threat and without regard to whether the expression is continuing, conditional, or future.

Trauma Based Approach: "A program, organization, or system that is trauma-informed realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; and responds by fully integrating knowledge about trauma into policies, procedures, and practices, and seeks to actively resist re-traumatization." (U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration)

Transportation Services: Shall include the definition of Public Transportation Services in [RCW 36.57A.010\(10\)](#), together with vanpools, fixed route, ZIP shuttles, and DART paratransit services, whether operated by transit agency or any governmental agency, private person, firm, or corporation contracting with transit agency pursuant to chapter [36.57A RCW](#).



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Transit Police Unit: The Transit Police Unit is comprised of commissioned and non-commissioned personnel of the Snohomish County Sheriff's Office (SCSO) who are contracted by Community Transit to provide security and law-enforcement services to Community Transit on its transportation services and property.

Transit Security Officers (TSO): Non-commissioned employees of the Community Transit Security Services assigned to enforce the Rules of Conduct and provide security services for employees, contractors, customers, and visitors.

Trip: For the purpose of a temporary denial of service, a Trip is for the specific coach where the denial of service is issued and may, at the discretion of the coach operator, be for the remainder of the coach operator's shift.

Visitor: Any guest, other than an Employee or Contractor, that comes to Community Transit offices or property, such as operating bases, Cascade Administration Building, and other employee occupied offices.

As authorized by Board of Directors Resolution 15-22, the Board of Directors adopted the Rules of Conduct and authorized the CEO to adopt this policy. This policy supersedes all previous Rules of Conduct and applies to all individuals on Community Transit Property or while using Community Transit transportation services.

Section 1: Purpose

- Community Transit vehicles, facilities, and properties are intended to provide Transportation Services for the benefit of the public. Pursuant to State Law [RCW 36.57A.080](#), and in order to maintain public transportation services that are orderly, safe, secure, comfortable, and convenient, Community Transit has enacted the following Rules of Conduct. The Rules of Conduct are intended to regulate conduct occurring on Community Transit vehicles, within or at Community Transit facilities and properties, and in connection with Community Transit provision of public transportation services.

Section 2: Goals

- Provide reliable transportation to all members of the public to get them from where they are to where they want to be.
- Deter individual behaviors that disturb the orderly, safe, secure, comfortable, and convenient transportation that Community Transit provides to the public.
- Empower individual's voluntary compliance through education and warnings whenever reasonably possible and prudent.
- Ensure the Rules of Conduct, and this policy, are implemented in a reasonable, equitable, and transparent manner to align with our core values of Accountability, Initiative, Diversity, Equity & Inclusion, Integrity, Service Focused, and Mutual Respect.



- Ensure the due process rights of individuals are protected using proper notice, opportunity to comply, and opportunity to appeal exclusions.
- Ensure the Rules of Conduct, and this policy, are using a trauma-based approach to reduce instances of re-traumatization and promote well-being and recovery.
- Provide unified Rules of Conduct for all individuals on Community Transit property and for all services that Community Transit provides.

Section 3: Basis of Enforcement of the Rules of Conduct

De-Escalation:

- When safe, under the totality of the circumstances (e.g., based on behavior, risk, and time and circumstances permit de-escalation, Authorized Individuals shall use de-escalation tactics, as trained, to reduce the need to issue Reseat Requests, Temporary Denial of Service notifications and/or Exclusion notifications, as outlined in this policy. De-escalation of incidents is considered the highest priority to maintain safety, even if doing so may mean a delay in service to de-escalate a situation.

Acknowledging Trauma:

- Community Transit acknowledges that individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.
- Authorized Individuals are empowered to consider and apply a Trauma Based Approach, as trained, to resist re-traumatizing individuals and empower individual voluntary compliance, as outlined in this policy.

Bias-Based Enforcement:

- Authorized Individuals shall not make enforcement and/or investigative decisions that are influenced by bias, prejudice, or discriminatory intent. Enforcement and investigative decisions must be based upon observable behavior or specific intelligence.
- Authorized Individuals are expected to consider relevant life situations of an individual when determining whether to provide services designed for individuals with those characteristics (e.g., behavioral crisis, homelessness, addictions, etc.).
- Authorized Individuals who have observed or are aware of others who have engaged in bias-based enforcement of this policy shall specifically report such incidents to Security Services, providing all information known to them before the end of the shift during which they see or become aware of the incident.
- Transit Police Unit members are required to comply with the Snohomish County Sheriff's Office policies on bias enforcement and reporting bias enforcement violations.

**Due Process:**

- Authorized individuals will, whenever appropriate, give proper notice of violations of the Rules of Conduct using warnings and education. Notice is more necessary for lesser-known Rules of Conduct and may be less necessary for Rules of Conduct that are also violations of state law.
- Individuals given a warning or education must be given a reasonable opportunity to comply before additional Rules of Conduct enforcement is done.
- Individuals issued an exclusion must be notified of their ability to appeal the exclusion, including the process for filing an appeal.

Evidence:

- Authorized Individuals may base an enforcement action, such as an Exclusion, Reseat Request, Temporary Denial of Service, Vehicle Courtesy Warning or Vehicle Towing, on personal observation.
- Authorized Individuals may base enforcement action upon the sort of civilian or employee reports that would ordinarily be relied upon in the determination of reasonable cause.

Reasonable Accommodations:

- Individuals with disabilities, as defined by law, may request reasonable accommodation to the Rules of Conduct.
- Although certain vehicles have priority seating for ADA Customers, federal law does not require customers to reseat when requested to make room for a customer who says they have a disability, since some disabilities are not visible, and no disability has priority over another.

Section 4: Rules of Conduct Compliance***4.1 Failure to Comply with the Rules of Conduct May Result in a Warning***

- **Individuals:** Individuals, including Customers, Contractors, Employees and Visitors, who fail to comply with Rules of Conduct may result in the following actions, depending on the severity of the violation:
 - Request that the behavior that violates the Rules of Conduct stop.
 - Request that the behavior that violates the Rules of Conduct stop and a warning that future violations may result in an Exclusion from services.



4.2 Failure to Comply with the Rules of Conduct May Result in a Reseat Request

- **Individuals:** Individuals, including Customers, Contractors, Employees and Visitors, who fail to comply with Rules of Conduct may result in the following actions, depending on the severity of the violation:
 - Request a Reseat.

4.3 Failure to Comply with the Rules of Conduct May Result in Removal from Community Transit Property and/or Services

- **Individuals:** Individuals, including Customers, Contractors, Employees and Visitors, who fail to comply with Rules of Conduct may result in the following actions, depending on the severity of the violation:
 - 1) Issuance of a Temporary Denial of Service Notification from property for a Trip.
 - 2) Issuance of an Exclusion Notification and Trespass Warning from property for a period of one (1) trip to an Exclusion of up to five (5) years or more, as outlined in this policy.

4.4 Unauthorized Vehicle Movement / Parking, as Outlined in The Rules of Conduct, May Result in Citations and/or Impoundment

Individuals: Individuals, including Customers, Contractors, Employees and Visitors, who commit unauthorized Vehicle Movement / Parking, may result in the following actions, depending on the severity of the violation:

- 1) Courtesy warnings may be issued for parking violations.
- 2) Vehicle impoundment without citation and without prior notice to its registered and legal owners may occur under the following circumstances:
 - Vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic.
 - Vehicle is illegally occupying a restricted bus loading zone or when parking is limited to on designated days or at all times via signage, if the zone has been established with signage for at least twenty-four (24) hours giving notice that a vehicle will be removed if illegally parked in the zone and where such vehicle is interfering with the proper and intended use of such zones.
 - Vehicle poses an immediate danger to the public safety.
 - Vehicle is a "junk motor vehicle", as defined in [RCW 46.55.010\(4\)](#), on Community Transit owned or controlled property.
- 3) Vehicle impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for a period of twenty-four (24) hours prior to such impoundment, for the following reasons:



- When such vehicle is parked and/or used in violation of any Rule of Conduct
- When such vehicle is so mechanically defective as to be unsafe for operation; provided, however, that this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of equipment defect in the manner directed by any peace officer.

4) Exclusion of individual operating or parking a vehicle that violates the Rules of Conduct

Individuals are responsible for all costs associated with impoundment (removal, towing, and storage).

NOTE: The primary method of enforcement for vehicles that can be reasonably identified as belonging to an employee who is driving or parking at an operating base(s), Cascade Administrative Building, and employee occupied facilities will be progressive discipline, unless the vehicle meets the criteria for immediate impoundment as identified above.

4.5 Fare Evasion Violations May Result in Citations

Individuals who commit acts of Fare Evasion as their only violation, as outlined in the Rules of Conduct, may be warned that further violations could result in a notice of infraction or a Transit Police Unit deputy may be issued a notice of infraction for fare evasion, as outlined in this policy.

4.6 No Enforcement Actions May Be Taken Against Customers or Visitors Unless the current Rules of Conduct are Violated

Individuals are prohibited from not transporting someone because they feel unsafe unless they violated the Rules of Conduct and are being issued a Temporary Denial of Service and/or Exclusion.

4.7 Employees Shall Comply with Rules of Conduct

Employees who fail to follow the Rules of Conduct and/or this policy may face disciplinary action up to, and including, termination from employment for violation of the Personnel Policy.

4.8 Contractor Shall Comply with Rules of Conduct

Contractors who fail to comply with the Rules of Conduct and/or this policy are subject to exclusion from all Community Transit property and services. Vendors and contractors who fail to comply with this policy may also be subject to termination of services provided to Community Transit.



4.9 Authorized Individuals May Take Enforcement Action

- **Coach Operator's Role:**
 - The coach operator's primary job is to operate the coach (bus) safely and to maintain their safety, and the safety of customers, whenever reasonably possible. The coach operator is often the first line of communication with customers, not the enforcer of the Rules of Conduct. Enforcement of the Rules of Conduct is handled through a network of professionals that can be called upon by the coach operator when needed.
 - If problems arise on the coach, the Coach Operator's priority is to determine if a customer's safety or security is at stake. The coach operator assesses the severity of the problem and resources available and responds accordingly.
 - The coach operator, at their discretion, based on their training and Community Transit procedures, may choose to talk to the customer, ask the customer to reseal, ask the customer to stop their violation of the Rules of Conduct, ask the customer to temporarily get off the bus, call for assistance, submit a report on the incident at the end of their shift, or take no immediate action.
 - In the case of Rule of Conduct Level A & B violations, Community Transit's general guideline for the coach operator would be to notify Dispatch and continue on the route rather than inconvenience other customers by delaying service. Dispatch can coordinate TSO or TPU units to meet the coach at a stop.

Only Authorized Individuals as outlined below may implement consequences against an individual who is violating the Rules of Conduct. Individuals not listed in this policy as Authorized Individuals are only authorized to observe and report violations of the Rules of Conduct.

- **Reseat Request:**
 - Authorized Individuals may immediately reseal, without prior oral or written notice, a person who has engaged in prohibited conduct under the Rules of Conduct which, in the Authorized Individual's discretion, violates a Rule of Conduct. Individuals who receive an immediate Reseat Request are not eligible to receive written notice of this request. Individuals who receive an immediate Reseat Request and fail to comply may receive a withdrawal of their ability to use Community Transit transportation services or be on Community Transit property for a period, as outlined in this policy.
 - **Individuals Authorized to Issue Reseat Request:**
 - Customer Care Managers, Assistant Managers, Leads, Service Ambassadors & Ride Store Employees
 - Transportation and Contract Services Managers, Assistant Managers, Supervisors, and Field Supervisors



- Transportation & Contract Services Coach Operators
- Innovative Services Drivers
- Security Services Personnel
- Commissioned Transit Police Unit Personnel
- Other individuals authorized by the Senior Manager - Security & Emergency Management

○ **Temporary Denial of Service Notification:**

- A person violating the Rules of Conduct, at the discretion of the Authorized Individual, may be refused transportation without prior written notice.
- Upon oral notice, a Temporary Denial of Service Notification shall be effective against the individual receiving the Temporary Denial of Service.
 - Any Temporary Denial of Service will for the specific coach where the denial of service is issued and may, at the coach operator's discretion, for the remainder of the coach operator's shift.
 - At a station or facility, any Temporary Denial of Service at a station or facility will be for the remainder of the day.
- Individuals who receive a Temporary Denial of Service Notification may also receive a written notice if they request it.
- If an Authorized Individual, as outlined above, observes a Level B through E violation, they should follow department procedures to request assistance from Security Services Personnel and/or Transit Police Unit Personnel. They may also issue a Temporary Denial of Service if the individual poses a direct threat, while Security Services and/or Transit Police respond to the incident to determine if a Rules of Conduct violation occurred.
- **Individuals Authorized to Issue a Temporary Denial of Service Notification:**
 - Customer Care Managers, Assistant Managers, Leads, Service Ambassadors & Ride Store Employees
 - Innovative Services Managers & Specialists
 - Vanpool Managers & Specialists
 - Transportation and Contract Services Managers, Assistant Managers, Supervisors, and Field Supervisors
 - Transportation & Contract Services Coach Operators
 - Security Services Personnel
 - Commissioned Transit Police Personnel
 - Other individuals authorized by the Senior Manager - Security & Emergency Management



○ **Exclusion:**

- Any person violating the Rules of Conduct, at the discretion of the Authorized Individual, may be refused entrance upon, ordered to leave, or otherwise restricted in the use of Community Transit vehicles, facilities, or properties.
- A person's failure to comply in a reasonable amount of time, typically a few minutes, with such a removal or exclusion order may be grounds for prosecution for criminal trespass and/or unlawful transit conduct as authorized under applicable state laws.

Authorized Individual may give a person a written "Community Transit Exclusion Notification and Trespass Warning" notice, to the extent possible, by personal delivery or by U.S. Postal Service Priority Mail, delivery confirmation requested, addressed to the person's last known address. The notice shall specify the reason or reasons for exclusion, identify the scope, duration, and effective date of the exclusion, and explain the appeal process. The exclusion notice is effective upon actual or constructive receipt.

- For Transit Security Officers, identification of the person being excluded is not required, but a photo of the unidentified person must be taken for future verification that the same person was issued an exclusion.
- Receipt of an exclusion notice is construed to have occurred if the person knew, including oral notice, or reasonably should have known from the circumstances that he or she is excluded from Community Transit vehicles, facilities, or properties. Receipt of an exclusion notice is also presumed to have been accomplished three calendar days after the notice has been placed in the U.S. Mail to the person's last known mailing address.
- **Individuals Authorized to Issue an Exclusion:**
 - Security Services Personnel
 - Commissioned Transit Police Personnel
 - Other individuals authorized by the Senior Manager - Security & Emergency Management

○ **Parking:**

- **Warning:**
 - Authorized Community Transit Individuals may immediately issue a Parking Courtesy Warning, without prior oral or written notice, on a vehicle that is engaged in prohibited conduct under the Rules of Conduct which, in the Community Transit's Authorized Individual's discretion, violates a Rule of Conduct.



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- Authorized Community Transit Individual may issue a Parking Courtesy Warning form on vehicles that are violating the Rules of Conduct, to the extent possible, by adherence to the vehicle window or by personal delivery or by U.S. Postal Service Priority Mail, delivery confirmation requested, addressed to the person's last known address. The form shall specify the reason or reasons for warning, identify the scope, effective date of the warning, and explain the appeal process. The warning is effective upon actual or constructive receipt.
- **Individuals Authorized to Issue a Parking Courtesy Warning:**
 - Transportation and Contract Services Department Managers and Supervisors
 - Security Services Personnel
 - Commissioned Transit Police Personnel
 - Other individuals authorized by the Senior Manager - Security & Emergency Management
- **Impoundment / Towing:**
 - No more than 24 hours after impoundment of any vehicle, the tow contractor shall mail a notice by first class mail to the last known address of the legal owner(s) of the vehicles, as may be disclosed by the vehicle identification number, and/or as provided by the Washington State Department of Licensing. The notice shall contain the full particulars of the impoundment, redemption, and opportunity for hearing to contest the propriety of the impoundment as hereinafter provided.
 - Similar notice shall be given to each person who seeks to redeem an impounded vehicle. Notice need not be mailed if a vehicle is redeemed prior to the mailing of notice.
 - When impoundment is authorized by this policy, a vehicle may be impounded at the direction of the following designated "Impounding Officer(s)"
 - Commissioned Transit Police Unit Personnel
 - Transit Security Officers
 - Senior Manager - Security and Emergency Management
 - Assistant Manager of Security Services
 - Other individuals authorized by the Senior Manager - Security & Emergency Management

The above Impounding Officers may use a contractor towing company to tow and store a vehicle as may be authorized under contract with Community Transit.



4.10 Limitations Apply to Enforcement Actions

Other Laws Not Limited:

- The enforcement of Rules of Conduct herein is not intended to limit, in any manner, the enforcement of any applicable federal, state, or municipal laws, if Authorized Individuals are not authorized to assist in enforcing a court order prohibiting or restricting contact with any other person other than to notify appropriate law enforcement personnel.
- This policy shall not be interpreted as an expansion or restriction of the authority of commissioned law enforcement personnel, including the Transit Police Unit, as conferred by their employing jurisdiction.

Liability:

- The Rules of Conduct herein shall not create a duty to any person on the part of Community Transit or form any basis for liability on the part of Community Transit, its officers, agents, employees, or volunteers.
- The obligation to comply with the Rules of Conduct is solely that of any person entering and using Community Transit vehicles, facilities, and properties, and Community Transit's enforcement of the Rules of Conduct is discretionary, not mandatory.
- If any one or more of the provisions(s) in the Rules of Conduct and/or this policy shall be declared by any court of competent jurisdiction to be contrary to law, then such provision(s) shall be null and void and the remaining provisions in the Rules of Conduct and this policy shall in no way affect the validity of the other provisions of the Rules of Conduct or this policy.

Treatment of Persons Vulnerable by Virtue of Age or Infirmary:

- No Authorized Individual may issue a Temporary Denial of Service Notification to an individual, who by virtue of young age (under the age of 10) or infirmity (physical or mental disability), will be left in a vulnerable state or position through compliance with the directive contained in the Temporary Denial of Service Notification, unless the Authorized Individual may make arrangements to assist the individual in a manner which reasonably assures that risks occasioned through compliance with the Temporary Denial of Service Notification are reduced.
 - In the case of a Temporary Denial of Service Notification that ejects a vulnerable individual from a location or vehicle and precludes the individual's transportation to a residential or service destination, the Authorized Individual can satisfy the requirements of this section by
 - a) requiring that the individual board a vehicle to their destination and delay the effective time of the Temporary Denial of Service Notification; or
 - b) arrange for alternative transportation for the individual; or



c) proceed with a Temporary Denial of Service for violations that are seriously disruptive, pose a serious threat to the safety of others or law enforcement determines a crime has occurred.

Section 5: Exclusion and Temporary Denial of Service Length Guidelines

- The following Exclusion and Temporary Denial of Service lengths are to be used in determining the duration of a particular Exclusion or Temporary Denial of Service issued under this policy.
- Authorized Individuals issuing a Temporary Denial of Service will inform the denied person the denial is for the specific coach where the denial of service is issued and may, at the discretion of the coach operator, be for the remainder of the coach operator's shift.
- At a station or facility, any Temporary Denial of Service at a station or facility will be for the remainder of the day.
- Exceptions to the actual exclusion period imposed may be shorter depending on the circumstances of each case.
- Circumstances that may be considered in determining the length include, but are not limited to, the severity of the incident, current exclusion status, and the individual's history of documented prior conduct/incidents while using or accessing Community Transit vehicles, facilities, or properties.
- Past Level A-F violations within the past year period will be considered when determining an individual's current exclusion step. The following violation levels do not expire:
 - Level G – Serious Violations Toward Person(s) or Property
 - Level H— Serious Felony Crime of Violence Against a Person Resulting in Injury or Any Felony Employee Assault.
- Incidents of Workplace Violence, as defined by Community Transit policy, directed at Community Transit employees or Contractors may result in an Exclusion Enhancement of up to 15 additional years for serious incidents of physical violence directed at an Employee or Contractor at the discretion of the Senior Manager of Security & Emergency Management or designee.
- Individuals who refuse to cooperate with Security Services personnel when contacted for Fare Evasion or other violation of the Rules of Conduct, including refusing to identify themselves, providing a false name, or fleeing may result in an immediate exclusion as outlined in this policy.
- Individuals who refuse to cooperate with Transit Police when detained for violation of a law or Fare Evasion, including refusing to provide proper identification, providing a false name, attempting to flee, or resisting arrest may result in an immediate exclusion or citation as outlined in this policy.



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Violation Level	1st Offense Step	2nd Offense Step	3rd Offense Step	4th Offense Step	5th Offense Step	6th Offense or More Step
Level A – Transit Specific Policy Violation	Warning and/or Reseat Request	Warning and/or Temporary Denial of Service	15 Day Exclusion	30 Day Exclusion	60 Day Exclusion	90 Day Exclusion
Level B - Smoking Tobacco / Marijuana or Alcohol Use	Warning and/or Temporary Denial of Service	15 Day Exclusion	30 Day Exclusion	60 Day Exclusion	90 Day Exclusion	120 Day Exclusion
Level C – Fare Evasion	Warning & May Finish Trip*	Warning and Temporary Denial of Service*	Infraction of \$124.00 and/or 15 Day Exclusion*	Infraction of \$124.00 and/or 30 Day Exclusion*	Arrest and/or 60 Day Exclusion*	Arrest and/or 90 Day Exclusion*
Level D – Controlled Substances Possession or Use	Temporary Denial of Service and/or 45 Day Exclusion	60 Day Exclusion	90 Day Exclusion	120 Day Exclusion	180 Day Exclusion	1 Year Exclusion
Level E - Serious Transit Specific Violations and Misdemeanor Crimes	Temporary Denial of Service and/or 30 Day Exclusion	30 Day Exclusion	60 Day Exclusion	120 Day Exclusion	160 Day Exclusion	180 Day Exclusion
Level F - Violation Toward Person(s) or Property	1 Year Exclusion**	2 Year Exclusion	2 Year Exclusion	2 Year Exclusion	2 Year Exclusion	2 Year Exclusion
Level G - Serious Violation Toward Person(s) or Property	2 Year Exclusion**	2 Year Exclusion	2 Year Exclusion	2 Year Exclusion	2 Year Exclusion	2 Year Exclusion
Level H – Serious Felony Violence Towards Person(s) That Results in Injury	5 Year Exclusion**	5 Year Exclusion	5 Year Exclusion	5 Year Exclusion	5 Year Exclusion	5 Year Exclusion

* Fare Enforcement & Checking is not conducted during incidents of activation of the Inclement Weather Plan (IWP) or as otherwise directed by the Manager of Security & Emergency Management or designee. DART (Dial-A-Ride Transportation) Paratransit



customers who commit Fare Evasion will be subject to the Contracted Service providers No Fare Process, until they face exclusion for fare evasion or other Rule of Conduct violations, and then the process outlined in this policy applies. Vanpool customers who commit Fare Evasion will be subject to the Vanpool Fare Non-Payment process, until they face exclusion for fare evasion or other Rules of Conduct Violations, and then the process outlined in this policy applies.

** CT employees not authorized to issue exclusions are still authorized to deny service for Level F, G, or H violations while waiting for TSO or law enforcement response.

Exclusion – Administrative Process, Single Exclusion per Incident:

- A criminal charge or civil citation and an Exclusion may be issued for the same act or omission committed by a single person during a single interaction consistent with this policy. An Exclusion is an administrative process barring use of Community Transit properties or services. Multiple violations for a single incident will not be stacked; whichever violation would result in the longest Exclusion shall apply to the individual. The issuance of an exclusion does not prevent the arrest, prosecution, or conviction of that person for violation of criminal laws for the same or different act or omission. In the event an individual who is being excluded already is under an active Exclusion, their new exclusion duration will be implemented consecutively with their existing exclusion with the longest subsequent Exclusion starting on the date the longest existing Exclusion is set to expire.

Section 6: Appeal Process

Reseat Request & Temporary Denial of Service

- There is no appeal process for Reseat Requests or Temporary Denial of Service, but complaints will still be investigated, and appropriate action taken to address policy violations.

Parking:

- There is no appeal process for vehicles that are towed, but complaints will still be investigated, and appropriate action taken to address policy violations. In the event a vehicle was towed in violation of this policy, the individual in question may have reasonable towing costs reimbursed by Community Transit.
- The registered vehicle owner may appeal in writing to the Senior Manager - Security & Emergency Management for a review of the parking courtesy warning no later than sixty (60) calendar days after a parking courtesy warning becomes effective.
- The appellant may request a hearing, or the appellant may request review without a hearing based on a written statement setting forth the reasons why the appellant believes a parking courtesy warning is invalid or improper.



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- If the appellant does request a hearing, the hearing shall be held within thirty (30) calendar days after Community Transit's receipt of the appeal, and the hearing may be recorded if appellant consents. The Senior Manager - Security & Emergency Management, or designee, shall render a written decision within fifteen (15) calendar days after the hearing.
- If no hearing is requested, the Senior Manager - Security & Emergency Management, or their designee, shall render a written decision within fifteen (15) calendar days after Community Transit's receipt of the appeal.
- The parking courtesy warning will be upheld, modified, or expunged. In the event the Senior Manager - Security & Emergency Management issued the parking courtesy warning for which the person is appealing, the Senior Director - Safety, Security, and Sustainability shall consider the request and render a decision on behalf of the Senior Manager - Security & Emergency Management.

Exclusion:

- An excluded person may appeal in writing to the Senior Manager - Security & Emergency Management for a review of an exclusion no later than sixty (60) calendar days after receiving an exclusion notice or being notified of an exclusion.
- The appellant may request a hearing, or the appellant may request review without a hearing based on a written statement setting forth the reasons why the appellant believes exclusion is invalid or improper.
- If the appellant does request a hearing, the hearing shall be held within thirty (30) calendar days after Community Transit's receipt of the appeal, and the hearing may be recorded if appellant consents. The Senior Manager - Security & Emergency Management, or designee, shall render a written decision within fifteen (15) calendar days after the hearing.
- Since hearings are likely scheduled thirty (30) days from Community Transit's receipt of appeal, an excluded person may not request a hearing for an exclusion with thirty (30) days or less remaining on the exclusion at the time of Community Transit's receipt of the appeal.
- If no hearing but a review of the exclusion is requested, the Senior Manager - Security & Emergency Management, or designee, shall render a written decision within fifteen (15) calendar days after Community Transit's receipt of the appeal.
- The Exclusion will be upheld, modified, or expunged. In the event the Senior Manager - Security & Emergency Management issued the exclusion for which the person is appealing, the Senior Director - Safety, Security, and Sustainability shall consider the request and render a decision on behalf of the Senior Manager - Security & Emergency Management.



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Requests for Appeal:

- **Option 1)** Request for appeal may be mailed to the Senior Manager - Security & Emergency Management
- **Option 2)** Emailed to Appeal@commtrans.org.
- **Option 3)** In person during normal business hours at the Ride Store at Lynnwood Transit Center, 20110 46th Ave W., Lynnwood, WA 98036, using an appropriate appeal form, or any other process for which the person is entitled.
- **Option 4)** Individuals who need assistance in completing an Appeal Request may contact Customer Information at (425) 353-7433 or (800) 562-1375, TTY Relay 711 or riders@commtrans.org. and a representative can gather the necessary information and complete the necessary forms.

Hearing:

- The appellant may be represented by counsel and may present witnesses to testify or give affirmation in support of the appeal. The Senior Manager - Security & Emergency Management, or designee, may also hear from witnesses who testify and may examine evidence during the appeal hearing. The exclusion shall remain in effect during the appeal process.

Consideration of Evidence:

- In conducting the appeal process, The Senior Manager - Security & Emergency Management, or designee, may rely upon any evidence that a reasonable person would rely upon in making an important decision or conducting personal business. Hearsay is admissible, except when its addition would offend due process.

Burden of Proof

- The burden of proof for determining whether an exclusion was issued properly shall be by a preponderance of the evidence.

Embedded Social Worker Request for Exclusion Suspension

- A Community Transit Embedded Social Worker may request the Senior Manager – Security & Emergency Management suspend an exclusion for an individual the Embedded Social Worker is currently working with. The Embedded Social Worker will notify Security Services if they are no longer working with the individual, at which point the exclusion will be reinstated, or they have completed their work, at which point the exclusion will be canceled.
- Exclusions may not be suspended nor expunged for individuals excluded for physically assaulting a Community Transit employee or other major incident involving a weapon.



Consideration for Exclusion of Disabled Individuals:

- An individual with a documented disability, including addictions and mental health conditions, may be excluded for violations that are seriously disruptive, criminal, or pose a serious threat to the safety of others. However, absent such findings during an appeal process only, an individual's exclusions may be reduced to facilitate essential trips (travel to and from medical and legal appointments, school, employment, obtaining food, clothing, and necessary household items or for assessing any critical services) and the original exclusion length may be reinstated should further violations of the Rules of Conduct occur.

Exclusions of Transit Dependent Individuals:

- An individual who relies on public transportation services as their sole means for transportation and has no other ability to obtain transportation, based on the preponderance of evidence they present, may be excluded for violations of Rules of Conduct. However, exclusions may be reduced to facilitate essential trips (travel to and from medical and legal appointments, school, employment, obtaining food, clothing, and necessary household items or for assessing any critical services) and the original exclusion length may be reinstated should further violations of the Rules of Conduct occur during the length of the original exclusion.

Section 6: Records

- The Transit Police Unit maintains all records for enforcement actions taken by Transit Police personnel.
- Security Services maintains all records for enforcement actions taken by Community Transit personnel, contractors, and any appeals.
- Security Services maintains all records necessary to ensure compliance with National Transit Database (NTD) Reporting requirements.
- Individuals may request records through the respective agency's Public Disclosure Program.
- Authorized Individuals who issue a Reseat Request, Temporary Denial of Service and/or Exclusion must fully, and legibly, complete a Community Transit Event Report or Security Incident Report, or approved equivalent, that includes demographics for the individuals involved. The Event Report or Security Incident Reports, or approved equivalent, will be provided to Security Services so they can be tracked across the system using Community Transit software solutions by Security Services.

Section 7: Delegation by Board of Directors

The Chief Executive Officer, or designee, has the authority to adopt policies to implement these Rules of Conduct (Board of Directors Resolution No. 15-22). Such policies may include, but are not limited to:



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- Specifying which Community Transit employees, contractors and law enforcement personnel may serve as Authorized Individuals.
- Specifying which Community Transit employees, contractors and law enforcement personnel are authorized to issue reseat requests, temporary denial of service, and exclusions, if so, for which Rules of Conduct violations.
- Specifying which Community Transit employees, contractors, and law enforcement personnel may serve as Impounding Officers and are authorized to issue vehicle impoundment for Rules of Conduct violations.
- Providing guidance for Community Service in Lieu of Exclusion for violations, including factors such as the nature and seriousness of the violation and whether it is a first or repeat offense.
- Establishing Exclusion and Temporary Denial of Service Length Guidelines for a period of up to 20 years, depending on the nature and seriousness of the violations.
- Authorizing reasonable accommodation to the Rules of Conduct.
- Authorizing termination of Contractor services provided to Community Transit or other penalties as outlined in terms of their contract with Community Transit for Rules of Conduct Violations.

Section 8: The Senior Manager - Security & Emergency Management Maintains Exclusion and Trespass Program

The Manager of Security & Emergency Management, or designee, has the responsibility and authority to manage and implement the elements of this policy, including:

- Developing and/or implementing agency-wide programs, plans, forms, guidelines, procedures, training, and tasks for the implementation of this policy.
- Authorizing reasonable accommodation to the Rules of Conduct.
- Authorizing individuals to take enforcement action as outlined in this policy.
- Authorizing Exclusion Enhancements as outlined in this policy.
- Authorizing Community Service In lieu of Exclusion.
- Providing guidance on the interpretation and application of the Rules of Conduct.

Approved by:  _____ Chief Executive Officer	Written by: Scott Eastman, Senior Manager – Security & Emergency Management
Cancels or supersedes: POL-SE-0012 Administering the Rules of Conduct (ROC) Program 9-18-2022	
Last reviewed by Policy Review Committee:	
Reference: Board Resolution No. <u>08-25</u>	



Appendix A: Rules of Conduct (ROCs)

The following conduct is prohibited on Community Transit vehicles, within or upon Community Transit facilities or property, and in connection with the Community Transit provision of public transportation services.

- **Level A – Transit Specific Policy Violations**

- **Pets:**

- Allowing any animal to occupy a seat on transit property, to run at large without a leash, to unreasonably disturb others or to obstruct the flow of passenger or bus traffic; but animals may occupy a passenger's lap or under the seat while in a transit vehicle or facility.
- Allowing that person's own animal to leave waste on transit property.
- **NOTE:**
 - Service Animals are not required to be muzzled.
 - Dogs and Cats are not required to be in a crate, all other small animals must be in a crate during transportation, unless they are a Service Animals.
 - Pets that are not in a crate are required to wear a commercially produced muzzle that covers the pet's mouth and is secured behind the head and wear a leash.

- **Maintaining Firm Handhold or Seat on Moving Bus:**

- Not holding onto a handrail OR remaining seated while the bus is in-motion.

- **Service Animals:**

- Allowing any service animal that is not harnessed, leashed, crated, or tethered, or otherwise not under individual with disabilities control through voice, signal, or other effective controls.
- **NOTE:** Service Animals are limited to dogs.

- **Shoes:**

- Being barefoot
- **NOTE:** Individuals whose sole violation is being barefoot will be provided an opportunity to engage with a Community Transit Embedded Social Worker to address the issue instead of being excluded unless it is a repeat offense.

- **Camping:** Camping on property or storing personal property on Community Transit property.

- **NOTE:** Individuals whose sole violation is camping will be provided an opportunity to engage with a Community Transit Embedded Social Worker to address the issue instead of being excluded unless it is a repeat offense.

- **Unattended Items:** Leaving packages, backpacks, luggage, or any other personal items unattended. These unattended items are subject to immediate confiscation and will be processed as lost & found, as appropriate. Bikes are kept for at least ten (10) days; all other items are kept for at least fourteen (14) days.

- **NOTE:** The intention off this rule is to not warn people for simply leaving items that go into lost and found, but rather, to mitigate repeat violations.

- **Wheeled Devices:**



- Riding a bicycle, motorcycle, or other vehicle, except for the purpose of entering or leaving facilities on roadways designed for that use. Excludes Authorized Individuals, law enforcement, and employees carrying out their official duties.
- Bringing a Bicycle onto a *Swift* Coach that does not have any available bicycle parking areas where its presence aboard a coach will obstruct access to, from or within the coach, or where it will create a safety risk, unless the owner is able to safely hold the bike without obstructing other customers.
- Bringing a Bicycle onto a non-*Swift* Coach where its presence aboard a coach will obstruct access to, from or within the coach, or where it will create a safety risk unless the owner is able to safely hold the bike without obstructing other customers.
- Not properly securing a bicycle using approved bicycle racks on coaches.
- Leaving a bicycle parked at a facility for more than seventy-two (72) hours.
- Using a mobility device on a coach and not properly securing it, when requested by employees.
- Storing personal carts, bicycle trailers or bicycles in the ADA seating area.
- Non-collapsible grocery carts
- Personal carts and bicycle trailers are allowed, provided they can be stored between seats without blocking the aisle.
- NOTE: Wheeled baby strollers and ADA assistive devices are allowed.
- **Roller Skates / Roller Blades:** Using roller skates, rollerblades, hover boards, non-ADA Segway, non-ADA scooter or skateboards on property.
- **Unsecured Wheelchair:** Refusing to properly secure a wheelchair on a Community Transit vehicle that has forward facing wheelchair securement seating.
- **Blocking Aisles:** Blocking aisles, or walkways on transportation services vehicles, or property.
- **Obstructing or Impeding:** Intentionally obstructing or impeding the flow of transit vehicles, employee, contractor, customer, or public safety personnel movement, or otherwise hindering or preventing access to Community Transit property, causing unreasonable delays in boarding or de-boarding, reclining, or occupying more than one seat (including lying down), or in any way interfering with the provision or use of transit services.
- **Youth Supervision:** Neglecting to provide proper supervision of children, under the age of ten (10), by enabling them to use transit without an accompanying parent, guardian, or adult and/or failure to provide adequate supervision to enable youths to follow the Rules of Conduct.
 - **NOTE:** An individual of age 13 and older may be sufficiently mature enough to supervise a youth under the age of 10 in certain circumstances. A youth must be sufficiently independent enough to ride unsupervised.
- **Feet on Furniture:** Placing feet on seats.
- **Objects Out Windows:** Extending an object or a portion of one's body through the door or window of a transit vehicle unless actively walking through a door.



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- **Offensive Odor:** Having body odor or personal hygiene to unreasonably interfere with other customer's ability to use the transportation services and which results in multiple complaints from customers and/or employees, whether the odors arise from one's person, clothes, and articles, accompanying animal or any other source. This includes odor arising from one's person, cloths, articles, accompanying animal or other source.
 - **NOTE:** Individuals who have fecal matter or urine seeping through their clothing are unable to use our services due to creating a biohazard, but alternative courtesy transportation may be obtained from a Field Supervisor, Transit Security Officers, or Transit Police, as resources allow.
 - **NOTE:** Individuals whose sole violation is Offensive Odor due to being homeless or insecurely housed will be provided an opportunity to engage with a Community Transit Embedded Social Worker to address the issue instead of being excluded unless it is a repeat offense.
- **Disruptive Behavior/Profanity:** Yelling, pervasive or offensive use of profanity, banging on surfaces, or using audible devices without headphones. However, the use of communication devices by employees, contractors, or law enforcement while on duty is permitted.
- **Solicitation:** Distributing or posting literature, gathering signatures, soliciting contributions, or conducting surveys inside a Community Transit facility or on property, without Community Transit authorization. No Community Transit authorization is required to distribute literature, gather signatures, solicit contributions (including for fare), or conducting surveys on the public sidewalks adjacent to Community Transit property.
- **Flammable or Hazardous Liquid:** Carrying, possessing, or disposing of flammable or hazardous liquids, including automotive fluids, flammable or nonflammable explosives, acid or any other article or material of a type or in a manner that is likely to cause harm to others. However, lighters, firearms, weapons, and ammunition may be carried if in a form or manner that is not otherwise prohibited by law or Rules of Conduct.
- **Throwing Objects:** Throwing an object at transit property or at any person on transit property.
- **Food / Drink:**
 - Eating on the transportation services vehicle in a manner that causes a spill/garbage on the ground.
 - Drinking a nonalcoholic beverage from a container without a lid.
 - NOTE: Soda cans are acceptable.
- **Littering:**
 - Disposing of garbage or recycling outside of a designated refuse container.
 - Dumping any materials whatsoever on transit property, including but not limited to, chemicals and automotive fluids.
- **Excessively Large Objects**
 - Bringing onto a transportation services vehicle any package or other object that blocks an aisle or stairway or occupies a seat if to do so would displace passengers or expected passengers.



- **Tables / Structures on Property:** Placing any tables or other structures on property, including unauthorized distribution of material, without proper authorization,
- **Restroom Misuse:** Using restrooms for bathing or shampooing, doing laundry, smoking, using illegal drugs, or changing clothes.
 - **NOTE:** Individuals whose sole violation is Restroom Misuse will be provided an opportunity to engage with a Community Transit Embedded Social Worker to address the issue instead of being excluded unless it is a repeat offense.
- **Unauthorized Laser:** Discharging a laser-emitting device on a transit vehicle, directing such a device from a transit vehicle toward any other moving vehicle or directing such a device toward any transit employees or customers.
- **Loitering:** Loitering on Community Transit property in a manner that is inconsistent with the intended use and purpose. For instance, being at a stop without boarding a bus that has available room and is going to the customer's destination or being at a stop without a destination.
 - **NOTE:** Individuals whose sole violation is Loitering due to being homeless or insecurely housed will, when feasible, be provided an opportunity to engage with a Community Transit Embedded Social Worker to address the issue instead of being excluded unless it is a repeat offense.
- **Violations of Permit to Use Community Transit Facilities:** Engaging in violation of a permit to use community transit facilities, or Rules of Conduct, as authorized by Board of Directors Resolution # 16-94 and 13-98 or engaging in an activity without the appropriate permit.
- **Hanging on Bars with Feet Off Ground:** Hanging or swinging on bars or stanchions with feet off the floor while on transit property or hanging onto or otherwise attaching oneself to the exterior of a Community Transit vehicle or other transit property.
- **Gambling:** Engaging in gambling or any game of chance for the winning of money, or anything of value, unless they are approved as official Community Transit programs.
- **Sports Activity:** Engaging in any physical sport activity unless they approved as official Community Transit programs.
- **Policy Violation:** Engaging in any activity in violation of a Community Transit policy, as approved by the Chief Executive Officer (CEO) or designee.
- **Reasonable Staff Request / Sign:** Failing to comply with a reasonable staff request or posted sign, as defined by the Senior Manager - Security & Emergency Management or designee, or failing to cease engaging in behavior that interferes with the effective functioning of the transportation services.
- **Level B – Smoking Tobacco, Marijuana, or Alcohol Use**
 - **Smoking / Tobacco / Marijuana Use:** Smoking or carrying a lighted or smoldering pipe, cigar, cigarette or using an electronic smoking device while on or in a transit vehicle or while in or on transit property.
 - **Alcohol:** Drinking an alcoholic beverage or possessing an open container of an alcoholic beverage.



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- **Level C – Fare Evasion**
 - **Fare Evasion:**
 - Failing to present a valid, unexpired pass, transfer or ticket or otherwise failing to pay the appropriate fare when using transportation services as required under [RCW 81.112.210](#).
 - Falsely representing oneself as eligible for a special or reduced fare or obtaining any permit or pass related to the transit system by making a false representation.
- **Level D – Controlled Substance Possession and/or Use**
 - **Controlled Substances:** Use/possession of a controlled substance and controlled substance analog, as outlined in RCW 69.50.101 & 102. This includes smoking, injecting, or ingesting unknown substances, as well as using or preparing to use drug paraphernalia (e.g., heating up unknown substances).
- **Level E - Serious Transit Specific Violations and Misdemeanor Crimes**
 - **Unlawful Transit Conduct:** Violating Unlawful Transit Conduct (UTC), as defined by [RCW 9.91.025](#). **NOTE:** UTC Violations that are outlined in the Rules of Conduct, will be addressed as Rules of Conduct violations. All other UTC violations will be addressed as Level C Violations.
 - **Misdemeanor Crime:** Engaging in any other behavior that would constitute a misdemeanor under applicable law.
 - **Tampering with Community Transit Equipment:** Interfering or tampering with mobile data computers, fare boxes, ticket vending machines, IT equipment and systems, security equipment and systems, or any other equipment on Community Transit vehicles or properties.
 - **Trespassing:** Entering Community Transit property during a period of exclusion, refusing to leave property after being issued a Community Transit Exclusion Notification and Trespass Warning or a Temporary Denial of Service Notification, or trespassing in a non-public area except when authorized by employee or law enforcement personnel. This includes being in an out-of-service coach, unless authorized by an employee or law enforcement personnel.
 - **Sounding False Alarm / Report:** Initiating or causing to be initiated any false report, call, warning, or threat, such as that of fire, explosion or emergency that intentionally causes a false emergency response; and the improper use or disabling of safety equipment and signs. This includes improper use of a fire extinguisher or other safety equipment.
 - **Impersonating a Transit Employee:** Falsely claiming to be a transit employee; or through words, actions or the use of clothes, insignia or equipment resembling department-issued uniforms and equipment, creating a false impression that the person is a transit employee.
 - **Weapon Possession:** Possession of a weapon at a transit station or bus stop in violation of RCW 9.41.300(1)(h).
- **Level F - Violation Toward Person(s) or Property**
 - **Theft:** Stealing personal or Community Transit property on Community Transit property as defined by [RCW 9A.56](#).



- **Property Damage:** Defacing, destroying or otherwise vandalizing transit property or any signs, notices, or advertisements on transit property, as defined by [RCW 9A.48.100](#).
- **Lewd Conduct:** Offensive touching and obscene acts such as sex acts, and indecent exposure as defined by [RCW 9A.88.010](#).
- **Criminal Harassment:** Criminal harassment as defined by [RCW 9A.46](#).
- **Stalking:** An intentional or knowing course of conduct directed towards another person if that conduct would either cause a reasonable person to:
 1. Fear for the person's safety and that person in fact fears for their safety
 - OR
 2. Fear death and that person in fact fears death.
- **Racial Slurs/Non-Criminal Harassment:** Conduct against a person based on protected status that is severe, pervasive, or persistent as to interfere with or diminishes the ability of a person to participate in or benefit from the services, activities, or privileges provided by the Community Transit, or an employee to engage in work duties. This includes the use of racial slurs and racial/ethnic name calling directed at any individual. It may also include using slurs for other protected classes, as outlined by federal and state statute, including age, ancestry, color, disability, marital status, national origin, parental/family status, race, religion / creed, retaliation, sexual orientation & gender identify, gender, and use of a guide dog or service animal. For complete list of state protected classes, visit www.hum.wa.gov/.
- **Sexual Harassment:** The term "sexual harassment" means unwelcome sexual or gender-based conduct, including unwelcome sexual advances, requests for sexual favors, quid pro quo harassment, and other verbal, nonverbal, or physical conduct of a sexual or a gendered nature that is sufficiently severe, pervasive, or persistent as to:
 - (i) Deny or limit the ability of a person to participate in or benefit from the services, activities, or privileges provided by the Community Transit; or
 - (ii) Alter the terms or conditions of employment for an employee or employees; and/or
 - (iii) Create an intimidating, hostile, or offensive environment for other individuals
- **Nonconsensual Sexual Contact:** Any intentional sexual touching, however slight, with any object or body part, by a person upon another person that is without consent and/or by force. Sexual contact includes intentional contact with the lips, breasts, buttock, groin, or genitals, or clothing covering any of those areas, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts, or any other intentional bodily contact in a sexual manner. This includes nonconsensual sexual intercourse.
- **Felony Crime:** Engaging in any other behavior that would constitute a felony under applicable law.
- **Mutual Fighting:** Agree to, or participating in, a mutually agreed physical fight.



- **Unwanted Physical Contact:** Unwanted touching, physical harm or abuse, or threats of physical harm or abuse which threaten the health or safety of another person. This applies even if the victim does not want to press criminal charges.
- **Workplace Violence:** As outlined in Community Transit Policy POL-SE-003 & 004, individuals are prohibited from workplace violence towards any Community Transit employee or contractor performing work on behalf of Community Transit.
- **Level G - Serious Violation Toward Person(s) or Property**
 - **Hate Crime Offenses:** Threatens a specific person or group of people and places that person or members of a specific group of people in a reasonable fear of harm to their person or property, as defined by [RCW 9A.36.080](#). This includes prohibited conduct that is considered a hate crime offense such as targeting someone because of their race, gender, color, religion, ancestry, national origin, sexual orientation, mental, physical, or sensory disability, as defined by state law.
 - **Employee/Contractor Assault:** Assaulting a Community Transit employee or contractor that is not a felony as defined by [RCW 9A.36.31](#).
 - **Weapon Brandishing:** Carrying, exhibiting, displaying, or drawing any firearm or knife in a manner that demonstrates an intent to intimidate another or that warrants alarm for the safety of other people, as defined by [RCW 9.41.270](#).
 - **Dangerous Weapon Possession or Use:** Illegal possession or use of a Dangerous Weapon, as defined by [RCW 9.41.250](#).
- **Level H – Serious Felony Crime of Violence Against a Person Resulting in Injury or Any Felony Employee Assault**
 - **Felony Crime Resulting in Injury:** Engaging in any other behavior that would constitute a felony under applicable law, is against a person, and results in injury.
 - **Employee Felony Assault:** Felony assault of a Community Transit employee as defined by [RCW 9A.36.31](#)

Unauthorized Vehicle Movement/Parking

- **Unauthorized Vehicle Movement / Parking:**
 - Speeding more than five (10) miles per hour in all parking areas, access roads and drives unless otherwise posted.
 - Parking a non-electric or unauthorized EV vehicle in an Electric Vehicle (EV) designated parking space.
 - Operating or parking a vehicle on sidewalks, lawns, or any surface not specifically designated as a road, street, highway, or driveway is prohibited, unless you are an Authorized Individual or contractor conducting official duties.
 - Parking a vehicle in an approved parking area on transit property for more than 72 consecutive hours or as otherwise posted with signage at the property.
 - Parking overnight at designated parking areas
 - Using a transit facility for residential or commercial parking or encouraging others to make such a use.
 - Individuals whose sole violation is using Community Transit property for residential parking due to being homeless or



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insecurely housed will be provided an opportunity to engage with a Community Transit Embedded Social Worker to address the issue instead of being excluded unless it is a repeat offense.

- Performing any non-emergency repairs or cleaning of a vehicle parked on transit property.
- Parking any vehicle to use or occupy more than one marked parking space.
- Failure or refusal to obey or comply with any temporary or permanent parking sign, marking or device erected, made, or placed.
- Operating a vehicle in a bicycle lane except to cross at a permanent or temporary driveway, or for the purpose of parking a vehicle where parking is permitted or where the vehicle is disabled.
- Parking any trailer or semi-trailer in any facility, while detached from or attached to a vehicle, is prohibited. Camper Trailers on pickup trucks are allowed.
 - NOTE: Authorized Individuals and contractors may use trailers as part of official duties or otherwise approved by Community Transit.
- Parking or leave standing any vehicle having either of the following without authorization from Community Transit employees:
 - A manufacturer's rated load capacity greater than 14,000 lbs.; or
 - A length more than 24 feet.
- **Illegal Parking in Red Zones:**
 - Stopping, parking or otherwise left standing, whether attended or unattended, as may be indicated by a sign or red paint on the curb, where a sign or paint was erected, including in a fire lane or by a fire hydrant unless in compliance direction of an authorized law enforcement officer.
- **Parking in Yellow Zones:**
 - Stopping, parking or otherwise left standing, whether attended or unattended, as may be indicated by a sign or yellow paint on the curb, where a sign or paint was erected unless in compliance direction of an authorized law enforcement officer.