

NYCRR Title 21, Chapter XXXI, Part 1980
Central New York Regional Transportation Authority Rules of Conduct

1980 Preamble.

The Central New York Regional Transportation Authority and its subsidiaries, all public benefit corporations of the State of New York, in furtherance of its mission to be responsive to the transportation needs of the Central New York community by providing services which are safe, convenient, and reliable, hereby creates these Rules governing the conduct and safety of the public in the use and operation of its transit services.

1980.1 Authorization and Purpose.

- (a) The provisions of section 1332(4) of the Public Authorities Law provide the Central New York Regional Transportation Authority (the “Authority”) with the power to make rules governing the conduct and safety of the public in the use and operation of the transit facilities of the Authority
- (b) These Rules are established by the Authority to promote safety, to facilitate the proper use of the transit facilities of the Authority, to protect those transit facilities and their passengers, and to assure the payment of fares and other lawful charges for the use of their systems.
- (c) These Rules may be amended or added to, from time to time, at the sole discretion of the Authority in accordance with law.

1980.2 Definitions.

The following terms as used in these Rules shall have the following meanings where appropriate.

- (a) “Authority” shall mean individually or collectively the Central New York Regional Transit Authority and its subsidiaries: CNY Centro, Inc.; Centro of Cayuga, Inc.; Centro of Oswego, Inc.; Centro of Oneida, Inc.; Centro Parking, Inc.; Centro Call-A-Bus, Inc.; and Intermodal Transportation Center, Inc., all public benefit corporations of the State of New York.
- (b) “Commercial Activity” shall mean the verbal, written or symbolic communication or display of information, ideas or opinions delivered or disseminated by or on behalf of an individual, organization, business enterprise or other entity, whether or not for-profit, for the purpose of solicitation, recruitment, marketing, advertising or the like.
- (c) “Conveyance” shall mean any bus or other vehicle previously used or held for use by the Authority as a means of transportation of passengers.
- (d) “Facilities” as also defined in the New York Public Authorities Law Section 1326(17), shall mean all Property and equipment of the Authority, including, without limitation, rights of way, power,

fuel, communication and ventilation systems, power plants, stations, terminals, hubs, signage, storage yards, depots, repair and maintenance shops, offices, shelters, buses, vehicles, Conveyances and other Real Property or personalty used or held for or incidental to the operation, rehabilitation or improvement of any transit carriage of the Authority.

- (e) “Fare” shall mean the lawful charges established by the Authority for the use of its Facilities.
- (f) “Fare Media” shall mean the various instruments issued by or on behalf of the Authority to use for the payment of fare, including, but not limited to, farecards, passes, transfers, tickets, and vouchers.
- (g) “First Amendment Activity” shall mean the non-commercial dissemination of literature or information by engaging in individual or group conversations or by displaying placards, signs, or symbols concerning religious, political or other views, or speaking aloud to sway public opinion to the extent that such activities are protected by the First Amendment of the United States Constitution. First Amendment Activities shall include solicitation and acceptance of donations or contributions whether or not while disseminating information including, but not limited to, charitable solicitations, panhandling and any interaction with another person for the purposes of solicitation. First Amendment Activity does not include the use of language or dissemination or display of materials that is or are obscene, indecent, depict graphically sexual or violent matters, or appear to contain statements that are libelous or defamatory, or are likely to incite violence or public disorder.
- (h) “Person” shall mean any individual, firm, partnership, corporation, association or company.
- (i) “Property” shall mean Real Property, Facilities and Conveyances owned and operated by the Authority.
- (j) “Real Property” shall mean lands, structures, interests in land, waters, lands under water, riparian rights and any and all things and rights included within said term and includes not only fees simple absolute but also any and all lesser interests including but not limited to easements, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages or otherwise.
- (k) “Reception Desk” shall mean the reception desk of the Authority main office building located at 200 Cortland Avenue, Syracuse, New York 13205.
- (l) “Rules” shall mean these rules.
- (m) “Service Animal” shall mean a guide dog, signal dog, or other animal individually trained to perform tasks for the benefit of a person with a disability that such person is unable to perform due to such disability, such as guiding persons with impaired vision, alerting persons with impaired hearing to sounds, pulling a wheelchair, retrieving dropped items or providing rescue assistance. The term service animal does include a therapy animal or animal used for emotional support.

- (n) "Sound production device" shall mean, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, compact disc player, speaker device system, and any sound amplifier or any sound-producing device of similar nature.

1980.3 Construction.

In interpreting or applying the rules, the following provisions shall apply:

- (a) The Authority reserves the right from time to time to suspend, modify or revoke the application of any or all of the Rules as it deems necessary.
- (b) Any act otherwise prohibited by any of the Rules is lawful if specifically authorized by agreement, permit, license, or other writing duly signed by an authorized officer of the Authority or if performed by an officer, employee, or designated agent of the Authority acting within the scope of his or her employment or agency.
- (c) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by these Rules or assisting, aiding or abetting another in the avoidance of any of the requirements of these Rules.
- (d) The order or judgment of a court or other tribunal of competent jurisdiction that any provision of these Rules is invalid shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate any other provision of the Rules or the application of any part of the Rules to any other person or circumstances; the provisions of these Rules are declared to be severable.
- (e) The Authority, for any reason, not requiring performance of a provision of these Rules shall not affect its right to require performance at any time thereafter. Nor shall a waiver of any violation of these Rules constitute a waiver of any subsequent violation thereof, nor of the provision itself.
- (f) The singular shall mean and include the plural; the masculine gender shall mean the feminine; and vice versa.

1980.4 Payment of fare and access to Authority facilities.

- (a) No person shall use or enter upon the Facilities or Conveyances of the Authority, for any purpose, without the payment of the Fare or tender or other valid Fare Media used in accordance with any conditions and restrictions imposed by the Authority. For the purposes of this section, it shall be considered an entrance into a Facility or Conveyance whenever a person passes through a point at which a Fare is required or collected. No person shall, for purposes of gaining entry into a Facility, proceed in any unauthorized manner through or past any point at which a Fare is

required or collected and it shall be no defense to a charge of a violation of this subdivision that Fare Media, a Fare Media sales device or a Fare collection device was malfunctioning.

- (b) Except for employees of the Authority acting within the scope of their employment or other expressly authorized agents of the Authority, no person shall sell, provide, copy, reproduce, or create any version of any Fare Media or otherwise authorize access to or use the Property or services of the Authority without the written permission of a representative of the Authority duly authorized by the Authority to grant such right to others.
- (c) No person shall put or attempt to put any paper, article, instrument or item, other than United States Currency or Fare Media issued by the Authority and valid for the place, time and manner in which used, into any farebox or other fare collection instrument, receptacle, device, machine or location.
- (d) Fare Media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with the rules shall be confiscated.

1980.5 Property and equipment.

- (a) No person shall destroy, mark, soil or paint, or draw, inscribe, write, spray paint or place graffiti upon, or remove, injure or tamper with any sign, advertisement, notice or any Property of the Authority, or attempt to commit any of the aforementioned acts, except that this subdivision shall not apply to any work within the scope of any contract made by or on behalf of the Authority.
- (b) No person shall post, distribute or display any sign, poster, notice, advertisement or other printed or written matter in or on any Property of the Authority without the permission of the Authority, except as otherwise provided by law or these Rules.
- (c) Except as an incident to travel on Authority Conveyances for which a Fare has been paid or which has otherwise been duly authorized by the Authority, no Conveyance, Property or Facility may be occupied or used, except by permit, agreement, license or other authorization of the Authority duly made.

1980.6 Use of the transit system.

- (a) No person may perform any act which interferes with or may tend to interfere with the provision of transit or other service, obstructs or may tend to obstruct the flow of traffic on Authority Property, or interferes with or may tend to interfere with the safe and efficient operation of the Property of the Authority.
- (b) No person, unless duly authorized by the Authority, shall engage in any Commercial Activity upon any Authority Property. Commercial Activities include, but are not limited to, (1) the advertising, display, sale, lease, offer for sale or lease, or distribution of food, goods, services or

entertainment (including the free distribution of promotional goods or materials); and (2) the solicitation of money or payment for food, goods, services or entertainment.

- (c) First Amendment Activity is permitted at designated times and in designated areas of the Property owned and controlled by the Authority to the extent that such activities are not incompatible with the Authority's mission to safely operate a regional transportation system providing access to passenger rail and ground bus transportation systems, and to do so with optimum service to the public, the Authority's tenants, as well as with the best economy of operation. No expressive or First Amendment Activities may be conducted on Authority Property unless a Permit has been obtained, as outlined elsewhere or below. Permits are not required for incidental messages, personal expressions of opinion or belief, or those that occur as part of normal daily interpersonal communication.

(1) Purpose: The purpose of the Permit process is to ensure that the right of the public to engage in activity protected by the First Amendment to the United States Constitution is balanced against the compelling governmental interests of the Authority. These interests include, but are not necessarily limited to:

- (a) protecting the physical safety of the public, passengers, its employees, tenants, and other persons authorized to be present on Authority Property;
- (b) ensuring that passengers' needs to safely and efficiently utilize the transportation systems located on Authority Property are met;
- (c) ensuring that all applicable requirements of homeland security are met;
- (d) accommodating passengers with disabilities, complying with the law in this respect and in meeting the special needs of minors, the elderly, the infirm, and others with particular needs, in using the transportation systems whether or not located on the Authority's Property;
- (e) minimizing extraneous station noise levels so that passengers and transit personnel may easily and clearly hear public address systems and related announcements of arrival and departure times, terminal and platform locations, schedule changes, emergency announcements and security alerts;
- (f) preventing obstructions to passengers' and employees' line of view of information monitors and in preserving unobstructed access by passengers and employees to transit schedule desks, informational signing, security, fire alarms, and emergency equipment;
- (g) preserving unobstructed, unimpeded and orderly flow of pedestrian traffic through the transit system, particularly in and around corridors, passageways, exits and entrances, doorways, ramps, stairways, etc.;
- (h) minimizing the invasion of personal privacy rights, or risk to personal security of passengers;

- (i) preventing undue apprehension by passengers of the risk of theft or assault in areas where passengers are engaged in cash or credit transactions, including ATM machines, ticket dispensing machines, ticket windows, and in other areas such as platforms, terminals, paid areas, corridors and passageways;
 - (j) complying with applicable building codes, fire codes, noise and air quality environmental standards, and other laws, rules, regulations, orders or ordinances;
 - (k) eliminating and/or minimizing liability to itself and others resulting from the activities of others on the Authority's Property;
 - (l) maintaining cleanliness and orderliness and rights-of-way free from litter, trash, and debris; and
 - (m) interest in implementing rules which entail minimum public cost of enforcement and control.
- (2) Permitted Locations for First Amendment Activity: Maps depicting designated Permitted Locations for First Amendment areas may be obtained from the Reception Desk located at 200 Cortland Avenue, Syracuse, New York 13205. Applicants shall stay in the Permitted Location assigned in the Permit, and shall not wander or circulate through or in Authority Property while engaging in First Amendment Activity. No First Amendment Activity shall be permitted within five (5) feet of any Building entrance, ticketing booth, stairway, elevator, restroom or seating area intended for use by persons who are waiting to board buses.
- (3) Permit Application Process:
- (a) All individuals, organizations or entities requesting permits to engage in First Amendment Activity ("Applicant") must submit a written Application by completing (1) the Application Form, and (2) the Indemnification and Release Form (jointly "Application"). Written Application forms may be obtained at the Reception Desk. The Application must be submitted ten (10) business days in advance of the requested dates of First Amendment Activity. The Authority reserves the right, in its sole discretion, to reasonably expedite the Application submission, review and approval process on a case by case basis.
 - (b) Permit Applicants must present photo identification with the Application. If the Applicant is an organization or entity, the name of event organizers and/or organization or entity representatives, together with their photo identification, must be provided with the Application. However, the Authority retains the right to request photo identification from each person planning to participate in the First Amendment Activity. The Authority reserves the right to destroy or retain copies of photo identification with Applications, at a minimum, during the Permit period. If an Applicant plans to distribute or display written, graphic, or symbolic materials as part of it First Amendment Activity, such Applicant must provide an exact copy of the materials as part of the Application. Prior review of

written, graphic, or symbolic materials is required for evaluation and notification purposes only.

- (c) Completed Applications and accompanying materials, if any, must be delivered to the Reception Desk during its normal hours of operation, Monday through Friday, 8:00 a.m. to 5:00 p.m., except holidays.
- (d) Applications will be approved or denied within five (5) business days of receipt by an officer of the Authority or his/her designee.
- (e) Once an Application is approved, an Applicant may obtain a Permit (the "Permit") from the appropriate staff member, or upon request, the Permit may be mailed to an Applicant at the address provided on the Application. The Permit will be for such time period as indicated by the Applicant on the Application. However, no Permit shall be issued for a period exceeding two weeks, but an Applicant may submit another Application for an additional two-week Permit.
- (f) Each person covered by the approved Application will be issued a Permit or badge, which must be carried or worn at all times while engaging in Permitted First Amendment Activities. If the Application is approved, sufficient Permits or badges for the number of persons participating on behalf of the Applicant for the duration of the Permit will be provided to the Applicant.
- (g) The Authority, in its sole discretion, may limit the number of persons engaging in First Amendment Activity on its property to ensure the above stated compelling governmental interests are protected.
- (h) Applicants shall, where indicated in the Application, request a specific Permitted Location and set forth the desired number of participants at each Permitted Location. The Authority will try to accommodate such requests. If more than one Applicant applies to engage in First Amendment Activity at Authority Property on a particular date, Permitted Locations will be assigned in the order Applications were received in the Authority's full discretion, provided sufficient Permitted Locations are available at the requested date and time.
- (i) The Authority reserves the right to deny any Application on the following grounds, for example, and under the following circumstances:
 - (1) where a threat to public health or public safety exists;
 - (2) where the Application is incomplete or contains a material falsehood or misrepresentation;
 - (3) where all available Permitted Locations within the Property are already assigned for the date or dates requested in the Application;
 - (4) where an emergency exists, such as a transportation emergency, extraordinary weather, power failure, act of war, accident, disaster,

strike, riot, fire, act of God or a condition or threatened condition of civil disorder;

- (5) where the issuance of a Permit will hinder the Authority's ability to safely and efficiently operate the Call-A-Bus service or other special service, or the equipment or Property utilized in the operation thereof;
- (6) where the issuance of a Permit will cause excessive station noise such that, as determined by the Authority in its sole discretion, passengers and transit personnel will be unable to easily and clearly hear the public address system and related announcements concerning arrival and departure times, terminal and platform locations, schedule changes, emergency announcements and security alerts.;
- (7) where the issuance of a Permit will cause obstructions, as determined by the Authority in its sole discretion, to passengers' and employees' line of view of information monitors or obstruct access by passengers and employees to transit schedule desks, informational signing, ticket vending machines, security, fire alarms, and emergency equipment;
- (8) where the issuance of a Permit will obstruct or impede the orderly flow of pedestrian traffic through the Property, as determined by the Authority in its sole discretion, particularly in and around corridors, passageways, exits and entrances, doorways, ramps, stairways, etc.;
- (9) where the issuance of a Permit will result in invasion of personal privacy rights or risk to personal security of passengers on, or in, Authority Property;
- (10) where the issuance of a Permit will cause undue apprehension by passengers of the risk of theft or assault, as determined by the Authority in its sole discretion, in areas where passengers are engaged in cash or credit transactions, including ATM machines, ticket dispensing machines, ticket windows, and in other areas such as platforms, terminals, paid areas, corridors and passageways;
- (11) where the issuance of a Permit will prevent the Authority from complying with the applicable building codes, fire codes, noise and air quality environmental standards, and other applicable laws, rules, regulations, orders or ordinances;
- (12) where the issuance of a Permit will prevent the Authority from maintaining a clean Property free of litter, trash, and debris;
- (13) where the issuance of a Permit will result in a significant public cost of enforcement and control, as determined by the Authority in its sole discretion; and

(14) where the Application describes the proposed communication as that which falls outside the scope of First Amendment Activity as described herein.

(4) Denial of Application:

- (a) If an application is denied, the Authority will provide the Applicant with the reason for denial in writing within five (5) business days of receipt by an officer of the Authority.
- (b) Such Applicant may appeal the denial by sending a written notice of appeal to the Chief Executive Officer of the Authority (“CEO”). The mailing address of the CEO is: CNY Centro, Inc., P.O. Box 820, Syracuse, NY 13205. Alternatively, Applicant may personally deliver written notice of appeal to the Reception Desk.
- (c) In the event the CEO upholds the denial and the Applicant believes that such denial violates the Applicant’s First Amendment rights, the Applicant may, at his/her/its own expense, seek legal review of the denial in a court of competent jurisdiction.

(5) Suspension of Permit:

- (a) An issued Permit may be suspended in the event of a transportation emergency, extraordinary weather, power failure, act of war, accident, disaster, strike, riot, fire, act of God or a condition or threatened condition of civil disorder.
- (b) An issued Permit may be suspended if at any time the Applicant, or the First Amendment Activity engaged in by the Applicant, violates the terms and conditions of these Rules including, but not limited to, circumstances in which the Applicant or the First Amendment Activity violates the conditions described in 3(i) of this subdivision. First Amendment Activity may resume only if the Applicant or the First Amendment Activity, as the case may be, becomes and remains compliant with the terms and conditions of these Rules. Failure to conduct First Amendment Activity in accordance with the terms and conditions set forth herein shall result in permanent revocation of the Applicant’s Permit.

(6) Governing Laws: At all times, the Applicant shall comply with all applicable Federal, State of New York and local laws, rules, regulations, orders and ordinances. Any proceeding hereunder or related hereto must be venued in the Court of Onondaga County. As an example, Applicants are subject to all laws regarding fraud, assault, battery, theft and all other laws respecting conduct of individuals in public places. While engaging in First Amendment Activity under an issued Permit, Applicants shall not unlawfully interfere with pedestrians or with traffic flow on Authority Property.

(7) Written, Graphic or Symbolic Materials:

- (a) Written, graphic or symbolic materials displayed at or in Authority Property shall be made of heavy paper, cardboard or cloth, and shall not be affixed to the Authority's Property.
 - (b) Permitted materials intended to be distributed hand-to-hand such as flyers or leaflets shall be printed on paper that does not exceed eight (8) inches by eleven (11) inches in size.
 - (c) Materials that are not intended to be distributed (e.g. posters, placards) may not exceed twenty-four (24) inches by thirty (30) inches in size.
- (8) Tables and Other Structures: The use of tables, free-standing displays or other structures is not permitted.
- (9) Distribution of Materials or Products:
 - (a) No food, flowers or any other organic product may be distributed.
 - (b) Any written, graphic or symbolic materials may only be distributed through hand-to-hand delivery.
 - (c) The Authority shall have no obligation to provide pocket racks, pamphlet displays or any other similar structure or method of distribution for use by any Applicant.
- (10) No Weapons: No weapons of any kind are permitted at any time on, or in, the Authority's Property. Discovery of weapons in the possession of Applicant or any of its participants shall result in immediate termination of the Applicant's Permit and expulsion from the Property.
- (11) Disturbance, Noise and Distraction: Applicants may not use any device for voice amplification or any musical instruments or other devices which tend to create a distraction or disturbance, as determined by the Authority in its sole discretion. While engaging in First Amendment Activity, Applicants shall not sing, dance, chant or make outcries, except that singing, talking or chanting shall be permitted if done quietly and in a manner so as not to distract passengers and other persons as determined by the Authority in its sole discretion.
- (12) First Amendment Activity shall not be permitted from 3 p.m. – 11 a.m. and such other times as determined by the Authority in its sole discretion.
- (13) Persons Not to be Targeted: The applicant may not distribute literature to or solicit donations from any person who does not wish to be solicited.
- (14) Disclaimer:
 - (a) The Authority reserves the right to advise the public with regard to the presence of any Applicant and Applicant's planned First Amendment Activities to the

extent that it alerts the public to any traffic or safety concerns in or around Authority Property, as determined by the Authority in its sole discretion.

- (b) By approving an Application, the Authority in no way endorses or supports the Applicant's cause or Applicant's position on any given issue and may expressly disclaim responsibility or sponsorship to that effect.
- (15) Cooperation with Authority Officers or Designees: Applicants must comply and cooperate with directives of all Authority Officers or their designees and others responsible for safety at the Authority's Property, including security inspections of persons and materials and adherence to the policies and procedures of the Authority. If the Applicant is an organization or other entity it must designate a local representative as its liaison with the Authority and its officers.
- (16) Removal of Litter: At no time shall an applicant leave written, graphic or symbolic materials, paperwork, pamphlets, books, flyers or any other thing unattended on or about the Authority's Property. Applicants shall, at all times, keep areas used by it in a clean, neat, orderly, uncluttered condition and shall fully remove all of its materials from the Authority's Property. Should litter caused by Applicant's written materials accumulate on the floor or ground of the Authority's Property, or in any other place not designated for refuse collection the Applicant will immediately arrange for removal of such litter with labor organizations and/or vendors, if any, under contract with the Authority for refuse collection and janitorial services, and will be responsible for payment of any and all costs related to such refuse collection or janitorial services.
- (17) Revocation: Failure to abide by the terms and conditions in these Rules will be grounds for revocation of an issued Permit, and/or for immediate removal of the Applicant from the Authority's Property.
- (d) All persons on or in any Property of the Authority shall:
 - (1) comply with all lawful orders and directives of any law enforcement officer, security personnel, or Authority employee acting within the scope of his or her employment;
 - (2) obey any instructions on notices or signs duly posted on any Authority Property; and
 - (3) provide accurate, complete and true information or documents requested by law enforcement officers, security personnel, or Authority employees acting within the scope of their employment and otherwise in accordance with law.
- (e) No person shall refuse or fail to relinquish a seat on Authority Property which has been designated as "Priority Seating," "Wheelchair Priority Seating" or words of similar import, if requested to do so by or on behalf of a person with a disability. No person shall occupy any location on Authority Property designated for use by persons using wheelchairs if such location is required to accommodate a person using a wheelchair. Prior or Wheelchair Priority Seating will be determined by Authority personnel on Board.

1980.7 Disorderly conduct.

No person on or in any Authority Property shall:

- (a) violate any Federal or State law;
- (b) litter, dump garbage, liquids or other matter, create a nuisance, hazard or unsanitary condition (including, but not limited to, spitting, urinating, or defecating, except in facilities provided);
- (c) smoke, vaping, or carry an open flame or lighted match, cigar, cigarette, pipe or torch;
- (d) engage in any form of gambling;
- (e) Sleep or doze where such activity may be hazardous to such person or to others or may interfere with the operation of the Authority's transit system or the comfort of its passengers;
- (f) create any sound through the use of any sound production device. Use of radios and other devices listened to solely by headphones or earphones and inaudible to others is permitted;
- (g) throw, drop, or cause to be propelled any stone, projectile or other article at, from, upon, in or on Authority Property;
- (h) drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverages;
- (i) enter or remain on, or in, any Authority Property while his or her ability to function safely in the environment of an Authority transit system is impaired by the consumption of alcohol or by the taking of any drugs;
- (j) conduct himself or herself in any manner which may cause or tend to cause annoyance, alarm or inconvenience to a reasonable person or create a breach of the peace;
- (k) occupy more than one seat at a Facility or on a Conveyance when to do so would interfere or tend to interfere with the operation of the Authority's transit system or the comfort of other passengers;
- (l) commit any act which causes or may tend to cause harm to oneself or to any other person including, but not limited to:
 - (1) riding a bicycle, scooter, or any other self-propelled vehicle or any motor-propelled vehicle;
 - (2) wearing roller skates or in-line skates; or
 - (3) riding or otherwise standing on a skateboard or hoverboard.
 - (4) Paragraph one of this subdivision does not apply to the proper use of self-propelled or motor-propelled wheelchairs or similar devices by a nonambulatory individual.

1980.8 Weapons and other dangerous instruments.

- (a) No weapon, dangerous instrument, or any other item intended for use as a weapon may be carried in, or on, any Authority Property. This provision does not apply to law enforcement. For the purposes hereof, a weapon or dangerous instrument shall include, but not be limited to, a firearm, knife, boxcutter, straight razor or razor blades, sword, shotgun or rifle.
- (b) No explosives or other highly combustible materials, or radioactive materials, may be carried on or in any Authority Property, except as authorized by the Authority.

1980.9 Restricted areas and activities.

- (a) No person, except as specifically authorized by the Authority, shall enter or attempt to enter into any area not open to the public, including but not limited to bus operator's seat location, station booths, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, garages, depots, rooms in Facilities not open to the public, or any area marked with a sign restricting access or indicating a dangerous environment.
- (b) No person shall extend his or her hand, arm, leg, head or other part of his or her person, or extend any item, article or other substance outside of the window or door of a bus or other Conveyance operated by the Authority.
- (c) No person shall enter or leave a bus or other Conveyance operated by the Authority except through the entrances and exits provided for that purpose.
- (d) Animals:
 - (1) Except as provided in paragraph (2) of this subdivision, no person may bring any animal on or into any Authority Property unless enclosed in a container and carried in a manner which would not annoy other passengers.
 - (2) Paragraph (1) of this subdivision does not apply to working dogs for law enforcement agencies, to Service Animals, or to animals which are being trained as Service Animals and are accompanying persons with disabilities, or to animals which are being trained as Service Animals by a professional trainer. All Service Animals and animals being trained as Service Animals must be harnessed or leashed.
 - (3) Law enforcement officers or designated Authority employees have the right to refuse admission to or eject any passenger accompanied by an animal, including a Service Animal, which poses a direct threat to the safety of other passengers.

1980.10 Fine and penalties.

Pursuant to section 1332(4) of the Public Authorities Law, any person committing one or more violations of these rules can be subject to either:

- (a) criminal prosecution in the criminal court of the municipality in which the violation occurred, which court might impose a fine not to exceed fifty dollars or a term of imprisonment for not longer than thirty days, or both; or
- (b) suspension of service for a period of thirty days or, if warranted, permanently.
 - (1) Every person who receives a Notice of Suspension of Service shall be entitled to a hearing before the Suspension of Service Hearing Committee, provided that they demanded such review within ten (10) business days from the latter of the date of the Notice of Suspension of Service or its postmark date, if it is mailed. At such hearing, the individual whose service has been suspended may present evidence in his or her defense, but must demand, at the time the hearing is demanded, the attendance of any Authority employees. If the hearing confirms that a Notice of Suspension was issued in conformity with the Rules, it shall be deemed valid, and the suspension of service shall take effect the tenth day following the date of the written decision of the Hearing Committee unless the Hearing Committee determines that a later date is warranted or necessary. The address for the Suspension of Service Hearing Committee is: P.O. Box 820, Syracuse, NY 13205.
 - (2) All suspension of services shall be subject to a stay pending review and an opportunity for a hearing. A stay on a suspension of service shall remain until the tenth day following the effective date of the Notice of Suspension of Service, the date on which the Hearing Committee's final order is effective following a hearing.
 - (3) A failure to attend a scheduled hearing shall be deemed a waiver of the right to a hearing and the Notice of Suspension of Service shall take immediate effect on the scheduled hearing date. Any extraordinary circumstances that prevent attendance at the scheduled hearing must be communicated to the Authority in advance of the hearing.
 - (4) Any attempt by a person to use the Authority's Property or services, during a period of suspension will be treated as trespassing.

1980.11 Ejection.

Any person who is observed by a law enforcement officer, security personnel, or Authority employee, to be violating any of these rules and who may receive or has received a Notice of Suspension of Service therefore is subject to ejection from the Property.

1980.12 Persons authorized to issue Notice of Suspension of Service.

Authority employees who are designated as supervisors or management staff shall be empowered to issue a Notice of Suspension of Service for violation of any of these rules.

Regulatory Impact Statement

1. Statutory authority: Public Authorities Law section 1332(4) authorizes the Central New York Regional Transportation Authority (CNYRTA) to “make rules governing the conduct and safety of the public in the use and operation of the transit facilities.”
2. Legislative objectives: CNYRTA has been given statutory authority to adopt rules as deemed necessary, convenient or desirable for the use and operation of its transit system, including rules relating to the conduct and safety of the public. The effective use of transit facilities operated by CNYRTA requires that transit customers observe rules promoting the safety and welfare of all customers. Adopting Rules of Conduct will provide a mechanism for law enforcement, as well as a means by which customers in violation of the rules of conduct may be denied transportation.
3. Needs and benefits: Presently, there are no rules or regulations for the CNYRTA. In accordance with the statutory authority and the legislative objective, the proposed rules are aimed at developing and implementing a unified Code of Conduct for the public in the use of CNYRTA’s transit facilities. The proposed rules set the standard for appropriate conduct and promote safety on CNYRTA’s facilities and buses, and are necessary to protect CNYRTA’s facilities, buses, customers, employees, and the public at large.
4. Costs: The rules have no projected costs inasmuch as its focus is the conduct of members of the public in their use of the transit system and facilities.
5. Local government mandates: No program, service, duty or responsibility is imposed by the rules upon any county, city, town, village, school district, fire district or other special district.
6. Paperwork: The rules impose no reporting requirements.
7. Duplication: The rules create no conflict or overlap with or duplication of any other legal mandate.
8. Alternatives: These Rules of Conduct are patterned after similar Rules of Conduct for the Metropolitan Transportation Authority (21 NYCRR 1040.1 et seq). Consideration has been given to the various alternatives for regulating the behavior of transit customers, and promoting the safety and welfare of the public, but there are no written rules governing this behavior and conduct as it relates to the use of CNYRTA transit facilities, including buses. It was therefore deemed appropriate to adopt a set of rules that can provide a basis for denying transportation, or triggering law enforcement activity. The desire is that anyone seeking to engage in the restricted activities should not use CNYRTA service.
9. Federal standards: The rules do not exceed any minimum standards of the Federal Government.

10. Compliance schedule: The dissemination of information to the transit-riding public generally occurs through communication from the bus operators, or notice posted at transit facilities. Many of the proposed Rules of Conduct follow standard conventions, while others are already posted on CNYRTA buses and facilities. Communication of any rule violation will be handled by CNYRTA bus operators and facility staff, who will be educated on the rules that are adopted. As such, a compliance schedule is unnecessary.

Regulatory Flexibility Analysis

Inasmuch as these Rules of Conduct address only the conduct of members of the public in their use of transit facilities, it will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local government.

Rural Area Flexibility Analysis

The proposed rules will not have an adverse impact or impose record-keeping compliance requirements on public or private entities in rural areas. Therefore, pursuant to SAPA 202-bb(4)(a), CNYRTA is exempt from the Rural Area Flexibility Analysis.

Job Impact Statement

Inasmuch as these Rules of Conduct address only the conduct of members of the public in their use of transit facilities, it will not have an impact on jobs or employment opportunities.