

NYCRR TITLE 21, CHAPTER XXXI, PART 1980 - PROPOSED
CENTRAL NEW YORK TRANSPORTATION AUTHORITY
RULES OF CONDUCT FOR TRANSIT VEHICLES & FACILITIES

1980.0 PREAMBLE

The Central New York Regional Transportation Authority (CNYRTA, Centro, or the Authority), in furtherance of its mission, hereby creates these Rules governing the conduct and safety of the public in the use and operation of its transit services.

1980.1 AUTHORIZATION & PURPOSE

- (a) CNYRTA, as referenced throughout these Rules, refers to the Central New York Regional Transportation Authority and its wholly owned or controlled subsidiaries.
- (b) The provisions of section 1332(4) of the Public Authorities Law provide the CNYRTA 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.
- (c) These Rules are established by authority to promote safety, facilitate the proper use of the transit facilities of the authority, protect those transit facilities and their passengers, and assure the payment of fares and other lawful charges for the use of their systems.
- (d) These Rules adopted by the CNYRTA Board of Members regulate conduct occurring on CNYRTA transit vehicles, within or upon CNYRTA facilities and properties, and in connection with the CNYRTA's provision of public transportation services.
- (e) These Rules may be amended or added to from time to time at the sole discretion of the authority in accordance with law.
- (f) If any one or more of the provisions in these Rules shall be declared by any court of competent jurisdiction to be contrary to law, then such provision(s) shall:
 - (1) be null and void; and
 - (2) be deemed separable from the remaining provisions in the Rules of Conduct; and
 - (3) in no way affect the validity of the other provisions of the Rules of Conduct.

1980.2 DEFINITIONS

- (a) "Assault" shall mean an act or attempted act, whether physical or non-physical, in which physical contact or verbal threats or intimidation occur by one person directed to another without lawful authority or permission.
- (b) "Authority", "CNYRTA", and "Centro" shall mean The Central New York Regional Transportation Authority and its wholly owned or controlled subsidiaries.
- (c) "Bus Shelters" shall mean structures located in transit vehicle loading zones that provide cover for the public to board and alight transit vehicles.
- (d) "Centro Contractors" shall mean any person or organization performing duties on behalf of the CNYRTA for the delivery of public transportation services.
- (e) "Centro Employee" shall mean any part-time or full-time, temporary, or regular,

exempt, or non-exempt, represented, or non-represented person, including an intern, who is compensated by the CNYRTA for services by wages, salary, or other remuneration.

- (f) “Centro Facilities and Properties” shall mean all facilities, including the Centro Transit Hubs, structures, schedule and news racks, kiosks, fare vending machines, bulletin and information boards, bus shelters, bus stop signs, lands, interest in lands, air rights over lands, and rights of way of all kinds that are owned, leased, held, or used by the CNYRTA for the purpose of providing public transportation services, including, but not limited to, Park-N-Ride lots, transit centers, bus shelters, and areas that are used by the public to board and alight transit vehicles.
- (g) “Commercial Activity” shall mean any enterprise or venture by groups or individuals for the purpose of promoting or selling products or services to CNYRTA employees or the public, whether for profit or not.
- (h) “Excluded” shall mean individuals who are excluded may not enter or remain on CNYRTA property or equipment used to provide public transportation services.
- (i) “General Public” shall mean any person or group of persons, including CNYRTA employees, not acting in an official capacity at the time.
- (j) “Harassment” shall mean acts occurring within or about CNYRTA facilities and properties or transit vehicles:
 - (1) When a person, with intent to harass, annoy, or alarm another person:
 - (i) strikes, shoves, kicks, or otherwise subjects another person to physical contact or attempts to or threatens to do the same; or
 - (ii) follows a person about in a public place or places; or
 - (iii) engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person, and which serve no legitimate purpose.
 - (2) Any action deemed to be in violation of CNYRTA Harassment Policies.
- (k) “Inappropriate Conduct” shall mean any conduct that is disruptive or injurious to other individuals’ lawfully using CNYRTA facilities or services; damaging or destructive to transit facilities or services, or disruptive, harassing, or threatening to transit employees. Inappropriate conduct may also constitute a violation of an ordinance or criminal law. Not being charged or convicted by law enforcement of an incident of inappropriate conduct does not bar investigation, warning, and/or exclusion under these rules.
- (l) “Loitering” shall mean remaining in any transportation facility, unless specifically authorized to do so, for the purpose of soliciting or engaging in any business, trade or commercial transactions involving the sale of merchandise or services or for the purpose of entertaining persons by singing, dancing, or playing any musical instrument.
- (m) “Park-N-Ride Lots” shall mean locations officially designated by the CNYRTA at which persons may park their individual vehicles or bicycles and transfer to a Centro transit vehicle or car/vanpool vehicles. The term shall include all physical improvements and landscaping connected with a Park-N-Ride lot.
- (n) “Person” shall mean any individual, firm, partnership, corporation, organization, association, or legal entity of any kind.
- (o) “Public Communication Activity” shall mean the posting or distribution of flyers,

pamphlets, brochures, books or other written material, collecting petition signatures, political campaigning, demonstrating, displaying signs, picketing, unscheduled playing of musical instruments or other performances, public speaking, conducting surveys, soliciting or receiving of funds or contributions of any kind for any purpose, or otherwise communicating or attempting to communicate to the general public.

- (p) "Public Transportation Services" shall mean any transportation service, whether operated by the CNYRTA or any governmental agency, private person, firm, or corporation contracting with Centro.
- (q) "Transit Related Activities" shall mean activities associated with the provision or support of CNYRTA public transportation services, the use of those services by the public, or CNYRTA sales, promotion, and maintenance activities in support of the CNYRTA's public transportation services.
- (r) "Transit Vehicle" shall mean every motor vehicle which is owned or operated by the CNYRTA or a Centro contractor while said contractor is performing CNYRTA related public transportation services.

1980.3 PROHIBITED CONDUCT

- (a) **General:** The following activities are prohibited in all CNYRTA transit vehicles and facilities and properties, unless authorized by the CNYRTA or its designee in a written permit, license, concession contract, lease, or other written authorization:
 - (1) engaging in commercial activities;
 - (2) engaging in public communication activities;
 - (3) engaging in any civic, cultural, or other special event, not included in the definitions of commercial or public communication activities in section 1980.2 of this Part;
 - (4) posting or affixing flyers, pamphlets, brochures, leaflets, written or graphic material of any kind;
 - (5) affixing or erecting signs, banners, or other paraphernalia on the exterior or interior;
 - (6) engaging in public activities involving signs, boxes, receptables, easels, or other similar apparatus of any kind.
- (b) **Level 1:** The following activities are prohibited and may be considered Level 1 offenses for purposes of enforcement:
 - (1) Violating a current notice of suspension order.
 - (2) Any harassment against CNYRTA employees or passengers.
 - (3) Willfully refusing to pay a fare or to show appropriate identification or fare media to the bus operator.
 - (4) Verbal disputes or horseplay.
 - (5) Any smoking, vaping, or chewing tobacco products on transit buses or CNYRTA property.
 - (6) Sleeping, camping, or storing personal property on benches or floors of Centro facilities and properties.
 - (7) Soliciting funds.
 - (8) Engaging in any form of gambling.
 - (9) Producing unreasonable noise from a device or utilizing a speaker phone which causes a distraction without headphones/earbuds.
 - (10) Occupying more than one seat or blocking the aisle unnecessarily.
 - (11) Dangerous activities, including but not limited to skateboarding,

hoverboarding, etc.

- (12) Riding bicycles, scooters, mopeds, and motorcycles, except where public vehicle travel and access is permitted.
- (13) Unauthorized commercial activity or restricted activity.
- (14) Loitering or entering unauthorized areas.
- (15) Extending arms or other body parts out of vehicle windows.
- (16) Not wearing shoes and clothing, such as a shirt, pants, dresses, etc.
- (17) Failure to obey CNYRTA employees or signs.
- (18) Bringing any uncaged animal onboard CNYRTA transit vehicles or facilities and properties other than a service animal.
- (19) Eating or drinking on the bus (Note: Food items in closed containers are permitted.).
- (20) Standing in front of the yellow standee line at the front of the bus near the driver's seat or leaning on the rear doors.
- (21) Bringing on board any large articles including but not limited to, packages, baggage, non-collapsible strollers, or baby buggies that block the aisle and restrict the free movement of passengers.
- (22) Engaging in indecent, profane, boisterous, unreasonably loud, demeaning, and disrespectful behavior towards CNYRTA employees, contractors and/or passengers.
- (23) Participating in otherwise disorderly or inappropriate conduct that is inconsistent with the orderly and comfortable use of buses for their intended purpose. This includes putting feet on the seat, leaving trash behind, not wearing a shirt and shoes, and exposing other passengers to bodily fluids or any kind of odors that may present health or safety risks.

(c) **Level 2:** The following activities are prohibited and may be considered Level 2 offenses for purposes of enforcement:

- (1) Any non-physical Assault against CNYRTA employees or passengers.
- (2) Vandalism, including graffiti, defacing, or damaging CNYRTA property.
- (3) Spitting, urinating, or defecating on CNYRTA property.
- (4) Fighting on CNYRTA buses or property.
- (5) Throwing items on the bus or from the bus, or on CNYRTA property.
- (6) Drinking alcoholic beverages or possessing open containers of alcoholic beverages.
- (7) Possession of or using illegal or controlled substances.
- (8) Obstructing or interfering with the bus operator's safe operation of the vehicle.
- (9) Obstructing bus traffic lanes.
- (10) Possessing, transporting, or distributing illegal or controlled substances.
- (11) Engaging in indecent exposure.
- (12) Entering or remaining on CNYRTA buses after having been notified by an authorized individual not to do so, or boarding or remaining on CNYRTA buses during the period when an individual has been banned from the premises.

(d) **Level 3:** The following activities are prohibited and may be considered Level 3 offenses for purposes of enforcement:

- (1) Physical Assault against CNYRTA employees or passengers.
- (2) Bringing any items of a dangerous nature on board buses, including weapons (pistols, rifles, knives, or swords); flammable liquids, dangerous, toxic, or

poisonous substances; vessels containing caustic materials, chemicals, acids, or alkalis, sheet glass and sharp objects.

- (3) Willfully damaging, defacing, or destroying CNYRTA property. The CNYRTA will press charges against anyone who steals or willfully damages, defaces, or destroys CNYRTA property.
 - (4) Theft of CNYRTA property or the property of any other passenger, Centro employee or Centro contractor.
 - (5) Lighting an incendiary device on the bus or CNYRTA property (e.g., match, lighter, torch)
 - (6) Filing fraudulent claims about an injury sustained on a CNYRTA vehicle or at the transfer station.
 - (7) Spitting or expectorating on or at bus operators, employees, or passengers.
- (e) Any other action that threatens public safety or inhibits authority's ability to deliver public transit services, including any violations of Federal, State or Local law, may be treated as a violation of these rules, and will be assessed on a case-by-case basis.

1980.4 ENFORCEMENT

- (a) Any authorized CNYRTA representative may provide oral or written warning and may order an individual to leave or exclude individuals from a vehicle or facility.
- (1) Such representative may give that individual an oral first warning to immediately cease engaging in the conduct and/or not to engage in the conduct again.
 - (2) If the individual does not cease engaging in the conduct, then the authorized CNYRTA representative may direct the individual to immediately leave the vehicle or facility.
 - (3) If an individual fails or refuses to leave a vehicle or other facility after being directed to do so by an authorized CNYRTA representative, such individual is subject to arrest and prosecution for trespassing and/or disorderly conduct.
- (b) Exclusion/Suspension: Violations of these rules may result in exclusion/suspension from transit facilities and/or services. The CNYRTA Chief Executive Officer shall designate one or more Rules Enforcement Officer(s) who shall determine the duration of exclusion/suspension periods. Generally, length of exclusion/suspension is determined using the following schedule:
- (1) Level 1 Offenses: Not less than thirty (30) days or more than ninety (90) days.
 - (2) Level 2 Offenses: Not less than ninety (90) days or more than one hundred eighty (180) days.
 - (3) Level 3 Offenses: Not less than one hundred eighty (180) days or permanently based on severity.
- (c) The CNYRTA Chief Executive Officer will review and decide on all permanent suspensions. Further legal action may be taken as applicable and appropriate for all offenses.

1980.5 APPEALS

- (a) The CNYRTA provides an appeal process to a three-person Suspension of Service Hearing Committee to be designated by the CNYRTA Chief Executive Officer; this process is available to any person excluded or suspended from service.
- (1) Failure to follow the prescribed appeals process constitutes accepting the penalty and waiving a right to an appeal.

- (b) Appeals must be requested in writing not later than (10) days after commencement of the exclusion/suspension. Commencement of the exclusion shall be defined as the date upon which the exclusion became effective and shall be determined by CNYRTA's official records.
 - (1) Appeals may be addressed to the CNYRTA Chief Executive Officer or their designee at: Suspension of Service Hearing Committee, Central New York Regional Transportation Authority, 200 Cortland Avenue, PO Box 200, Syracuse, NY 13205.
 - (2) If the excluded person cannot respond in written format, CNYRTA will make reasonable accommodations to allow due process.
- (c) A written decision shall be rendered within twenty (20) calendar days from the receipt of the appeal. Appeals may be requested with or without an in-person hearing.
 - (1) If a hearing is requested, the hearing shall be held within ten (10) calendar days from receipt of the appeal.
- (d) Exclusions shall not be stayed during the appeal process. Individuals attempting to use CNYRTA or showing a physical presence at a CNYRTA facility during a suspension period, will be subject to arrest for trespassing.
 - (1) If an excluded individual requires public transportation services to attend their appeal hearing, they must contact the CNYRTA at least five (5) business days in advance of the hearing date, and the CNYRTA will arrange to provide the necessary public transportation services for the excluded individual.

1980.6 LIABILITY

- (a) Nothing in section 1980.4 of this Part shall create a duty to any person on the part of CNYRTA or form any basis for liability on the part of the CNYRTA, its officers, agents, or employees. The obligation to comply with these Rules is solely that of any person entering and using CNYRTA transit vehicles and facilities and properties and CNYRTA's enforcement of these Rules is discretionary not mandatory.