

# Big Blue Bus Customer Code of Conduct

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## BIG BLUE BUS CODE OF CONDUCT

Ensuring customer safety and well-being is top priority for Big Blue Bus (BBB). The Customer Code of Conduct outlines expected behavior for anyone using BBB services, and serves as a respectful reminder to treat customers and BBB staff with consideration, patience, respect, and civility for the mutual safety and enjoyment of the transit system.

The Customer Code of Conduct is established pursuant to the authority granted to BBB by the California Penal and the California Public Utilities Code. The following applies to all BBB customers and public and non-public areas of BBB property.

## DEFINITIONS

The following terms, whenever used in this policy, shall be construed as defined in this section:

1. "Abuse" and "harassment" means any extreme physical or verbal mistreatment, including hitting, kicking, gesture, yelling, spitting, threats, intimidation, assaults, slurs, cursing, and sexual harassment including unwanted touching, comments, or gestures, of a sexual nature or because of their gender, sexual orientation, or gender expression or gender identity.
2. "BBB" means the City of Santa Monica's Big Blue Bus.
3. "BBB representative" means BBB Motor Coach Operators (MCO), MCO Supervisors, BBB security officers, or other authorized BBB employees or contractors.
4. "BBB facility" means all property and equipment, including offices, repair and maintenance shops, yards, depots, bus stops, or any other property owned or leased by BBB.
5. "BBB vehicle" means a BBB bus, car, shop truck or other vehicle owned, operated, or used by BBB or its contract service providers transporting BBB representatives or customers.
6. "Code" refers to this Customer Code of Conduct.
7. "Customer" means any person in or on, using or attempting to access, a BBB vehicle or facility.
8. "Fare media" means the method by which fares are paid, issued by or on behalf of BBB for the payment of fare.
9. "Graffiti" means any unauthorized inscription, word, figure, mark, or design that is written, marked, etched, scratched, drawn, painted or affixed on a BBB vehicle or facility.

10. "Loitering" means unnecessary lingering in a BBB vehicle or facility or other location where it interferes with a BBB vehicle or facility or use thereof with the intent to commit a crime.
11. "Nuisance" means anything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment to life or property."<sup>i</sup>

## CODE OF CONDUCT

### 1. ANIMALS

- 1.1. Animals must be transported in a fully enclosed and secure carrier (service animals are not subject to this rule).
- 1.2. Animal carriers must have closable doors that are closed during transport. Purses, backpacks, and other similar items are not considered suitable animal carriers unless they are fully enclosed for animal transport.
- 1.3. Handlers shall maintain control of their animal at all times. Animals that are not under the control of the handler or that pose a threat to any BBB employees or customers are not allowed on the bus.
- 1.4. A non-service animal may be denied from boarding the bus or may be ejected if it is being disruptive.
- 1.5. Handlers of animals shall promptly remove all animal waste from the bus. Leaving animal waste in a BBB vehicle is prohibited.
- 1.6. Handlers must ensure that an animal shall not deprive a customer of a seat or block an aisle.

### 2. BLOCKING

The following acts are prohibited in BBB vehicles and facilities:

- 2.1. Willfully blocking or impeding the free movement of another person. <sup>ii</sup>
- 2.2. Obstructing or impeding the operation of a BBB vehicle or interfering with the operation or use of transit services. <sup>iii</sup>
- 2.3. Operating, stopping, or parking a vehicle in a location that is reserved for transit vehicles or is otherwise restricted. <sup>iv</sup>

### **3. BOARDING, EXITING, AND SEATING**

- 3.1. Yield priority, reserved wheelchair, or similarly designated seating to older adults and individuals with disabilities.
- 3.2. Make room for others by moving to the back of the bus, especially during rush hour.
- 3.3. Do not occupy more than one seat.
- 3.4. Do not place your feet on the seats.
- 3.5. Exit the bus using the rear door.

### **4. CARTS AND STROLLERS**

- 4.1. Commercial or large size carts, dollies and commercial strollers are prohibited on BBB vehicles unless collapsed. If a small personal use size stroller is occupied by a child or small cart is filled, then it must be securely held and not block passageways or seats.
- 4.2. Carts, dollies, strollers, and large luggage that create an unsafe condition are prohibited.
- 4.3. During crowded conditions or peak hours, remove children from strollers and materials from carts, and collapse, or wait for the next BBB vehicle that has room for the cart or stroller. This does not apply to Wheelchairs or other Mobility Aid Devices.
- 4.4. The following are conditions in which a child may remain in the stroller:
  - The child must be restrained within the stroller using the stroller's seatbelt;
  - The stroller must be in the securement area;
  - The stroller must be in the control of the owner at all times; and
  - The stroller wheels must be in the locked position.
- 4.5. If a stroller is in the securement area and a passenger with a wheelchair boards the BBB vehicle, the passenger with the stroller must collapse the stroller to allow for the securement of the wheelchair.

### **5. CIVILITY, COMPLIANCE, AND COOPERATION**

- 5.1. Respect your operator, fellow passengers, and BBB property.
- 5.2. Refrain from using profanity while on board.
- 5.3. Do not interrupt the operator while she/he is driving. If you have a question, wait until the operator comes to a complete stop before asking your question.
- 5.4. Do not leave trash behind on the bus.

5.5. Passengers must wear a shirt, pants or skirt, and shoes, while in a BBB vehicle. Infants being held or in strollers and persons in wheelchairs are not required to wear shoes.

## 6. DISORDERLY CONDUCT

The following acts are prohibited in, on, or in close proximity to BBB vehicles and facilities:

6.1. Expectorating (Spitting). <sup>v</sup>

6.2. Carrying any explosive, acid, flammable liquid, or toxic or hazardous materials. <sup>vi</sup>

6.3. Urinating or defecating in a BBB vehicle or BBB facility, except in a lavatory. <sup>vii</sup>

6.4. Throwing an object at a customer, BBB representative, BBB facility, or BBB vehicle. <sup>iii</sup>

6.5. Inciting violence or posing a clear and present danger to others, including making verbal or visual gang affiliation or provocation signs. <sup>viii</sup>

6.6. Engaging in or soliciting another person to engage in lewd conduct. <sup>ix</sup>

6.7. Engaging in or soliciting another person to engage in prostitution. <sup>x</sup>

6.8. Inappropriate sexual conduct of any nature is prohibited on BBB vehicles and facilities. Examples of inappropriate sexual conduct include unwanted sexual comments, indecent exposure<sup>xi</sup>, stalking,<sup>xii</sup> unlawful imprisonment, sexual assault, simple assault, groping or grabbing, rubbing up against someone in a sexual manner.<sup>xiii</sup>

6.9. Defacing with graffiti, vandalizing, damaging, destroying, or tampering with BBB vehicles or facilities. <sup>xiv</sup>

6.10. Littering or dumping. <sup>xv</sup>

6.11. Assault/battery of a BBB representative; Injuring another person or damaging another person's property or possessions. <sup>xvi</sup>

6.12. Throwing an object from a BBB vehicle. <sup>iii</sup>

6.13. Selling, peddling, or any commercial activity is prohibited on BBB vehicles and in any location where it interferes with transit services, or the movement of patrons or where it creates a safety hazard.<sup>xvii</sup>

## 7. FARES

- 7.1. Have your fare ready to insert, swipe, tap, or show the operator upon boarding.
- 7.2. Customers must pay all applicable fares and fees.
- 7.3. Evading payment of BBB fare is prohibited. Fare evasion includes the following: <sup>xviii</sup>
  - 7.3.1. Boarding a BBB vehicle without obtaining a valid fare;
  - 7.3.2. Duplicating, counterfeiting, altering, or transferring any nontransferable fare media without BBB authorization;
  - 7.3.3. Falsely representing oneself as eligible for a waiver or special or reduced fare, or obtaining fare media by making a false or misleading representation;
  - 7.3.4. Misusing fare media with the intent to evade payment of fare;
  - 7.3.5. Unauthorized use of a discount ticket or failure to present, upon request from a BBB representative, acceptable proof of eligibility to use a discount ticket; and
  - 7.3.6. Boarding through the rear bus door to avoid payment of fare.

## 8. FOOD, ALCOHOL, SMOKING, AND DRUGS

The following acts are prohibited in BBB vehicles and facilities:

- 8.1. Eating and drinking on board a BBB vehicle. Food and non-alcoholic beverages must be transported in covered containers. <sup>xix</sup>
- 8.2. Smoking tobacco or marijuana products. Cigarettes, cigars, oral tobacco, electronic cigarettes, vaping, or any other tobacco or marijuana products are not allowed on any BBB vehicles or any bus stops within the City of Santa Monica. Smoking while at a bus stop is subject to citation. <sup>xx</sup>
- 8.3. Consuming alcohol on board a BBB vehicle. You may transport non-alcoholic beverages in covered cups or containers. <sup>xix</sup>
- 8.4. Possessing an illegal drug or substance. <sup>xxi</sup>
- 8.5. Being under the influence of alcohol, a drug, a controlled substance, toluene, or any combination of those items and unable to care for one's own safety or the safety of others, or interfering with the use of a BBB vehicle or facility. <sup>xxii</sup>

## **9. HYGIENE, ODORS, AND OPEN WOUNDS**

- 9.1. A person may not be in a BBB vehicle exhibiting inappropriate personal hygiene so offensive as to constitute a nuisance to other passengers, whether such odor arises from one's person, clothes, articles, accompanying animal or any other source. The odor must be so extreme it causes a nuisance, unreasonably interferes with the use, operation, or enjoyment of the BBB vehicles for BBB representatives or patrons, or creates an unsafe condition.
- 9.2. Notwithstanding the foregoing, this subsection shall not apply to persons with odors directly related to a disability or medical condition.
- 9.3. Customers with disabilities that have open sores and wounds may be transported unless their medical condition presents a direct threat to other passengers. Any customer, including customers with disabilities, may be refused access to public transportation if body fluid leakage, drainage, or dripping is occurring while at a bus stop. The customer may also be requested to exit the bus if the leakage or dripping occurs after they have boarded. Such leakage or dripping can create a biohazard to other customers on the bus.

## **10. LOITERING**

- 10.1. Loitering is prohibited in BBB facilities and vehicles.<sup>xxii</sup>

## **11. MISCELLANEOUS**

- 11.1. The Code is not intended to affect lawful activity or first amendment rights protected by state or federal law.
- 11.2. BBB reserves the right to suspend, waive, modify, limit, or revoke the application of the Code.
- 11.3. BBB may refuse service, or access to BBB facilities or vehicle, including eject or exclude, to any person who does not comply with the Code or its applicable laws.

## **12. NOISE**

The following acts are prohibited in BBB vehicles and facilities:

- 12.1. Disturbing or engaging in boisterous or unruly behavior.<sup>xxiii</sup>
- 12.2. Playing unreasonably loud sound equipment, except when using headphones or earphones that make the sound inaudible to others.<sup>xxiv</sup>
- 12.3. Failure to comply with a warning by a BBB representative to cease creating loud, boisterous or unreasonable noise, including unnecessary cell phone or other conversation, that is so loud, lengthy, sexually explicit, threatening, violent, or disruptive, that it causes a nuisance or unreasonably interferes with the use, operation, or

enjoyment of the BBB facilities or vehicles for BBB customers or representatives, or creates an unsafe condition, such as distracting operators of BBB vehicles. <sup>xxv</sup>

### **13. SIGNS**

13.1. No person shall destroy, cover, deface with graffiti, remove, damage, or tamper with a BBB poster, sign, advertisement, or notice, unless authorized by BBB.

### **14. WEAPONS**

14.1. A weapon or instrument intended for use as a weapon shall not be discharged or directed at a BBB facility or vehicle or at a person or object in a BBB vehicle or facility. <sup>xxvi</sup>

14.2. Entering a BBB vehicle or facility with a weapon or instrument intended for use as a weapon is prohibited. This provision does not apply to law enforcement personnel. <sup>xxvii</sup>

### **15. WHEELED RIDING DEVICES**

15.1. The following items are NOT allowed on board:

- Shared mobility scooters and bikes (i.e. Bird, Lime, Wheels, Jump, etc.).
- Gas-powered wheeled riding devices.

15.2. Personal folding electric scooters and personal folding bikes are allowed on board the bus if under 30" x 18" x 18" when folded.

15.3. Cyclists are responsible for loading and unloading their own bicycles.

15.4. Bicycles are transported at the owner's risk. BBB is not responsible for lost, stolen or damaged bicycles.

15.5. Do not lock your bike to the bus bike rack.

## ENFORCEMENT

A person who violates the code is subject to a notice of violation and imposition of any and all remedies, fines, criminal sanctions, damages, and penalties available by law.

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- <sup>i</sup> Cal. Civ. Code § 3479
  - <sup>ii</sup> Penal Code § 640(d)(4)
  - <sup>iii</sup> Public Utilities Code § 99170
  - <sup>iv</sup> Vehicle Code § 22500(i); Vehicle Code § 22523(b)
  - <sup>v</sup> Penal Code § 640(b)(4)
  - <sup>vi</sup> Penal Code § 640(d)(2)
  - <sup>vii</sup> Penal Code § 640(d)(3)
  - <sup>viii</sup> Penal Code §§ 422
  - <sup>ix</sup> Penal Code § 647(a)
  - <sup>x</sup> Penal Code § 647(b)
  - <sup>xi</sup> Penal Code § 314.1
  - <sup>xii</sup> Penal Code § 646.9
  - <sup>xiii</sup> Penal Code §§ 243.4(a) – 243.4(e)(1)
  - <sup>xiv</sup> Penal Code §§ 594, 640.5-640.8
  - <sup>xv</sup> Penal Code § 374.4
  - <sup>xvi</sup> Penal Code §§ 243.3 & 243.35
  - <sup>xvii</sup> Penal Code § 640(b)(6)
  - <sup>xviii</sup> Penal Code § 640(c)(1)-(B)
  - <sup>xix</sup> Penal Code § 640(b)(1)
  - <sup>xx</sup> Penal Code §§ 640 (b)(3)
  - <sup>xxi</sup> B & P Code § 25662; H & S Code §11364
  - <sup>xxii</sup> Penal Code §§ 647(f), 647(h)
  - <sup>xxiii</sup> Penal Code § 640(d)(1)
  - <sup>xxiv</sup> Penal Code §§ 640(b)(2) & (d)(1)
  - <sup>xxv</sup> Penal Code §§ 640(b)(2)
  - <sup>xxvi</sup> Penal Code §§ 245.2, 247(b) & 171.7
  - <sup>xxvii</sup> Penal Code § 171.7