

Ozark Regional Transit
Final: 04.23.2026

Management Policy - P1.V2

Passenger and Visitor Standard of Conduct

PURPOSE

To establish standards of conduct for transit passengers and visitors while utilizing services and facilities or while on Ozark Regional Transit Authority (ORT) property. This policy is to help ensure the safety, health and welfare of transit staff, passengers, and the public.

POLICY

ORT is committed to providing safe, secure, convenient, and efficient transit services to residents and visitors in the service area. All passengers are expected to help maintain a safe environment by refraining from inappropriate behavior on vehicles and within transit facilities. To support this goal, ORT has established the following Standard of Conduct policy outlining expected passenger behavior.

STANDARD OF CONDUCT

No individual may engage in inappropriate conduct on any transit vehicle, or at any facility. Inappropriate conduct includes, but is not limited to, any individual or group conduct or activity:

- A. Violating any law or ordinance.
- B. Which a reasonable person would consider disruptive, threatening, harassing, or harmful to others, including conduct that disturbs the peace or attempts to cause physical or emotional harm to anyone using ORT services or facilities.
- C. Attempting to damage ORT property or facilities.
- D. Bringing odors from passengers, animals or other sources that interfere with the comfort, safety, or use of the vehicle by operators and/or other passengers. This includes strong odor from clothing or body, chemical or other substances.
- E. Exposing bodily fluids, either on clothing, mobility devices or openly emerging from a body of a person or animal. This includes blood, urine, feces, vomit, or infection.
- F. Boarding an ORT vehicle or entering an ORT property if a person's body, clothing, or personal belongings (to include their animal) are visibly infested with parasites and/or causes shedding of the parasites into the vehicle or property. This includes bedbugs, fleas, ticks, mites, or lice.

An individual does not need to be charged with or convicted of a legal violation for ORT to investigate whether their actions constitute inappropriate conduct or to impose suspension consequences under this policy.

Following the processes outlined in this policy, any person found to have engaged in inappropriate conduct may be denied the privilege of using the transit system and its facilities. Penalties for inappropriate or prohibited conduct are outlined below. Inappropriate conduct includes behavior occurring at, in, or on ORT public transit facilities and vehicles, as well as conduct occurring off-site when an individual acts in a taunting or belligerent manner that interferes with the peaceful operation of the transit system.

Procedures for penalties and appeals are herein defined and are incorporated by reference to this policy. Suspensions are based on the severity of the offense, and offenses are categorized herein. The Executive Director may revise and update the list of offenses and corresponding outcomes as needed.

PENALTIES AND SUSPENSIONS FOR INAPPROPRIATE CONDUCT

In the interest of the health, safety and welfare of its passengers and employees, ORT reserves the right to suspend or revoke all services to anyone found to have violated Policy 1.V2. as stated and defined in this document.

- **Category A** are offenses to ORT patrons or damage to ORT property and may result in an immediate suspension of up to one week (up to seven calendar days). Violators will be given a verbal warning against an unacceptable conduct prior to the imposition of discipline. A person found to have committed multiple Category A offenses over a one-year period from the initial offense, may be suspended under a Category B offense.
- **Category B** offenses are more severe than Category A. This category includes inappropriate conduct that causes actual damage to ORT facilities, equipment, or property, or is conduct which threatens the safety, health or well-being of an ORT employee or other passengers on ORT vehicles. No warning is required. A person found to have committed a Category B offense may be suspended for up to three months (up to 90 calendar days). A person found to have committed multiple Category B offenses within a two-year period may be suspended under a Category C offense.
- **Category C** offenses are the most severe and include, without limitation, damage to facilities, equipment, or property in an amount of more than \$250.00, or any battery against any individual. No warning is required. A violator will be suspended for a period of not less than six months (180 calendar days) or until the suspension of services is overturned or modified after an appeal process.

SERVING NOTICE OF SUSPENSION

Suspension will begin when the violator is notified. ORT will make reasonable efforts to verbally notify the individual that their privileges are being suspended in cases where the suspension is for a period of up to one week (seven calendar days). For longer suspensions ORT will make reasonable efforts to provide written notice of the suspension and appeal procedures if sufficient address information is available.

APPEAL PROCESS

A suspension of up to one week (seven calendar days) cannot be appealed. A person who has been suspended from using the transit system and/or its facilities for more than seven calendar days may appeal suspension of privileges, as provided in the Passenger and Visitor Standard of Conduct

Procedures. When practical, a copy of the appeal procedures will be provided with the notice of suspension of service. The documents may be served by regular mail or hand delivery.

Any proposed suspension for more than one week (seven calendar days) shall be reviewed and approved by the Operations Director or their designee, prior to implementation. Except in the case of multiple Category C offenses, the Operations Director may modify or revoke any suspension according to this policy, prior to the completion of the full term of the suspension, as part of an appeal or to accommodate a demonstrated need for transportation to maintain employment, attend school or receive necessary medical treatment.

Anyone found to have committed two Category C offenses within three years will be permanently banned from the use of ORT services and facilities, unless reinstated following an appeal process and the resulting decision of an Appeal Panel, appointed by the Executive Director. Appeal application shall not be considered until the suspension has been in place for not less than one year and the individual has fully complied with all terms of the suspension.

P1 TRANSIT PASSENGER AND VISITOR STANDARD OF CONDUCT PROCEDURES

The Ozark Regional Transit Authority (ORT) has adopted a Transit Passenger and Visitor Standard of Conduct Policy (Management Policy P1) to help ensure that the citizens and visitors who come to the service area of ORT and utilize the transit services have a pleasant and safe experience. ORT believes that persons who need the privilege of utilizing public transit vehicles and facilities should always conduct themselves appropriately while on, at, or within ORT facilities and vehicles, so all users will have the pleasant and safe experience that they have the right to expect.

The prohibitions established by Management Policy P1 are intended to apply to all property, facilities, and vehicles in which ORT has an interest, including, without limitation, administrative, maintenance, operational facilities (owned or leased), bus stops, and all other vehicles used as part of the transit services. Any person found to have engaged in inappropriate behavior, set forth herein, may lose the privilege of using ORT public transportation or visiting ORT facilities. Safety is everyone's responsibility and ORT asks that anyone witnessing inappropriate behavior in or around ORT facilities or vehicles report it to a supervisor immediately. Definitions and examples of categories of inappropriate behavior are set forth below.

Definitions:

- A. Operator - the driver of any ORT public transportation vehicle.
- B. Peace Officer - law enforcement officials as recognized by the State of Arkansas and such other persons as may be designated by law.
- C. ORT - Ozark Regional Transit Authority.
- D. ORT Official - all ORT management officials, contract management officials, and their designees.
- E. ORT Facility - any ORT structure or facility (owned or leased), including administrative, maintenance and operations facilities, passenger waiting areas or park and ride vehicle parking lots.
- F. ORT Vehicle - a bus, van or other vehicle used to transports passengers or employees, owned or operated by or on behalf of ORT.
- G. ORT Security Guard - any persons under contract with ORT for the provision of security services at an ORT facility or on other ORT property.
- H. Weapon - any dangerous or deadly weapon as defined by the State of Arkansas and includes, without limitation, any firearm or knife of any kind, nightsticks or other clubs, metal knuckles, or any other instrument used in a threatening or intimidating manner. This does not apply to any instrument which is known to be dangerous if the possession of same is authorized by a lawfully issued permit.
- I. Suspended Services - ORT has the right to refuse transit services and to remove anyone from an ORT vehicle or from ORT property.
- J. Service Animals -individually trained to perform tasks for people with disabilities, such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting, and protecting a person with seizure disorders, or performing other special tasks. Service animals are working animals and not pets, companions, or emotional support animals.
- K. Pets or Companion Animals –are not Service Animals and are allowed on ORT vehicles if they are in a certified pet carrier. The animal and carrier cannot, at any time, obstruct the aisles or pathways of passengers.
- L. Mobility Device -any mobility aid belonging to any class of three or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated

manually or powered. A mobility device does not exceed 30 inches in width and 48 inches in length with two inches clearance above the ground and does not weigh more than 600 pounds when occupied, as defined in the USDOT's regulations implementing the Americans with Disabilities Act of 1991 (ADA).

PROHIBITED CONDUCT

In the interest of the health, safety, and welfare of its passengers and employees, ORT reserves the right to suspend services to anyone exhibiting any of the following conduct:

CATEGORY A: A person's violation of any one of the following acts may result in the immediate suspension of that person's ridership privileges for up to a one week (up to seven calendar days). A verbal warning will be given by an Operator, an ORT Official or ORT Security, prior to issuance of a suspension.

1. Carrying or consuming open containers of food or beverage within an ORT vehicle.
2. Smoking other than in designated areas.
3. Boarding an ORT vehicle with any animal other than a Service Animal, not housed in an enclosed carrying container that can fit on the customer's lap.
4. Boarding an ORT vehicle with any container, package or article which cannot be safely placed in the person's lap, and which would tend to block the aisle or make travel in the aisle or stairway difficult or unsafe.
5. Failure to wear appropriate clothing. Proper foot covering, shirts and pants must be worn. Clothing that is unsafe or unsanitary, or that exposes private body areas is prohibited. Sagging pants or pants that show more than the bandwidth of an undergarment must be pulled up to the outer pants waist band. Swimsuits must have an outer covering.
6. Refusing to de-board an ORT vehicle when requested to do so by an Operator, an ORT official or ORT security.
7. Boarding an ORT vehicle without paying the established fare or without presenting a valid pass.
8. Failure to present a valid identification card when requested to do so by an ORT employee for verification of reduced fare rates.
9. Entering through the rear exit door of an ORT vehicle unless directed to do so by an ORT employee.
10. Climbing through a window or extending an arm, leg, or head out of the window of an ORT vehicle.
11. Obstructing the free movement of any person attempting to board or exit an ORT vehicle or facility, or a person already within an ORT vehicle or ORT property.
12. Standing or otherwise occupying any space in front of the "standee line" marked on the front end of the floor or otherwise conducting oneself in such a manner as to obstruct the vision of the Operator while an ORT vehicle is in motion.
13. Playing any musical instrument or audio device within an ORT vehicle, unless the equipment is used with earphones/earbuds or headphones. The sound produced by any personal device must be confined to the person carrying the device.
14. Talking on a cellular device using loud, vulgar, or discriminating language that may cause other passengers or employees of ORT to become upset, offended or otherwise uneasy about the conversation being held. This includes conversations while using earphones/earbuds or headphones).
15. Littering, discarding, or depositing any rubbish, trash, debris, or offensive substances within an ORT vehicle or on ORT property except in an appropriate trash receptacle.

16. Making excessive and unnecessary noise, using vulgarities, and engaging in any horseplay.
17. Canvassing, soliciting, or distributing pamphlets or other documents for any purpose. ORT reserves the right to distribute literature and solicit information from its patrons in the interest of improving service or transit experience.
18. Posting or removing any notice or advertisement unless authorized by an ORT official.
19. Except for mobility devices, the boarding, operating, riding or other use of any wheeled transportation device within an ORT vehicle or ORT facility.
20. Any person who loiters on an ORT vehicle or in an ORT facility longer than the time necessary to reach their destination or conduct business.
21. "Riding Around" or otherwise using the bus as a warming, cooling, or resting station.
22. Failure to adhere to local, state, or federal rules and regulations as they relate to a declaration of a public health emergency.

CATEGORY B: A person's violation of any one of the following acts may result in the immediate suspension of that person's ridership privileges for up to a three month period (90 calendar days). No warning is required prior to suspension of service.

1. Any act that could be deemed an assault against any person.
2. Bringing any weapon on board an ORT vehicle or into any ORT property. This excludes Security Guards, Peace Officers or other persons lawfully permitted to carry a particular weapon.
3. Bringing any inherently dangerous items into an ORT vehicle or an ORT facility. This includes but is not limited to weapons, explosives, caustic materials, and poisons. This excludes items that can be regularly purchased at a retail store and are recognized as customary household items.
4. Interfering with the operation or movement of an ORT vehicle.
5. Impeding the use, tampering with, or otherwise obstructing the operation of any window, door, or emergency exit.
6. Damaging, writing upon, or otherwise defacing or altering any ORT vehicle or ORT property.
7. Throwing any object or substance at, into or from any ORT vehicle or ORT facility.
8. Threatening any violent, physical, or verbal behavior, including the use of words or conduct known to be used as racial slurs, words that belittle, or words and actions that are understood or provoke a violent or intimidated response. This includes face-to-face interaction and incidents that occur via phone line.
9. Using ORT provided internet services for accessing or transmittal of pornographic, obscene, or sexually explicit material.
10. The verbal or written use of racial slurs, obscene, abusive, sexually explicit, or threatening language.
11. Any attempt to damage or disable the property of another person or entity.
12. Failure of a person who has been suspended from an ORT vehicle or ORT facility for a one week period (up to seven calendar days) to comply with the terms of the suspension. A person who violates the initial suspension shall be warned to promptly leave the area or be subject to a Category B violation and a greater suspension period.

CATEGORY C: Any person violating any of the following acts may result in the immediate suspension of that person's ridership privileges for a minimum of six months (180 calendar days). No warning is required prior to suspension of service.

1. Anyone who engages in a fight or who commits any act which would warrant a charge of battery under the laws of Arkansas shall be banned from the use of an ORT vehicle or from entering an ORT facility for a period of not less than six months (180 calendar days) or until the suspension of service is overturned as part of the appeal process.
2. Any person convicted of battery against an ORT official, operator, or any other individual while such persons are engaged in their employment duties, are using an ORT vehicle, or are present on ORT property shall be prohibited from using transportation services and facilities for a minimum of one year. A plea of "no contest," or a conviction for a lesser or alternative charge arising from the same conduct, shall not affect the suspension of services imposed under this section.
3. Engaging in any activity prohibited by any federal, state, county or municipal law, or other conduct that would cause a reasonable person to be concerned for their safety or that of another person or that would be a disruption to the operation of the ride or jeopardizes safe operations or infringes upon the mental or physical comfort and safety of others.

SUSPENSION PROCEDURE

Any person who commits a Category A offense may be immediately suspended from using ORT vehicles or accessing ORT property by an authorized ORT official or designee for a period not to exceed one week (up to seven calendar days) from the time of the offense.

If the violation occurs while the individual is on board an ORT vehicle, the Operator may require the individual to exit the vehicle at the nearest safe stop. Alternatively, the Operator may continue operating the vehicle as scheduled and request assistance from an authorized ORT official, who may impose the suspension described above.

Any request by an ORT official to extend a suspension beyond one week (seven calendar days), based on a subsequent offense or the failure to comply with the suspension period of up to one week, must be submitted to the Operations Director, or their designee.

The designated reviewer shall evaluate the circumstances and notify the requesting ORT official within two (2) working days of receipt whether the recommendation is accepted, modified, or rejected. The decision shall be final and recorded in the appropriate records for the individual. Notice shall be provided as set forth below.

SERVING THE NOTICE OF SUSPENSION

ORT will make reasonable efforts to verbally notify the individual that he/she is excluded for a period of up to one week (seven calendar days) and will provide written notice, if possible, for suspensions of longer than seven calendar days. The written notice will be sent to the individual's last known address and will include the specific basis for the suspension, a description of the penalty, and provide information on the appeal process. ORT will release audio/video files only to legal counsel, and only after receipt of a written request.

SUSPENSION APPEAL PROCESS

Any appeal of a suspension of more than one week shall be submitted to the Operations Director at 2423 E. Robinson Avenue, Springdale, Arkansas 72764. The appeal shall set forth the facts and basis for why the suspension should be retracted or modified. The Operations Director or their designee may reinstate services prior to the maximum suspension if, in their sole discretion, the suspension is deemed excessive based upon the available evidence following an investigation. The Operations Director or their designee shall exercise good effort to decide on modification of a suspension within seven (7) days of the receipt of the written request. Notice of the decision shall be provided by personal communication and by mail if sufficient information exists to provide the notice.

When a written request to modify a suspension of more than seven calendar days has been denied by the Operations Director or their designee, an individual may appeal in writing to the Executive Director at 2423 E. Robinson Avenue, Springdale, Arkansas 72764. Within 14 days of receipt of an appeal, a decision will be made and mailed to the individual or their representative by USPS.

APPEAL TO A PANEL

If the individual is still not satisfied with the decision of the Executive Director, an appeal can be made for a panel review. This must be a written appeal directed to Executive Panel Review, 2423 E. Robinson Avenue, Springdale, Arkansas 72764. Upon receipt of the written appeal, the Executive Director will arrange for the appeal to be heard by an Appeal Panel consisting of the Executive Director, the Operations Director, the Human Resource Director, one Transportation Supervisor and one Operator. The ORT Board Chair shall appoint a moderator of the panel from the ORT Board. A hearing on the issues shall be conducted within 14 days of the appeal. A written decision shall be made within 14 days of the hearing and will be mailed to the individual or their representative by USPS. The decision of the Appeal Panel is a final administrative decision.