

TITLE 6

Chapter 6-05 Customer Code of Conduct

Adopted by Metro
July 22, 2010
Amended 06/23/2011

Preamble

Los Angeles County Metropolitan Transit Authority (“Metro”) provides important services to the traveling public in Los Angeles. Safety is the guiding principal by which Metro operates. A successful partnership between Metro and the public is dependant upon Metro employees and the traveling public behaving in a mutually respectful and courteous manner. Every patron is required to pay the appropriate fare and to conduct themselves in a manner considerate of other patrons and Metro employees.

Values

6-05-010 Values

- A. Patrons shall use the Metro system in a responsible manner to preserve and protect the aesthetics, and promote the longevity, of this essential public resource for greater mobility in Los Angeles County.
- B. Patrons shall treat other patrons and Metro representatives with consideration, patience, respect, and civility to allow use, operation, and enjoyment of the Metro system in a safe and gratifying manner for all persons.

Definitions

6-05-020 Definitions.

- A. “Abuse” and “harassment” means any extreme physical or verbal mistreatment, including hitting, kicking, gestures, yelling, spitting, threats, intimidation, assaults, slurs, and cursing.
- B. “Commercial activity” means any for-profit activity including selling goods, food, services, or distributing commercial materials.
- C. “Fare” means the monetary charges established by Metro for the use of its facilities and vehicles.
- D. “Fare media” means the methods by which fares are paid, issued by or on behalf of Metro for the payment of fare, including tokens, passes, cards, transfers, tickets, and vouchers.
- E. “Graffiti” means any unauthorized inscription, word, figure, mark, or design that is written, marked, etched, scratched, drawn, or painted on Metro facilities or vehicles.
- F. “Loitering” means unnecessary lingering in Metro facilities or vehicles or other location where it interferes with a Metro facility or vehicles or use thereof.
- G. “Metro” means the Los Angeles County Metropolitan Transportation Authority and its subsidiary, Public Transportation Services Corporation, and their contractors.

- H. “Metro representative” means a Metro transit police officer, operator, fare inspector, or other authorized Metro employee, board or sector council member, or contractor.
- I. “Metro facility” means all property and equipment, including rights of way and related trackage, rails, signals, power, fuel, communication systems, ventilation systems, power plants, cameras, signs, loudspeakers, fare collectors or registers, sound walls, stations, vacant parcels, bike paths, terminals, platforms, plazas, waiting areas, signs, art work, storage yards, depots, repair and maintenance shops, yards, offices, parking areas, and other real estate or personal property owned or leased by Metro, used for any Metro activity, or authorized to be located on Metro property.
- J. “Metro vehicle” means a Metro bus, train, car, or other vehicle owned, operated, or used by Metro or its contract service providers transporting Metro representatives or patrons.
- K. “Nonpublic” areas mean train operators’ cabs, bus operators’ seats, closed-off areas, mechanical or equipment rooms, Metro employee only areas, storage areas, interior rooms, tracks, roadbeds, tunnels, shops, barns, train or bus yards, garages, depots, areas marked as restricted or dangerous, and underground areas.
- L. “Patron” and “Customer” mean any person in or on, using or attempting to access, a Metro facility or vehicle including without limit paying riders.
- M. “Peak hours” means 6:30 a.m. to 8:30 a.m. and 4:30 p.m. to 6:30 p.m., Monday through Friday, in the direction of the heaviest flow of riders.
- N. “Person” includes an individual, firm, partnership, corporation, association, or company.
- O. “Rules” or “Code” or “Customer Code of Conduct” means Title 6 of Metro’s Administrative Code as amended from time to time.
- P. “Sound device” means a radio, receiver, communication device, phonograph, television, musical instrument, tape recorder, cassette player, CD player, MP3 player, DVD player, game, speaker system, audio system, sound amplifier, or other device that plays music or emits noise. Sound device does not include assistive hearing devices for persons who have impaired hearing.
- Q. “Weapon or instrument intended for use as a weapon” includes but is not limited to firearms, switchblade knives, axes, gravity knives, box cutters, straight razors, unpackaged razor blades, swords, nunchucks, explosives, dangerous chemicals or devices, radioactive materials, and highly combustible materials.
- R. “Wheelchair” means, pursuant to Federal Transit Administration Section 37.3, a mobility aid belonging to any class of three- or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, and either motorized or operated manually.

Conduct

6-05-030 Animals.

- A. Animals are not permitted in Metro facilities or vehicles, unless one of the following applies:
 1. The animal is in a secure carrier;
 2. The animal is a certified police or security animal and is accompanied by a peace officer¹; or

3. The animal is a service animal, as defined by the Americans with Disabilities Act, and is accompanied by a patron. A Metro representative may ask whether an animal is a pet and what service the animal performs for the handler. ²
- B. Handlers shall maintain control of their animals. No animal is permitted in a Metro facility or vehicle that is not under the control of its handler or poses a threat to a Metro representative or patron. A non-service animal may be ejected if it unreasonably annoys patrons.
- C. Handlers of animals shall promptly remove all animal waste from Metro facilities and vehicles. Leaving animal waste in a Metro facility or vehicle is prohibited.
- D. Handlers must ensure that an animal shall not deprive a patron of a seat or block an aisle.

6-05-040 Bicycles and Skates.

- A. Bicycles, including skates, skateboards, scooters, razers, and other wheeled riding devices, may not be ridden in Metro facilities or vehicles, except for public bike or road ways clearly intended for those types of devices.³
- B. A person may carry or walk wheeled riding devices in a safe manner on Metro facilities to park or board Metro vehicles.⁴
- C. Tandem, three-wheeled, or fuel-powered bicycles¹³ are not permitted in Metro facilities or vehicles. Recumbent bicycles can not be over 6 feet long.
- D. A person who enters a Metro facility or vehicle with a bicycle must do the following:
 1. Hold a bicycle when it is not in the rack.
 2. Use available bicycle racks.
 3. If racks on a bus are full, wait for the next bus.
 4. Inform the bus operator before exiting that you will be removing a bicycle from a rack in front of the bus.
 5. Not block aisles, doorways, or operators' exit way.⁵
 6. Board at bicycle-designated doors and keep the bicycle in bicycle-designated areas, such as non-operating cab areas. ⁵
 7. If an arriving train is crowded individuals with bicycles must wait for a train with available room. Law enforcement personnel may ask individuals travelling with bicycles to wait.
 8. If evacuation is required bicycles must be left on the train and located so that they do not block aisles or doors.
 9. Not take the bicycle down train aisles.
 10. Yield space in designated areas to wheel chairs or other mobility devices for persons with disabilities.
 11. Load and unload bicycles from the front of a Metro bus to the curbside and not into traffic.
 12. Not attempt to access the bicycle rack after the bus has left the curb.
 13. Use elevators, not escalators, to transport bicycles or other wheeled devices in Metro facilities.
- E. Restrictions in this section on bicycles do not apply to wheelchairs or other mobility devices for persons with disabilities.²
- F. Folded bicycles may be carried into a Metro vehicle at any time without using the rack or waiting for non-peak hours.
- G. Persons under the age of 14 years travelling with a bicycle must be accompanied by an adult.

6-05-050 Blocking.

The following acts are prohibited in Metro facilities and vehicles:

- A. Willfully blocking or impeding the free movement of another person.⁵
- B. Blocking an aisle, elevator, escalator, door, or stairway with one's body or an object, in a way that poses a danger, unreasonably impedes a patron's movement, or displaces a person.⁵
- C. Operating, stopping, or parking a vehicle in a location that is reserved for transit vehicles or is otherwise restricted.⁶
- D. Obstructing or impeding the flow of a Metro vehicle or interfering with the operation or use of transit services.⁶
- E. Preventing a door from closing.
- F. Reclining on, placing objects on, or blocking a seat.
- G. Occupying more than one seat.
- H. Willfully interfering with the operator or operation of a Metro vehicle in a manner that affects the operator's control of the vehicle.⁷
- I. Impeding the safe boarding or exiting of passengers.⁸

6-05-060 Boarding, Exiting, and Seating.

The following acts are required in Metro facilities and vehicles:

- A. Never go onto a track except through designated crossings and never step or put arms, legs, or objects in the path of a Metro vehicle.⁹
- B. Maintain control of children at all times in or on Metro vehicles or facilities including when a Metro vehicle is approaching.²
- C. Do not signal in the path of or by touching the bus when it is moving.
- D. Yield priority, reserved, wheelchair, or similarly designated seating to senior citizens and passengers with disabilities.¹⁰

6-05-070 Carts and Strollers.

- A. Commercial or large size carts, or dollies and strollers are prohibited on Metro 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.
- B. Carts, dollies, and strollers that create an unsafe condition are prohibited.
- C. During crowded conditions or peak hours, remove children from strollers and materials from carts, and collapse, or wait for the next Metro vehicle that has room for the cart or stroller. This provision does not apply to wheelchairs or other mobility devices for persons with disabilities.
- D. In Metro facilities carts and strollers are to be transported in elevators, not on escalators.

6-05-080 Civility, Compliance, and Cooperation.

- A. Abuse and harassment of Metro representatives or patrons is prohibited in Metro facilities and vehicles.^{7,15,20,30}
- B. A person must comply with all lawful orders and directives given by an authorized Metro representative relative to Metro facilities or vehicles consistent with the Code including any instruction to leave a Metro vehicle or facility for safety reasons, for a violation of the Code, or following a notice of exclusion.
- C. A person must provide accurate and complete information and documentation when lawfully requested to do so by an authorized Metro representative.
- D. A person may not falsely represent himself or herself to be a Metro representative through words, actions, clothes, insignia, badge, or equipment.
- F. A person must wear a shirt, pants or skirt, and shoes, while in a Metro facility or vehicle. Infants being held or in strollers and persons in wheelchairs are not required to wear shoes.
- G. Patrons unable to care for themselves, who do not exhibit an ability to comply with Metro's Code, or who pose a safety risk, must be accompanied by a service animal or a responsible individual who can care for the Patron when in a Metro facility or vehicle.

6-05-090 Commercial Activity.

- A. Persons must not engage in commercial activity in a Metro facility or vehicle without first obtaining a Metro permit and paying all required fees.¹¹
- B. Persons who engage in permitted commercial activity in a Metro facility or vehicle must comply with all Metro instructions, safety requirements, and applicable laws.¹¹
- C. Commercial activity is prohibited on loading platforms and in any location where it interferes with transit services or the movement of patrons or where it creates a safety hazard.¹¹

6-05-100 Disorderly Conduct.

The following acts are prohibited in Metro facilities and vehicles:

- A. Expectorating (spitting).¹²
- B. Carrying any explosive, acid, flammable liquid, or toxic or hazardous material.¹³
- C. Urinating or defecating, except in a lavatory. This subsection does not apply to a person who cannot comply as a result of disability, age, or a medical condition.¹⁴
- D. Throwing an object at a patron, Metro representative, or a Metro facility or vehicle.³⁴
- E. Gambling to win money or anything of value.
- F. Hanging from, swinging from, or attaching anything to hand rails. This does not apply to holding a hand rail to stabilize one's body during transit.³⁰
- G. Inciting violence or posing a clear and present danger to other persons, including making verbal or visual gang affiliation or provocation signs.¹⁵
- H. Engaging in or soliciting another person to engage in lewd conduct.¹⁶
- I. Engaging in or soliciting another person to engage in prostitution.¹⁷
- J. Placing feet or shoes on seats or furnishings.
- K. Defacing with graffiti, vandalizing, damaging, destroying, or tampering with Metro facilities or vehicles.¹⁸
- L. Littering or dumping.¹⁹
- M. Injuring another person or damaging another person's property or possessions.²⁰

- N. Engaging in any unsafe activity including those described in Safety subsection 6-05-190 of the Code.
- O. Throwing an object from a Metro vehicle.²¹

6-05-110 Food, Alcohol, and Drugs.

The following acts are prohibited in Metro facilities and vehicles:

- A. Eating, drinking, smoking, or carrying a lit cigar, cigarette, or pipe, except in designated areas permitting that activity.²²
- B. Placing chewed gum onto any surface in a Metro facility or vehicle other than into a trash receptacle.
- C. Drinking or possessing in an open container an alcoholic beverage, except in designated areas where there is notice that drinking alcohol is permitted and all required permits have been obtained. Permits from Metro will only be granted if part of a scheduled special event, if the proposed location is not in use for transit purposes during the event.²²
- D. Possessing an illegal drug or substance.²³
- E. 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 Metro facility or vehicle.²⁴
- E. Creating a public nuisance or a health hazard by dropping food other than in a proper waste disposal receptacle.²⁵
- F. Smoking is also not allowed within 20 feet of any Metro facility entrance, exit or operable window. ²⁶

6-05-120 Loitering.

- A. Loitering is prohibited in Metro facilities and vehicles.²⁷
- B. Loitering includes the following:
 - 1. Storing personal property in a Metro facility or vehicle.
 - 2. Camping or sleeping in a Metro facility or vehicle when not riding for a transportation purpose.²⁸
 - 3. Remaining in a Metro facility or vehicle without lawful transportation purpose or refusing to provide identification.²⁹

6-05-130 Lost and Found.

- A. Items found in a Metro facility or vehicle shall be turned in to a Metro operator or customer service center personnel, who will forward the items to the Metro lost and found.
- B. Items can be claimed in person at the Metro lost and found by providing proof of ownership. Items that remain unclaimed for 30 days will be discarded or donated to a charitable organization, without liability for Metro to anyone.
- C. Metro is not responsible for items lost in a Metro facility or vehicle.

6-05-140 Miscellaneous.

- A. The Code is not intended to affect lawful activity or first amendment rights protected by state or federal law, including laws related to collective bargaining, labor relations, or labor disputes.

- B. Metro reserves the right to suspend, waive, modify, limit, or revoke the application of the Code.
- C. Metro may refuse service, or access to Metro facilities or vehicles, including eject or exclude, to any person who does not comply with the Code or applicable laws.
- D. The Code incorporates all relevant applicable legislative changes that occur after the date the Code are adopted.
- E. Acts prohibited under the Code are permitted if authorized by agreement, permit, license, or a writing signed by an authorized Metro representative.
- F. The Code applies with equal force to any person who aids or abets in any of the acts prohibited by the Code or in the avoidance of any of the requirements of the Code.

6-05-150 Noise.

The following acts are prohibited in Metro facilities and vehicles:

- A. Disturbing others by engaging in boisterous or unruly behavior.³⁰
- B. Creating 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 Metro facilities or vehicles for Metro representatives or patrons, or creates an unsafe condition, such as distracting operators of Metro vehicles.³⁰
- C. Playing a sound device, except when using headphones or earphones that make the sound inaudible to others unless a permit has been issued for usage of such sound device by Metro.³¹

6-05-160 Odors.

- A. A person may not be in a Metro facility or vehicle with an unavoidable grossly repulsive odor so extreme it causes a nuisance, unreasonably interferes with the use, operation, or enjoyment of the Metro facilities or vehicles for Metro representatives or patrons, or creates an unsafe condition.³²
- B. Extreme odors may arise from a variety of sources, including one's body, possessions, clothing, food, chemicals, or accompanying animals.

6-05-170 Parking and Use of Metro Facilities and Vehicles.

- A. Parking a vehicle at a Metro facility shall not exceed the posted allowed period of time.
- B. Parking or storage of items in Metro facilities may only be used for the designated Metro related transportation purposes.
- C. A person may not perform non-emergency maintenance on a non-Metro vehicle at a Metro facility unless authorized by Metro.
- D. Driver training is prohibited at Metro facilities unless authorized by Metro.
- E. A person may not enter nonpublic areas in Metro facilities or vehicles, unless authorized by Metro.
- F. Persons wishing to hold an event, special meeting, or use for commercial purposes, a Metro facility or vehicle, should contact Metro for information on its policies and procedures, and obtain its approval in advance, for such use.

6-05-180 Photography and Recording.

- A. A person may not photograph, film, duplicate, records, or sketch a Metro facility or vehicle for commercial purposes without first obtaining a Metro permit and any other required permits, and paying all required fees.
- B. A person who photographs, films, or records in a Metro facility or vehicle must comply with all Metro safety requirements, instructions, licenses, and applicable laws including copyright laws.
- C. A person may photograph, film, record, or sketch a Metro facility or vehicle for non-commercial purposes only in public areas, unless otherwise authorized by Metro, and in a manner, at a time, and at a place that does not interfere with Metro operations, or create an unreasonable risk to safety or well being of Metro representatives or patrons. Prohibited activities shall include use of a tripod, or laying of cord or cables, in a walk way; use of a flash bulb that is blinding to patrons or Metro Representatives; or creating congestion during an emergency evacuation.

6-05-190 Safety.

- A. The following acts are prohibited in Metro facilities and vehicles:
 1. Attaching to, hanging from, or riding on any part of the outside of a Metro vehicle, or being inside an area in which the public are prohibited. This section does not apply to an employee conducting Metro business.³³
 2. Interfering with the safe operation or movement of a Metro vehicle.⁷
 3. Abandoning personal items.
 4. Throwing or kicking a ball, disc, or other object where it is not safe to do so.³⁰
 5. Standing, lying, or climbing on a sign, bench, passenger shelter, trash container, or planter.
 6. Extending anything in the path of or through a door or window on a Metro vehicle.⁹
 7. Entering or crossing rail tracks in a Metro facility, except in marked crosswalks or designated waiting areas, or at the direction of a Metro representative.⁹
 8. Engaging in sport, horseplay, or recreational activities.³⁰
 9. Creating a danger to other persons.
 10. Extending any portion of the body through any window opening of a Metro vehicle in an unsafe manner.³⁴
- B. To avoid injury, patrons must use care at all times when on or in a Metro facility or vehicle.
- C. Patrons should be alert and promptly report to Metro or law enforcement any unsafe condition, broken equipment, or suspicious activity, odor, or package.
- D. Emergencies should be reported immediately to a Metro representative, law enforcement, or emergency personnel. Emergencies may be reported using telephones or intercoms if available in the Metro facilities or vehicles.
- E. If a Metro representative or other authorized personnel evacuates a Metro facility or vehicle, patrons shall promptly and orderly follow instructions to avoid injury to other persons.
- F. No person shall remove, tamper with, injure or destroy a Metro vehicle or the contents thereof, with the intent to cause great bodily injury to another person, or place an obstruction in front of a Metro vehicle, or willfully sets a Metro vehicle in motion while it is at rest and unattended.³⁵
- G. Elevators shall not be used in a Metro facility in the event of a fire.

6-05-200 Signs.

- A. No person shall affix or post signs, stickers, buttons, advertisements, circulars, or other printed materials on or in Metro facilities or vehicles. Prior written permission must be obtained from Metro prior to placing, posting, or displaying a poster, notice, advertisement, sign, or other written material on a Metro facility or vehicle.
- B. No persons shall destroy, cover, deface with graffiti, remove, damage, or tamper with a Metro poster, sign, advertisement, or notice, unless authorized by Metro.¹⁸
- C. Persons shall obey any sign that is intended to provide for the safety and security of transit passengers or the transit system.³⁶
- D. Persons shall also obey all other notices and signs posted by Metro in a Metro facility or vehicle.
- E. The carrying of signs or stick-like items into any Metro facility or vehicle shall be limited and subject to those restrictions set forth in subsection 210 Solicitation herein.

6-05-210 Solicitation.

- A. No person shall solicit money or other things of value in a Metro facility or vehicle.³⁷
- B. No person shall solicit public support, or distribute materials, for any cause in Metro vehicles and in underground or non-public areas of Metro facilities where the distribution is disruptive, presents a safety hazard, or impedes the movement of Metro patrons.
- C. The exercise of freedom of speech is permitted in Metro facilities and vehicles, subject to the following restrictions:
 - 1. Activity at a rail station is limited to street level areas and areas which are not platform waiting areas for patrons.
 - 2. Activity may not occur within fifteen (15) feet of an elevator, escalator, stairwell or staircase entryway, above-ground platform, loading zone, kiosk, transit entrance or exit, emergency exit or telephone, fare vending machine, or fare media readers or validators, or customer service station.
 - 3. Activity may not impede transit services or the movement of patrons or Metro personnel.
 - 4. Pamphlets and leaflets may not be left unattended in a Metro facility or vehicle.
 - 5. The carrying of signs or placards larger than thirty (30") inches by thirty (30") inches, in Metro facilities or vehicles is prohibited. Large signs can be folded or rolled up to comply with the 30" by 30" restriction. No pole, stick, or other similar object or device utilized to display a sign shall exceed a length of thirty inches (30"), nor shall such object exceed a thickness of one-quarter inch (1/4") and a width of two inches (2"); or if not generally rectangular in shape, such object shall not exceed three-quarters inch (3/4") at its thickest dimension. This limitation is not intended to prohibit walking canes, crutches, or similar device used for mobility assistance by a person with a disability. No object shall have an exposed sharp pointed end.
 - 6. Carrying of any such signs or sticks must not to interfere with the movement, seating, or safety of patrons or Metro personnel.
 - 7. Food and drinks shall not be distributed in Metro facilities or vehicles except by Metro or persons who obtain a permit from Metro.

8. Tables and portable equipment are prohibited, unless approved by Metro.

6-05-220 Weapons:

- A. A weapon or instrument intended for use as a weapon shall not be discharged or directed at a Metro facility or vehicle, or at a person or object in a Metro facility or vehicle.³⁸
- B. Entering a Metro facility or vehicle with a weapon or instrument intended for use as a weapon is prohibited.³⁹ This provision does not apply to law enforcement or security personnel.

Fares

6-05-230 Fares.

- A. Patrons who ride Metro vehicles or use Metro services must pay all applicable fares and fees.⁴⁰
- B. Patrons shall show proof of payment of fare upon request by a Metro representative.⁴⁰
- C. Evading payment of a Metro fare is prohibited.⁴⁰ Fare evasion includes the following:
 - 1. Boarding a Metro vehicle or entering a Metro facility platform or other fare-required zone, without adequate cash or proof of valid fare media.
 - 2. Duplicating, counterfeiting, altering, or transferring any nontransferable fare media without Metro authorization.⁴²
 - 3. Placing anything other than valid coin, tokens, United States currency or other valid fare media, into a fare box, ticket machine, pass reader, or other fare validation or collection device.⁴¹
 - 4. Falsely representing oneself as eligible for a waiver or a special or reduced fare, or obtaining fare media by making a false or misleading representation.^{40, 42}
 - 5. Refusing to show proof of valid, validated, unexpired fare media upon request by a Metro representative.
 - 6. Misusing fare media with the intent to evade payment of a fare.⁴²
 - 7. Unauthorized use of a discount ticket or failing to present upon request by Metro or within 72 hours thereafter, acceptable proof of discount eligibility to use a discount ticket.⁴³
 - 8. Boarding through a rear bus door to avoid payment of fare.⁴⁰
 - 9. Entering a Metro vehicle or facility when any penalty, fees or assessments for violation of the Code is past due or during any exclusion period.
 - 10. Entering a Metro vehicle or facility in such a way as to bypass or avoid any fare-required zone barriers such as media collection or validation machines or Metro representatives collecting fares.⁴⁰
- D. No payment will be made to patrons who overpay the required fare or who are ejected or excluded from Metro facilities or vehicles for violating the Code or applicable laws.

Enforcement

6-05-240 Enforcement.

- A. Violations. A person who violates the Code is subject to citation and imposition any and all remedies, fines, criminal sanctions, damages, and penalties available by law. The Code includes by incorporation the provisions of Section 2, Chapter 8 commencing with Section 99580 of the Public Utilities Code. Enforcement of any of any provisions of the Code involving the payment of any fees, penalties or other administrative amounts, or community service, by adults including those Code based on Penal Code Section 640 and Public Utilities Code Section 99170 shall be according to the procedures set forth in the Public Utilities Code including Section 99580 et seq. or otherwise as provided by law. The procedures set forth in Section 99580 et seq. shall not apply to a) minors, or b) persons cited for 3 or more Penal Code violations arising from a single incident, whose citations shall be subject to enforcement as criminal matters in Superior Court as provided by law.⁴³
1. California statutory violations shall be processed to Superior Court as a criminal matter unless the adult person cited pays the citation bail amount or delivers to Metro a request for an initial review within 21 days after the date of the citation. If the citation is upheld the matter shall be processed to Superior Court as a criminal matter unless by the date specified in the notice the person cited pays the citation bail amount or requests an administrative hearing.
 2. Citations for persons who request an administrative hearing, but who do not pay the citation bail amount or comply with the requirements of the administrative process by the date due, shall be forwarded to Superior Court for criminal prosecution.
 3. Citations for persons who have had three citations upheld in an administrative hearing for the same offense within the proceeding 12 months shall be processed to the Superior Court as a criminal matter without an administrative hearing unless the citation bail amount is paid within 21 days after the date of the citation or such other date specified in any notice that the matter is upheld following an initial review.
- B. A person who violates any of the Code may be ejected by order of an authorized Metro representative and may be excluded from all or a portion of Metro vehicles and facilities for some period in addition to any other fine, penalty, assessment, or other remedy available at law. The procedures for exclusion are those set forth in subsections B-G of this Enforcement Section.
1. A person who violates the Code may be immediately ejected from the Metro facility or vehicle, without refund of any fare, by an authorized Metro representative who witnesses a violation.
 2. A person who violates the Code is subject to an administrative fine or other penalty for each violation, as specified in the Metro fine schedule approved by the Board of Directors or Chief Executive Officer up to the maximum amount provided by law. The Metro fine schedule shall include fees, administrative penalties, late payment fines, and collection recovery costs, and other such amounts. To determine the Metro fine schedule, the costs to the agency, the Consumer Price Index and other relevant factors shall be considered.
 3. A person who violates the Code must pay restitution if the violation involves damages in addition to any fines or penalties.
 4. A violation of the Code that is also a violation of a local, state, or federal law may be prosecuted in a court proceeding by the appropriate authority, in addition to any enforcement by or remedies available to Metro.

5. Failure to comply with an exclusion notice may result in fines and citation for trespass and other applicable criminal and civil remedies.
 6. Metro may establish procedures concerning the administration of any hearing provided such procedures are not in conflict applicable law or the Code, and are approved by the Metro Board or the Chief Executive Officer.
 7. The Board of Directors or Chief Executive Officer shall designate the officers, employees, consultants or contractors who shall be authorized to issue citations, order ejections, or otherwise carry out the duties under the Code and any requisite training for such persons.
- C. Exclusion. A person, who violates the Code or a law in a Metro facility or vehicle, may be excluded from all or part of Metro facilities and vehicles either indefinitely or for a period of time specified in the Metro fine schedule or notice provided pursuant to subsection C-G below unless otherwise determined by a Metro representative. A person excluded under the Code may not enter a Metro facility or vehicle during the period of exclusion. Metro may take any reasonable steps necessary to enforce an order of exclusion as is necessary for the safety of the public and to avoid interference with the operation of Metro vehicles and facilities.
- D. Notice. Written notice of exclusion for a violation shall be given by Metro or its authorized representative by personal delivery, mail, or if the person does not provide Metro or its representative with a valid current address, then by posting in a public place on Metro property. Notice is deemed received on the date of personal delivery or five (5) days after the date the notice is mailed or posted. The notice shall specify the reason for exclusion or citation, the places or transit lines from which the person is excluded, the duration of exclusion, the consequences for failing to comply with the terms of exclusion, and the right to seek review or appeal the decision. Any exclusion shall begin on the third day following receipt of the notice unless otherwise specified in the notice. The exclusion, or other remedy, shall be suspended upon Metro's receipt of a request for review and until the review is decided. In lieu of any procedure described herein, Metro may utilize the procedures set forth in the Public Utilities Code including Section 99581, provided notice of the procedures to be used are set forth in the notice or citation provided to the patron. The address for any notices from a patron to Metro, or posted notices from Metro to a patron, shall be Metro, One Gateway Plaza, CA 90012, Attention: Transit Court, unless otherwise specified in the citation or notice.
- E. Review Request. An excluded person may request review of the exclusion in writing or in person or as otherwise provided in the citation or notice, within ten (10) days after they have received the exclusion or citation notice from Metro. A request is deemed received by Metro when it is personally delivered to Metro, or five (5) days after it is mailed to Metro. The excluded person may request that the exclusion be rescinded or waived for good cause, that the places of exclusion be altered, or that the duration of exclusion be reduced. The request must include a copy of the exclusion notice or citation or the number assigned to the citation, a request for review, and any written (unless otherwise provided in the citation) statement (and any supporting documentation) to explain why the exclusion should be rescinded, waived, altered, reduced or otherwise modified. A Metro representative shall thereafter provide written notice as provided in subsection C herein, of Metro's decision on the request for review. The decision of the Metro

representative shall be effective upon excluded person's receipt of notice as described in subsection C herein.

Any citation for unauthorized use of a discounted fare media shall be voided if the patron provides to Metro proof of eligibility for use of the discounted fare within seventy-two hours of receipt of the citation.

- F. **Appeal Hearing.** An excluded person may appeal a review decision if notice as provided herein of the appeal is received by Metro within five (5) days after the decision on the request for review is deemed received by the excluded person. The exclusion shall be suspended upon Metro's receipt of a request for appeal and until the appeal is decided. If an excluded person provides timely notice of appeal, a Metro representative shall schedule a public hearing after the receipt of the notice of appeal. Hearings shall be scheduled no earlier than the next day after the excluded person's receipt of the notice provided in accordance with section C here, of the public hearing date. The hearing shall be conducted by a hearing official who is fair and impartial. The excluded person is not required to attend the hearing. The excluded person may ask for the matter to be determined based upon the documentation they provide. No Metro representative shall be required to attend the hearing. Metro may submit a copy of the citation, notices, and any documentation or statement of the Metro representative issuing the citation shall be received into evidence. The copy of the citation submitted shall be prima facie evidence of the facts stated in them establishing a rebuttable presumption affecting the burden of producing evidence. At the hearing, Metro and the excluded person may present evidence including testimony to the hearing official and may question witnesses. The hearing official's decision is final and shall be based on a preponderance of the evidence. Hearing officials shall have the authority to dismiss or reduce the fines for matters in the interests of justice in accordance with any policies or procedures adopted by the Metro Hearing Unit. Continuances are disfavored but may be ordered by the hearing official. The hearing official may authorize the recording of the hearing.
- G. **Schedule.** Metro shall adopt a fine schedule of administrative penalties and any additional procedures in furtherance of enforcement of this Code as necessary, the durations and areas of exclusion, and the consequences for failing to comply. The schedule may be based on the type of violation, the person's previous record, and any other relevant factors.

H. This ordinance shall be of full force and effect on October 31, 2011.

LACMTA Administrative Code Title 6 as amended
Title 6 becomes effective 10/31/2011

07/06/2011 .

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- 1 Civil Code § 54.25
 - 2 Civil Code §§ 54.1-54.2 ; 28 CFR 36.104
 - 3 Penal Code § 640(b)(10)
 - 4 Penal Code § 640(b)(10)
 - 5 Penal Code § 640(b)(9)(A)
 - 6 Vehicle Code § 22500(i); Vehicle Code § 22523(b)
 - 7 Vehicle Code § 21701
 - 8 Public Utilities Code §99170(a)(2)
 - 9 Public Utilities Code § 99170
 - 10 Civil Code § 54.1
 - 11 Penal Code § 602.7
 - 12 Penal Code § 640(b)(5)
 - 13 Penal Code § 640(b)(7)
 - 14 Penal Code §§ 640(b)(5) & (8)
 - 15 Penal Code §§ 241.3 & 245.2
 - 16 Penal Code § 647(a)
 - 17 Penal Code § 647(b)
 - 18 Penal Code § 594; Penal Code §§ 640.5-640.8
 - 19 Penal Code § 374.4
 - 20 Penal Code §§ 243.3 & 243.35
 - 21 Public Utilities Code §99170(a)(4)
 - 22 Penal Code § 640(b)(4)
 - 23 B & P Code § 25662; H & S § 11350-11351, 11357
 - 24 Penal Code § 647(f)
 - 25 Civil Code § 3479
 - 26 Government Code § 7597(a)
 - 27 Penal Code § 647(h)
 - 28 Penal Code § 647(e)
 - 29 Penal Code § 647(h)
 - 30 Penal Code § 640(b)(6)
 - 31 Penal Code § 640(b)(3)
 - 32 Civil Code § 3479
 - 33 Vehicle Code § 21203; Vehicle Code § 21712
 - 34 Public Utilities Code §99170
 - 35 Penal Code § 625c
 - 36 Public Utilities Code §99170
 - 37 Penal Code § 647(c)
 - 38 Penal Code § 245.2; Penal Code § 247(b)
 - 39 Penal Code § 653k
 - 40 Penal Code § 640(b)(1)
 - 41 Penal Code § 640a
 - 42 Penal Code § 640(b)(2)
 - 43 Penal Code §§ 640(b)(11)(A), (B) & (C)

