

**Los Angeles County  
Metropolitan Transportation Authority  
Office of the Inspector General**

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**Bus Operator Safety and  
Compliance Checks for the Period  
April to June 2011**

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*The majority of bus operators are performing their duties at a high level, and no cell phone use while driving was observed. However, other violations were noted during approximately 8 percent of the rides in areas related to safety and ADA requirements.*



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**DATE:** November 1, 2011

**TO:** Chief Executive Officer  
Board of Directors

**FROM:** *Jack Shigetomi*  
Jack Shigetomi  
Deputy Inspector General for Audits

**SUBJECT: Report on Bus Operator Safety and Compliance Checks for the Period  
April to June 2011 (Report No. 12-AUD-05)**

Enclosed is our final report.

The Office of the Inspector General implemented an undercover “ride along” program to monitor bus operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition on use of cell phones while driving, calling out stops if the automated system is not in use, and various Americans with Disability Act (ADA) compliance matters.

This report summarizes our observations of bus operations during April through June 2011. This is the third reporting period in which OIG observers issued written notifications to bus operators who committed significant violations.

Overall, we found that most operators performed their duties in accordance with Metro policies and rules. During this report period, we did not observe any cell phone use by bus operators. However, we found other violations in 10 of the 128 observations made and observers issued written notifications for 6 of the violations.

We confirmed that in most instances, division management had taken action to counsel operators on rule violations observed by the OIG. On October 18, 2011, we provided Metro management with a draft report for their review. Management did not have any comments to this report.

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## **INTRODUCTION**

The Office of the Inspector General's (OIG) undercover "ride along" program was implemented to monitor bus operations as part of our mandate to uncover fraud, waste, and abuse, as well as to assist Metro in improving the efficiency and effectiveness of operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition of the use of cell phones while driving, calling out stops if the automated system is not in use, and various Americans with Disabilities Act (ADA) compliance matters. The OIG Audit and Investigation Units jointly performed this review. This report summarizes our observations of bus operations during the period April to June 2011.

As part of this monitoring program, OIG observers issue written notifications<sup>1</sup> to bus operators who commit significant violations. These violations include actions such as using personal cell phones while driving, not wearing a seatbelt, and not following certain ADA policies such as wheelchair securement. The immediate notification of the violations observed provides information to operators and management in a timely manner which is in accordance with union policy and gives management the ability to take further action, if deemed necessary.

Since the inception of the "ride along" program, we have issued six previous reports. One of these reports covered contract bus operations. Each quarterly report had a different focus for selecting the operators to be observed, such as Metro bus lines with the greatest number of complaints, bus operators who received the most complaints, and bus lines that received the most ADA complaints.

## **OBJECTIVES AND SCOPE OF REVIEW**

The objective of our review was to determine whether bus operators were complying with safety and customer service policies as well as various ADA compliance laws and regulations.

For this quarter, we focused on lines that received the most complaints. We obtained a report<sup>2</sup> that showed the number of complaints by line for the prior period of November 2010 to February 2011. Based on this report, we selected 10 bus lines for observation. During this period, we completed 128 observations of Metro bus operators. During the observations, we used a checklist to evaluate operator performance.

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<sup>1</sup> The OIG modified the TOS Initial Report Forms by crossing out "TOS" and adding "OIG" on the forms. One copy of the form is given to the operator and a second copy is sent to the applicable division manager.

<sup>2</sup> Report prepared by the Customer Relations Department.

The audit portion of this review followed Government Auditing Standards. However, Government Auditing Standards were not always followed in other portions of the review, because of the nature of the observations, which included inspections conducted by OIG investigations staff.

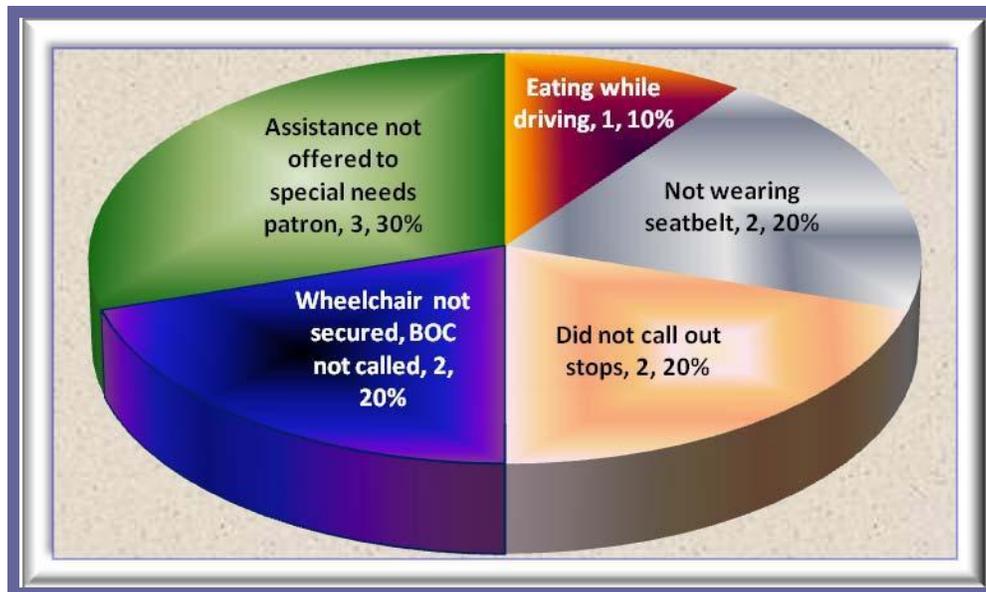
## **BACKGROUND**

The Operator’s Rulebook and Standard Operating Procedures (Rulebook) contains policies and procedures governing Metro bus operations. The Rulebook is based on the principles of safety and customer service, and the premise that every individual who boards a bus deserves a high standard of care and deserves to be treated with respect and dignity. The manual covers areas such as vehicle operations, operator’s code of conduct, customer relations, and fares.

## **RESULTS OF REVIEW**

Our safety and compliance checks showed that the majority of bus operators complied with the Metro Rulebook. Of the 128 observations made by the OIG observers, 118 (92%) observations found no violations, and 10 (8%) observations noted violations in the areas of ADA (7 violations) and safety (3 violations). In six of these instances, observers issued on-board written notifications to operators for significant violations.

### **Breakdown of Violations by Category**



**1. Calling Out Stops**

On five bus rides, the Automatic Voice Annunciation (AVA) system was not on or not working. On two of these buses, the operator did not call out stops as required by Metro policy. The OIG observer gave the two operators a written notification of the violation. Section 7.03 of the Operator’s Rulebook states: “In the event that the Automatic Voice Annunciation system is not operational, make announcements in a clear distinct voice.” This is an ADA issue because calling out stops when the AVA system is inoperable is vital for blind patrons to know when to disembark. Management advised that in both cases the operator was counseled.

**2. Assisting Customers Who Appear to Have Special Needs**

We observed three instances where bus operators did not provide assistance to patrons who appeared to have special needs. In one incident, a patron using a walker needed assistance exiting the bus. The operator did not lower the lift ramp or offer assistance. The patron was helped off the bus by another disembarking patron. The OIG observer issued a written notification of this violation to the operator. Section 7.02 of the Operator’s Rulebook states: “Operators are required to ask customers who may appear to have special needs...if they need help with boarding, alighting, reaching the securement area or a seat, using the securement devices, etc. The offer of assistance must include, at a minimum, the words; do you need help with...?” Management advised us that they spoke with the bus operator regarding this incident.

**3. Wheelchair Securement**

A total of 16 wheelchair patrons boarded Metro buses during our observations. The wheelchairs for 5 of the 16 patrons were secured by the operators, and the other 11 patrons declined securement of their wheelchairs. However, in two instances, the operator did not notify the Bus Operations Control (BOC) as required that the patron declined to be secured. Section 7.110 of the Operator’s Rulebook states: “In the event a customer in a wheelchair refuses to be secured, Operators may not refuse to transport the customer; however, notify BOC of the customer’s refusal to be secured at the time the wheelchair boarding is reported.”

After our field observations were completed, on July 10, 2011, Metro Operations modified the procedures (OPS #11-070) for wheelchair securement. Effective this date, when a wheelchair patron boards a bus, the operator is required to:

- Rise from his/her seat,
- Move to the securement area,
- Request customer who may be seated in the designated wheelchair securement area to move to another seat, and
- Announce in a clear voice, “I am going to secure your wheelchair.”

Even if the patron is a regular rider who has previously declined wheelchair securement, the operator is to continue to ask the customer each and every time they board the bus: “Do you still want to ride unsecured?” We also have been advised by the Operations Department that due to a negative response from wheelchair customers, this new procedure is being evaluated. As of October 4, 2011, revised language has been sent out for review and should be finalized soon.

Since this modification to the wheelchair securement procedure was not effective until July 10, 2011, it was not incorporated into the Observation Checklist used for this report which covered the period of April to June 2011. The new procedure will be incorporated into our checklist for reviews in the future.

**4. Not Wearing Seatbelts**

We found that two bus operators did not wear seatbelts while operating the Metro bus. We provided the two operators with a written notification of the violation. Section 2.39 of the Operator’s Rulebook states: “The use of seatbelts and shoulder belts (if equipped) is mandatory when operating any Metro vehicle...” Usage of seatbelts helps to protect the operator from serious injury or death in case of an accident. Management advised us that one of the operators was cited for a violation and the other was counseled.

**5. Eating and/or Drinking While Driving**

We observed one operator who was eating while operating the bus. The OIG observer gave this operator a written notification of the violation. Section 4:14 of the Operator’s Rulebook states: “Operators must not consume food and/or beverages at any time while operating any Metro vehicle or while riding as a passenger, whether vehicle is in or out of service.” Eating while driving a bus could distract the operator and increase the risk of injuries or accidents. Management advised us that the operator was counseled.

**CONCLUSION**

The review found that the majority of Metro bus operators are performing their duties at a high level and take pride in providing the best customer service to bus patrons. During this report period, we did not observe any cell phone use by bus operators. However, we found other violations in approximately 8 percent of the observations made during this period. To ensure that operator performance stays at a high level, Management must continue to stress the importance of adhering to all policies and procedures. Based on the results of our review, Operations management needs to emphasize compliance with rules related to:

- wheelchair securement,
- offering assistance to patrons with special needs,

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- calling out stops,
- wearing seatbelts, and
- refraining from eating while driving.

During our performance observations, we continue to emphasize to the OIG observers to look for operators who provide exemplary service. On April 29, 2011, we observed an operator who performed his duties in a commendable manner. Examples of the operator's commendable actions are:

- The bus operator was extremely courteous to a wheelchair patron who boarded the bus, and asked the patron if she wanted her wheelchair secured, and what stop she wanted to exit the bus.
- At another stop, a second wheelchair patron was having difficulty maneuvering his wheelchair onto the bus; the operator asked the patron if he needed assistance. The operator asked the customer what stop he wanted to exit the bus and assured him that he would notify him when they arrived at his stop.
- A blind person boarded the bus. The operator inquired about his destination and told him that he would advise him when they reached his stop.
- When the bus arrived at the destinations for the two wheelchair patrons, the operator notified both of them to disembark. This operator was very courteous and provided extra assistance to those that needed it.

On October 18, 2011, we provided Metro management with a draft report for their review. Management did not have any comments to this report.

## Summary of Violations Observed

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Observation Areas	Instances Observed
<b>ADA Related Areas</b>	
Operator did not ask to secure wheelchair patron	0
Wheelchair patron not secured, BOC not called	2
Wheelchair patron passed-up	0
Stops not announced when AVA not in use	2
Assistance not offered to special needs patron	3
<b>Operator Safety Areas</b>	
Using personal cell phone while driving bus	0
Driving unsafely	0
Eating or drinking while driving	1
Not wearing seatbelt	2
Not obeying traffic laws	0
Operator discourtesy	<u>0</u>
<b>TOTAL</b>	<u><u>10</u></u>

## Final Report Distribution

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