

RTC Management Policy P-31  
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MANAGEMENT POLICY

SUBJECT: TRANSIT PASSENGER AND VISITOR CONDUCT

I. PURPOSE

It is the policy of the Regional Transportation Commission (RTC) to provide safe, comfortable, and efficient transit services to the public. This policy will establish standards of conduct for passengers on transit vehicles and visitors to transit facilities to ensure the health, safety, and welfare of transit operators, passengers, and the general public.

II. SCOPE

- Public
  - Board Members
  - X RTC Officers
  - X RTC Employees
  - X Other: Transit passengers and visitors
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III. DEFINITIONS

None.

IV. POLICY

A. Standard of Conduct

1. Inappropriate conduct is prohibited on transit vehicles and at transit facilities.

2. Inappropriate conduct includes, but is not limited to, conduct which would:
  - a. Constitute a violation of any law or ordinance;
  - b. Interfere with the safe, comfortable and efficient operation of the transit system.
3. The fact that an individual is or is not charged with or convicted of a law or ordinance does not preclude a finding that an act constituted inappropriate conduct.

B. Expressive Activity

1. RTC transit stations are a “limited public forum” for the purposes of NRS 293.127565. RTC will provide areas at its transit stations for persons to gather signatures on a petition for initiative and referendum to the extent required by NRS 293.127565. The Executive Director is responsible for developing and implementing procedures with reasonable time, place and manner restrictions on those activities.
2. The primary purpose of transit vehicles and facilities is to transport passengers, allow the boarding of passengers, allow the transfer of passengers between vehicles, and to engage in other activities to further the safety and security of the public and the efficient and effective operation of the transportation system. To further those purposes, RTC will not permit expressive activity on its transit vehicles or at its transit facilities other than to the extent mandated by NRS 293.127565 or other state or federal legislation.
  - a. Expressive activity means the expression, dissemination or communication of opinions, views, messages or ideas by verbal, visual, literary, auditory or other means that are religious, scientific, political, philosophical or ideological in nature, or conduct that is on the whole inextricably intertwined with such opinions, views, messages or ideas; or other conduct that is inherently expressive. Examples include, but are not limited to, meetings, group events or activities, speeches, performances, demonstrations, rallies, vigils, canvassing, solicitation for fundraising, solicitation of signatures, signs, installations and displays, and the distribution of literature, leaflets, flyers or other printed materials.
  - b. Expressive activity does not mean the activities of local, state or federal governments that are coordinated in advance or otherwise authorized by law. Examples include, but are not limited to, law enforcement activities, health and human services activities, and census activities.

3. Individuals attempting to engage in expressive activity will be asked to stop. Individuals refusing to stop will be asked to leave the vehicle or facility. Individuals refusing to leave will be warned that they are trespassing.

C. Offenses and Suspensions

1. In the interest of the health, safety, and welfare of everyone, RTC reserves the right to suspend the access privileges of anyone found to have engaged in inappropriate conduct. Offenses and suspensions shall be categorized as shown below. The Executive Director is responsible for developing a list of offenses by category to be shared with visitors and passengers.
2. Category A: Offenses that constitute a violation of rules established for the safe, comfortable and efficient operation of vehicles or facilities.
  - a. Individuals will be warned not to engage in the conduct. If the individual engages in the conduct after the warning, the offense may result in an immediate suspension of access privileges for a period of up to three days (72 hours).
  - b. Individuals found to have committed multiple Category A offenses over a one-year period from the initial offense shall be deemed to have committed a Category B offense and may have their access privileges suspended for a period of up to three months (90 days).
3. Category B: Offenses that constitute an attempt to damage property, or interfere with the safe, comfortable and efficient operation of vehicles or facilities.
  - a. Offenses may result in an immediate suspension of access privileges for up to three months (90 days).
  - b. Individuals found to have committed multiple Category B offenses over a two-year period from the initial offense shall be deemed to have committed a Category C offense and shall have their access privileges suspended for a period of not less than six months.
4. Category C: Offenses that damage property, constitute an attempt to use physical force against another person or intentionally placing another person in reasonable apprehension of immediate bodily harm, constitute willful and unlawful use of force or violence upon a person, or interfere with the safe operation of vehicles or facilities.
  - a. Offenses shall result in an immediate suspension of access privileges for a period of not less than six months.

- b. Individuals found to have committed multiple Category C offenses over a three-year period from the initial offense shall have their access privileges permanently suspended. Individuals that have had their access privileges permanently suspended may submit an application for reinstatement to the Public Transportation Director after one year from the start of the suspension if the individual has fully complied with the terms of the suspension.

5. Trespassing

- a. Individuals that have committed an offense or that continue to engage in expressive activity after being asked to stop will be asked to leave the vehicle or facility. Individuals refusing to leave will be warned that they are trespassing.
- b. Individuals on a vehicle or facility during a suspension of access privileges are trespassing. Individuals will be notified or reminded of the suspension and will be asked to leave the vehicle or facility. Individuals refusing to leave will be warned that they are trespassing.
- c. Individuals found to have been trespassing shall be deemed to have committed a Category B offense and may have their access privileges suspended for a period of up to three months (90 days).

D. Administrative Decisions

- 1. The Public Transportation Director, or designee, shall review and approve each proposed suspension of access privileges for Category B or Category C offenses. The Public Transportation Director determines if the offense is a Category B or Category C offense, and the length of the suspension.
- 2. Except in the case of a permanent suspension, the individual that has had their access privileges suspended may submit an application for reinstatement to the Public Transportation Director. The Public Transportation Director may shorten the suspension prior to the completion of the full term to accommodate a demonstrated need for transportation to maintain employment, attend school, or receive necessary medical treatment.
- 3. In the case of a permanent suspension, the individual that has had their access privileges suspended may submit an application for reinstatement to the Public Transportation Director after one year from the start of the suspension if the individual has fully complied with the terms of the suspension.

E. Notice of Suspension

1. RTC will make reasonable efforts to verbally notify the individual of the suspension, the category of the offense, and the length of the suspension.
2. If the suspension of access privileges is for more than three days (72 hours), RTC will make reasonable efforts to provide written notice of the suspension, the category of the offense, and the length of the suspension. The notice may be delivered by mail or personal service.

F. Appeals

1. Individuals who have had their access privileges suspended for a period of more than three days (72 hours) may appeal the suspension.
2. The Executive Director is responsible for developing and implementing procedures for an appeal process.

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