

# Broome County Public Transportation – Rules of Conduct for Transit Vehicles, Facilities and Properties.

## Article I. Introduction

Broome County Public Transportation vehicles, facilities and properties are intended to provide public & mass transportation services for the benefit of Broome County Transit and its subsidiaries, its employees, Contracted Carriers, Lessees, affiliated organizations, and the public.

Broome County Public Transportation, as referenced throughout this document, refers to Broome County Transit (BCT) & subsidiaries; Broome County Rural Transportation & BC Lift paratransit (Demand Services), the Transit Center (413 Old Mill Rd., Vestal, New York), the Greater Binghamton Transportation Center (GBTC) intermodal facility (81 Chenango St, Binghamton, New York) and associated stops, shelters, and related facilities.

The provisions of this section set forth the power to make rules and regulations governing the conduct and safety of the public in the use and operation of the transit facilities of Broome County Transit, its' subsidiaries and at BCT hosted events.

The following Rules of Conduct for BCT Transit Vehicles, Facilities, Properties, hosted events, and transit related activities ("Rules of Conduct") are established by BCT:

1. To promote safety; and
2. To facilitate the proper use of the transit facilities, transit-related activities, and hosted events of the organization and its subsidiaries; and
3. To protect those transit facilities and properties, hosted events, BCT employees, customers, and other persons present at BCT facilities or events; and
4. To assure the payment of fares and other lawful charges for the use of their systems.

The use of Public Transportation in Broome County is considered a privilege available for fee to members of the public in accordance with guidelines set forth in this document. Failure to comply with BCT's Rules of Conduct can result in sanction(s) and exclusion.

## **Article II. Definitions**

Within the Definitions section, Broome Count Transit (BCT) included several terms which are later utilized within Article III. Prohibited Conduct:

These Rules of Conduct may be amended or added to, from time to time, at the sole discretion of BCT in accordance with law. These Rules of Conduct are intended to regulate conduct occurring on BCT transit vehicles, within, or upon BCT facilities and properties, including the Transit Center, and transit related

activities of BCT, including BCT hosted events, and with respect to transit-related activities of BCT in connection with BCT's provision of public transportation services.

The Broome County Executive, with oversight from the Broome County Legislature, has adopted these Rules of Conduct to maintain public transportation services that are orderly, safe, secure, comfortable, and convenient.

The Rules of Conduct consist of four separate articles:

Article I—Introduction; Article II—Definitions; Article III—Prohibited Conduct; and Article IV—Enforcement.

Unless otherwise provided herein, reference to the phrase "Rules of Conduct" shall collectively include Articles I through IV.

If any one or more of the provision(s) in the Rules of Conduct shall be declared by any court of competent jurisdiction to be contrary to law then such provision(s):

1. Shall be null and void; and
2. Shall be deemed separable from the remaining provisions in the Rules of Conduct; and
3. Shall in no way affect the validity of the other provisions of the Rules of Conduct.

## **Article II. Definitions**

As used in these Rules of Conduct, the words herein shall have the meanings provided in this Article II. Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neutral genders.

Words imparting the singular number shall include the plural numbers and vice-versa, unless the context shall otherwise dictate.

1. "*Aggravated harassment*" shall mean aggravated harassment in the second degree as defined under New York State Penal Law § 240.30(1). Aggravated harassment shall mean acts occurring within or about BCT facilities or vehicles or at BCT hosted events or with respect to BCT employees performing transit-related activities when,

(a) with intent to harass another person, the actor either (a) communicates, anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, or a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or (b) causes a communication to be initiated anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such

person, a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or

(b) With intent to harass or threaten another person, he or she makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication; or

(c) With the intent to harass, annoy, threaten or alarm another person, he or she strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct; or

(d) With the intent to harass, annoy, threaten or alarm another person, he or she strikes, shoves, kicks or otherwise subjects another person to physical contact thereby causing physical injury to such person or to a family or household member of harassment in the first degree and has previously been convicted of the crime of harassment in the first degree as defined by section 240.25 of this article within the preceding ten years.

2. "*Broome County Public Transportation*" and "*BCT*" each mean Broome County Transit and its wholly controlled subsidiaries; BC Transit (BCT), Broome County Rural Transportation & BC Lift paratransit (Demand Services), the Transit Center, 413 Old Mill Rd., Vestal, New York, the Greater Binghamton Transportation Center (GBTC) intermodal facility, 81 Chenango St, Binghamton, New York and associated stops, shelters, and related facilities.

3. "*Bus shelters*" shall mean those structures located in transit vehicle loading zones that provide cover for the general public to board and alight transit vehicles. This includes the BC Transit Junction at the GBTC and shelter structures located throughout BCT's Route System.

4. "*Commercial activity or activities*" shall mean any enterprise or venture by groups or individuals for the purpose of promoting, distributing, or selling products or services to BCT employees or the general public, whether for profit or not.

5. "*General public*" shall mean any person or group of persons, including BCT employees, not acting in an official capacity at the time.

6. "*Harassment*" shall mean acts occurring within or about BCT facilities, vehicles or at BCT hosted events or with respect to BCT employees performing transit-related activities when a person intentionally and repeatedly harasses another person by following such person in or about a public place or places or by engaging in a course of conduct or by repeatedly committing acts which places such person in reasonable fear of physical injury.

7. "*Loitering*" shall mean remaining in any transportation facility or BCT hosted events, unless specifically authorized to do so, for the purpose of soliciting or engaging in any business, trade, or commercial transactions involving the sale, distribution of merchandise or services, or for the purpose of entertaining persons by singing, dancing or playing any musical instrument for a period of longer than

one hour without the intent of using public transportation or engaging in public transit-related activities without the permission of BCT. Public transit-related activities shall include: boarding, disembarking, or waiting for a Transit Vehicle, waiting for approved Inter/Intrastate Motorcoach, purchasing or possessing fare media, receiving of customer service from or transmitting information to an Broome County Security Officer, law enforcement officer, or authorized BCT representative, or undertaking other activities directly related to public transit, or waiting for or escorting an individual engaged in the above listed activities. Failure of person to visibly engage in transit-related activities for a period of *one hour or more* provides cause for an inquiry as to reason for the person's presence at the BCT facility.

8. "*Park-and-ride lots*" shall mean locations officially designated by Broome County and/or BCT at which persons may park their individual vehicles or bicycles and transfer to a BCT transit vehicle or car/vanpool vehicles. The term shall include all physical improvements and landscaping connected with a Park-and-Ride lot.

9. "*Person*" shall mean any individual, firm, partnership, corporation, organization, association, or entity of any kind.

10. "*Public communication activity or public activities*" shall mean the posting or distribution of flyers, pamphlets, brochures, books or other written material, collecting petition signatures, political campaigning, demonstrating, displaying signs, picketing, unscheduled playing of musical instruments or other performances, public speaking, conducting surveys, soliciting or receiving of funds or contributions of any kind for any purpose, or otherwise communicating or attempting to communicate to the general public.

11. "*Public transportation services*" shall include fixed route, rural, demand responsive, deviated fixed route, work/commuter, and paratransit services, whether operated by BCT or any governmental agency, private person, firm, or corporation contracting with BCT.

12. "*BCT employee*" shall mean any part-time or full-time, temporary or regular, exempt or non-exempt, represented or non-represented person, including an intern, who is compensated by BCT for services by wages, salary, or other remuneration.

13. "*Broome County Public Transportation facilities and properties*" shall mean all facilities, including the Greater Binghamton Transportation Center, the Transit Center, structures, schedule and news racks, kiosks, fare vending machines, bulletin and information boards, bus shelters, bus stop signs, lands, interest in lands, air rights over lands, and rights of way of all kinds that are owned, leased, held, or used by BCT for the purpose of providing public transportation services, including, but not limited to, park and ride lots, transit centers, bus shelters, Inter/Intra-State coach gates, services and areas that are used by the public to board and alight transit vehicles.

14. "*BCT hosted event*" shall mean all events conducted or hosted by BCT for the purposes of publicizing and promoting BCT and publicizing, promoting, and/or selling the public transportation services it provides, regardless of whether such events are conducted on property owned or leased by BCT.

15. "*Greater Binghamton Transportation Center*" shall mean the downtown intermodal transit center located at 81 Chenango Street, Binghamton, New York.

16. *“Transit Center”* shall mean the transit headquarters facility located at 413 Old Mill Rd., Vestal New York.

17. *“Transit-related activities”* shall mean activities associated with the provision or support of BCT public transportation services, the use of those services by the general public, or BCT sales, promotion and maintenance activities in support of BCT public transportation services, including call centers, scheduling offices for paratransit trip reservations, and BCT social media sites. Other public transit-related activities include but are not limited to boarding, disembarking, or waiting for a Transit Vehicle, purchasing fare media, obtaining customer service from or transmitting information to an BCT security officer, law enforcement officer, or authorized BCT representative, or undertaking other activities directly related to public transit, or waiting for or escorting an individual engaged in the above listed activities.

18. *“Transit Vehicle”* shall include every motor vehicle, and any other device, which (1) is capable of being moved within, upon, above, or below a public highway, (2) is owned or operated by BCT, including Road Supervisor cars and service trucks and (3) includes revenue vehicles used for the purpose of carrying customers together on a regular schedule.

### **Article III. Prohibited Conduct**

The following conduct is prohibited on Broome County Transit (BCT) transit vehicles, and properties, including the Greater Binghamton Transportation Center, at BCT hosted events, and in connection with BCT’s provision of public transportation services and transit related activities. Use of the Greater Binghamton Transportation Center is exclusively for transportation-related activities, including purchasing bus passes and fare media, conducting business with lessees, riding buses and aiding others, thus the following prohibitions apply.

1. Using BCT transit vehicles, facilities, and properties for non-transit-related activities, except as authorized by the Commissioner of Public Transportation and/or designee(s).
2. Violating an exclusion order issued according to Article IV Enforcement.
3. Violating any federal, state, or municipal civil and/or criminal law.
4. Failing to pay the appropriate fare as required by BCT. a. Customer must be in possession of any multi-trip fare pass (e.g. All-Day Pass; Monthly Pass, mobile app pass) while on board the bus. Customers who pay a cash fare are not required to possess a fare pass while on board the bus. b. Customers are prohibited from passing back their own fare pass to another customer boarding the same bus. c. BCT fare passes are non-transferable. d. To avoid being victims of fraudulent or forged passes, customers should purchase fare passes only from BCT authorized sales outlets or ticket vending machines. e. Operators will not honor fare passes that are damaged, mutilated, expired, or that read as invalid by the fare box. f. Possession of a forged fare pass may constitute a felony crime.
5. Falsely representing oneself as eligible for a special or reduced fare or obtaining any permit or pass related to the BCT transit system by making a false representation.
6. Falsely claiming to be or criminally impersonating a transit operator, other transit employee, or volunteer; or through words, actions and/or the use of clothes, insignia, or equipment resembling

department issued uniforms and equipment, creating a false impression that he or she is a transit operator, other transit employee, security personnel or volunteer.

7. Refusing to allow proper securement of a wheelchair or mobility device when riding.
8. Interfering or tampering with mobile data computers, fare boxes, public address systems, surveillance equipment, vending or any other equipment.
9. Wearing an article of clothing or equipment that covers the face while in the GBTC concourse except where the clothing or equipment is worn for religious or medical purposes.
10. Using any nicotine, tobacco product (i.e. chewing tobacco) Cannabis, or smoking device (including "e-cigarettes" and "vaping") except at a designated place.
11. Carrying or holding a lit or smoldering pipe, cigar, or cigarette except at a designated place.
12. Discarding litter other than in designated receptacles.
13. Dumping and/or discarding any materials including but not limited to hazardous substances and automotive fluids.
14. Producing unreasonable noise, including playing sound-producing devices without earphones, headphones, or an ear receiver to limit sound to individual listeners. Exceptions are the use of any communication devices by BCT employees, BCT contractors or public safety officers in the line of duty, or the use of private communication devices used to summon, notify, or communicate with other individuals (e.g., two-way radios, public announcement system, pagers, or cellular telephones).
15. Spitting, expectorating, urinating, or defecating, except in the appropriate plumbing fixtures in restroom facilities.
16. Carrying any flammable liquid, explosive, acid, or other article or material likely to cause harm to others.
17. Obstructing or impeding the flow of BCT transit vehicles, customers, lessee businesses, or attendees at BCT hosted events.
18. Hindering or preventing access by: a. Causing unreasonable delays in boarding or alighting; b. Blocking or partially blocking an aisle or stairway with a package or object; c. Reclining in more than one seat; or d. Interfering with or seriously disrupting the provision or use of transit services in any way.
19. Tampering with fire and police apparatus. Causing any false alarm of fire in any manner.
20. Falsely reporting an incident.
21. Disturbing others by engaging in loud, raucous, unruly, aggressive, violent, harmful, or harassing behavior.
22. Destroying, defacing, or otherwise damaging BCT property or any signs, notices, or advertisements on transit property or the property at any BCT hosted event.
23. Consuming an alcoholic beverage or having possession of an open container containing an alcoholic beverage.

24. Carrying or storing any firearm, shotgun, rifle, knives, or other dangerous weapon or article.
25. Throwing any object: a. At BCT transit vehicles, facilities, and properties; or b. At any person in BCT transit vehicles or properties or present at an BCT hosted event; or c. Within BCT transit vehicles, facilities, properties, or while at an BCT hosted event; or d. Out of any door or window of any BCT transit vehicle.
26. Bringing any uncaged animal onboard BCT transit vehicles or inside BCT properties or the locations of an BCT hosted event other than a bonified service animal.
27. Allowing any animal to: a. Occupy a seat on a concourse bench or a bus seat (unless required by applicable law in the case of a service animal); or b. Run at large; or c. Block an aisle or exit; or d. Unreasonably disturb others; or e. Leave waste matter; or f. Interfere with transit-related activities or BCT hosted events.
28. Roller-skating, roller-shoes, rollerblading, or skateboarding.
29. Riding bicycles, unicycles, mopeds, and motorcycles, scooters and other eMobility devices except where public vehicle travel and access is permitted.
30. Using space for residential or commercial parking purposes except as authorized by BCT or its designee.
31. Operating, stopping, standing, or parking a vehicle in any roadway or location restricted for use only by BCT transit vehicles or otherwise restricted.
32. Eating on BCT transit vehicles or in prohibited areas unless required by applicable law. BCT permits transportation and consumption of non-alcoholic beverages on Transit Vehicles when the beverage is in a leak-proof container with a lid.
33. Using a public address system, loudspeaker, or other sound-amplifying device, except as authorized by BCT, Lessees or its designee.
34. Sitting or lying on floors, sidewalks, asphalt, or other ground covering.
35. Lying on benches provided for sitting.
36. Sleeping, camping, or storing personal property on benches and floors.
37. Entering or remaining upon any nonpublic areas, including, but not limited to, staging areas, work areas, and equipment rooms, elevators, except when authorized by BCT or its designee.
38. Storing materials in front of doors.
39. Not wearing shoes and/or clothing, such as shirt, pants, dresses, etc.
40. The following activities are all prohibited in all BCT transit vehicles, facilities, and properties— including the Greater Binghamton Transit Center and at all BCT hosted events and with respect to all BCT transit-related activities— unless authorized by the Commissioner of Public Transportation or designee in a written permit, license, concession contract, lease, or other written authorization:
  - a. Engaging in commercial activities; or

- b. Engaging in public communication activities;
- c. Engaging in any civic, cultural, and other special event, not included in the definitions of commercial or public communication activities in Article II herein; or
- d. Posting or affixing flyers, pamphlets, brochures, leaflets, written or graphic material of any kind; or
- e. Affixing or erecting signs, banners, or other paraphernalia on the exterior or interior; or
- f. Carrying signs; or
- g. Engaging in public activities involving signs, boxes, receptacles, easels, or other similar apparatus of any kind.
- h. Distributing, selling, or offering food, beverages, personal care items, clothing or footwear for compensation or not.

41. Engaging in any sport activity.

42. Distributing, selling, or offering for sale or donation any written or printed material, including books and pamphlets.

43. Soliciting funds.

44. Committing any act which tends to create or incite, or creates or incites, an immediate breach of peace, including, but not limited to:

- a. Fighting; or
- b. Running; or
- c. Obscene language and noisy or boisterous conduct tending to cause a breach of the peace; or
- d. Personally abusive epithets, words or language of an offensive, disgusting or insulting nature, which when addressed to the ordinary citizen are, as a matter of common knowledge, inherently likely to provoke a violent reaction of fear, anger or apprehension.

45. Engaging in sexual activity with oneself or others or wearing clothing explicitly depicting sexual activity.

46. Engaging in any form of gambling.

47. Entering BCT transit vehicles, facilities, and properties or BCT hosted events when lacking the ability — because of illness, intoxication, or medication(s)—to care for oneself unless accompanied by a person attending to such person lacking ability due to illness or medications.

48. Extending an object or a portion of one's body through the door or window of BCT transit vehicles in a manner that has the capacity to cause injury to oneself, others, or to BCT transit vehicles, facilities, and properties.



49. Hanging or swinging on bars or stanchions, with feet off the floor.
50. Hanging onto or otherwise attaching oneself at any time to the exterior of BCT transit vehicles, facilities, or properties.
51. Standing or remaining in front of the white (or yellow) line marked on the forward end of the floor of any BCT bus while the bus is in motion or after being asked to step back behind the line by the Operator.
52. Loitering as defined in Article II.
53. Engaging in any aggravated harassment or harassment as defined in Article II. BCT employees performing transit-related activities are authorized to terminate telephone calls, refuse to accept telephone calls, or delete posts. Threats to employees or their family members or household may be referred to local law enforcement. Furthermore, BCT reserves the right to terminate communication if the situation rises to such a level.

#### **Article IV. Enforcement**

##### **A. Removal from BCT Transit Vehicles, Facilities, Properties, and BCT Hosted Events.**

Any person engaging in prohibited conduct under the provisions of Article III may be refused entrance upon or ordered to leave BCT transit vehicles, facilities, properties and/or BCT hosted events, or may be denied permission to utilize transit-related activities by a commissioned law enforcement official, BCT personnel, or authorized personnel of a contracted service provider in accordance with the terms of the applicable service contract. Failure to comply with such an order may be grounds for arrest and prosecution.

##### **B. Exclusion from Service**

Except as provided in BCT's Rules of Conduct (Article IV, Section B, 4 – Immediate Refusal or Removal), BCT employees shall not continually refuse service to anyone who has not been formally excluded from BCT service pursuant to the application of BCT's Rules of Conduct or a court order.

##### **1. Basis for Exclusion**

Engaging in prohibited conduct under Article III shall be cause for excluding a person from the privilege of entering and using all or any part of BCT transit vehicles, facilities, properties—including the GBTC Transit Center, and/or BCT hosted events, and/or the used of transit-related activities of BCT—for a period as determined by BCT based on the number of violations in a period of five (5) years, and/or the severity of the violation(s).

##### **2. Notice Procedure**

The BCT Commissioner of Public Transportation, or his/her designee, shall give written notice, by personal delivery, certified mail, or regular U.S. mail, addressed to the person's last known address to any person to be excluded from BCT transit vehicles, facilities, properties, and/or BCT hosted events or denied permission to use the transit-related activities of the BCT. The notice shall specify the reason for exclusion, nature, places and duration of the exclusion, the effective date of the exclusion, the appeal process, and provide the person an opportunity to respond in person, by telephone or in writing, to the

proposed action within five (5) business days of actual or constructive receipt of the notice by the person being excluded.

Exclusion shall commence on the second business day after actual or constructive receipt of the notice by the person being excluded unless the person has timely requested an administrative review of the notice. In the case of administrative review, the BCT Commissioner of Public Transportation, or his/her designee, shall review the exclusion and shall render a written decision determining whether exclusion is warranted, within five (5) business days from the date of the person's request for review. The written decision is sent by personal delivery, certified mail, or regular U.S. mail addressed to the person's last known address.

If the BCT Commissioner of Public Transportation, or his/her designee, determines that exclusion is warranted, such exclusion shall commence and be effective upon actual or constructive receipt of the written decision by the person to be excluded.

### **3. Constructive Notice**

Receipt of a notice is construed to have been accomplished if the person knew or reasonably should have known from the circumstances that he/she is excluded from BCT transit vehicles, facilities properties, and/or BCT hosted vehicles or the use of BCT transit-related activities. Receipt of a notice is also presumed to have been accomplished three (3) business days after the notice was sent by personal delivery, certified mail, or regular U.S. mail.

### **4. Immediate Refusal or Removal**

The notice procedure described in Article IV, Section B, 2 above will be inapplicable if, in BCT's discretion, immediate conditions exist that:

- a. Pose safety or security risks; or
- b. Interfere with or impinge on the rights of others; or
- c. Impede the free flow of the general public; or
- d. Impede the orderly and efficient use of BCT transit vehicles, facilities, properties, and/or the orderly, safe and efficient conduct of an BCT hosted event and/or the functioning of BCT transit related activities; or
- e. Otherwise interfere with or seriously disrupt BCT's transit related activities.

In such immediate conditions, persons engaging in prohibited conduct under the provisions of Article III may be immediately reseated, refused transportation, or removed from BCT transit vehicles, facilities, properties, and/or BCT hosted events or the right to utilize BCT's transit-related activities. The notice and administrative review provisions of Article IV, Section B 2 are only available to persons immediately refused transportation or removed from BCT transit vehicles, facilities, properties, and/or BCT hosted events and/or the use of BCT transit-related activities for periods of thirty-one (31) calendar days or

more.

## **5. Refusal to Comply**

The refusal to comply with an order excluding a person from BCT transit vehicles, facilities, properties, and/or BCT hosted events and/or the use of BCT transit-related activities, shall be grounds for arrest and prosecution.

## **6. Length of Exclusion**

The following suggested exclusion lengths are guidelines to be used by BCT in determining the duration of a particular exclusion under the provisions of Article III and/or the severity of the violation(s). The duration of exclusion is determined by the number of violations committed over a period of five (5) years.

BCT reserves the right, however, to impose an *exclusion of greater length for any violation where the severity of the violation warrants it, even if it is the first violation.*

- **First violation = seven (7) or thirty (30) days exclusion**
- **Second violation = thirty-one (31) or (60) days exclusion**
- **Third violation = ninety (90) days exclusion or permanent ban**

## **7. Appeal Procedure**

The following appeal process shall be provided to any person excluded from BCT transit vehicles, facilities or properties for a period of thirty-one (31) days or more. Not later than ten (10) calendar days after commencement of the exclusion, an excluded person may appeal in writing to the Broome County Attorney or his/her designee, for de novo review (a new review) of the exclusion. Commencement of the exclusion shall be defined as the date upon which the exclusion became effective and shall be determined by BCT's official records. The appellant may request a hearing or may request review without a hearing based on a written statement setting forth the reasons why the exclusion is invalid or improper. If the excluded person is unable to respond in written format, BCT will make reasonable accommodation to allow due process. The County Attorney and/or designee, shall convene a Hearing Panel comprised of three (3) persons selected as follows:

1. The Manager of Transit Operations or designee;
2. The Manager of Transit Maintenance or designee;
3. A person selected from the BCT staff or Broome Security by the Commissioner of Public Transportation or designee.

The County Attorney, and/or designee, with advice of the members of the Hearing Panel, shall render the final decision.

The Hearing Panel shall hear the appeal—or if no hearing is requested, review the matter based upon the record—and render a written decision within twenty (20) calendar days after the receipt of the appeal. The decision of the Hearing Panel shall be final.

#### **8. Hearing**

If a hearing is requested, the hearing shall be held within twenty (20) calendar days after receipt of the appeal, and a written decision shall be rendered within twenty (20) calendar days after the hearing.

Exclusions shall not be stayed during the appeal process. If an appellant requires public transportation services to attend the hearing, the appellant shall contact the BCT Commissioner, or his/her designee, five (5) business days prior to the hearing date, and BCT shall make arrangements to provide the necessary public transportation services for the appellant.

#### **9. Other Laws Not Limited**

The enforcement of Article IV herein is not intended to limit, in any manner, the enforcement of any applicable federal, state or municipal laws, provided BCT is not authorized to assist a patron or employee in enforcing a court order prohibiting or restricting contact with any other person other than to notify appropriate law enforcement personnel via BCT's Radio Control/Dispatch or Security.

#### **10. Liability**

Nothing in Article IV herein shall create a duty to any person on the part of BCT or form any basis for liability on the part of BCT, its officers, agents, or employees. The obligation to comply with Article IV is solely that of any person entering and using BCT transit vehicles, facilities, properties, and/or BCT hosted events and/or using BCT transit-related activities and BCT's enforcement of Article IV is discretionary not mandatory