

YCTD

Yolobus Special Policy on Suspension of Service

Passengers must not engage in activities or conduct resulting in misuse of the system, or unnecessarily reserve and/or use space that could otherwise be utilized by people who need service. Examples of misuse include, but are not limited to:

- Failing to show up for scheduled rides (No Shows and Late Cancellations less than 2 hours)
- Engaging in disruptive behavior
- Failing to pay a fare on a repeated basis
- Falsifying medical justification for eligibility

Suspensions shall not be proposed or implemented for circumstances which are beyond the passenger's control. A suspension shall be imposed as described below for a documented pattern of misuse, within the passenger's control within any 30-day period. Examples of situations not within the passenger's control are:

- A sudden personal emergency
- Sudden or worsening illness
- A late vehicle arrival
- Breakdowns of mobility aids
- A driver who does not provide appropriate assistance
- Medical conditions which may cause involuntary behavior (e.g. Tourette's Syndrome)

Service Suspension for No Shows and Late Cancellations

Because No Shows and Late Cancellations prevent other passengers from obtaining rides, an accumulation of No Shows and/or Late Cancellations may result in suspension of service. Late Cancellations and No Shows will be assessed for suspensions based on a pattern or practice of No Shows. However, multiple cancellations made on the same day as the scheduled trips will be assessed for suspension if less than 2 hours prior to the scheduled trip.

The following situations will be considered a violation of the No-Show/Late Cancellation Policy and service will be suspended if:

1. Over a rolling period of up to 60 days, a customer schedules 10 or more rides and no-shows or late cancels more than 20% of scheduled rides, **or**
2. Over a rolling period of up to 60 days, a customer schedules between 3 and 9 rides and no-shows or late cancels at least 3 AND more than 30% of scheduled rides

In accordance with U.S. DOT ADA Regulations Part 49 CFR 37.131 (b), when a passenger "no-shows" for the first leg of a trip, all later scheduled rides for the day will not be automatically cancelled. A round trip return ride, for example, may result in an additional no-show if not cancelled according to the cancellation policy. It is the

passenger's responsibility to cancel rides they no longer need by calling the Reservations office at least one hour prior to the ride.

Within any 60-day rolling period, the following penalties shall be assessed for No Shows or Late Cancellations:

Passengers that are suspended will receive a written notice identifying each trip that was no-showed or late cancelled. The notice will also advise the customers of the dates when the suspension will take effect, as well as the date that the customers may resume using paratransit service.

Passengers will be notified throughout the suspension process and are welcome to contest any individual missed trips once they have received a notice documenting that trip. Any contested missed trips must be contested before a suspension takes place.

Passengers that are suspended according to the no-show/late cancellation policy and continue to violate this policy will be subject to longer suspension periods. The following suspension periods shall apply:

1st suspension: one (1) 2-week period
2nd suspension: one (1) 3-week period
3+ suspensions: one (1) 4-week period

Passengers who appeal a proposed suspension may continue to ride pending a decision on the appeal. If the appeal is denied, the suspension shall be imposed effective the date the appeal is denied, pending final notification to the passenger.

Service Suspension for Violent, Seriously Disruptive and/or Illegal Conduct

Service shall immediately be denied for 30 days or until an appeal hearing is held, to passengers who engage in violent, seriously disruptive or illegal conduct. (See Policy on Service Suspension). This includes, but is not limited to:

- Threats of physical harm to other passengers, drivers or other service personnel
- Physical assault or battery on driver or other passengers
- Verbal abuse, intimidation or altercation with driver or other passengers
- Unlawful harassment of driver or other passengers, including, but not limited to unwelcome verbal, nonverbal, or physical behavior having sexual or racial connotations
- Unauthorized use of or willful damage to vehicle equipment
- Repeatedly violating riding rules, including smoking on the vehicle, standing while the vehicle is in motion, eating or drinking on the vehicle without valid medical reason, defacing equipment or refusing to comply with other service requirements specified in the policies included in this document
- Failing to maintain reasonably acceptable personal hygiene standards which could interfere with the safe operation of the vehicle by the driver or with the use of the service by other passengers

- Any other criminal conduct defined in and/or prohibited by the California Penal Code

Riders who exhibit violent, seriously disruptive and/or illegal behavior may be suspended from service immediately for 30 days (from the date when the incident occurred) pending an appeal. The rider shall be contacted by Yolobus Special Administration to investigate the alleged situation or incident. If Yolobus Special Administration determines the rider's behavior to be disruptive or violent, the rider shall be sent a written notice by Yolobus Special explaining the reasons for the suspension.

The person shall have 60 calendar days from the date of notice of the proposed suspension to submit to Yolobus Special a request for an appeal. He or she (or their representative) shall include a written explanation as to why the suspension should not be imposed. Riders appealing a suspension based on seriously disruptive or violent behavior may not continue to ride until Yolobus Special Administration appeals issues a written decision on the case.

Disruptive behavior which is determined to be due to a disability of the rider may not result in a suspension. However, Yolobus Special may require the rider to travel with a Personal Care Attendant (PCA) if it is established that the rider's behavior poses a significant potential threat of harm to other passengers or to the paratransit driver.

If such disruptive behavior continues and the required PCA is unable to prevent further instances of such behavior so that the rider continues to present a potential safety problem, service for the rider may be discontinued.

Policy on Appeal of Service Suspension

Before suspending service Yolobus Special shall take the following steps:

- Notify the individual in writing that Yolobus Special proposes to suspend service, citing the specific reasons for the proposed suspension and setting forth the proposed sanction.
- Provide the individual an opportunity to be heard and to present information and arguments. This is an informal process with Yolobus Special administrative staff.
- Provide the individual with written notification of the decision and the reasons for it.

If it is determined by Yolobus Special that a suspension of service is warranted, Yolobus Special will issue a notice of suspension. The Service Provider or Yolobus Special Administration shall provide the passenger with a copy of Yolobus Special's Administrative Appeal Process (See Appendix B). Any rider whose service is suspended may appeal the decision. Appeals on suspension of service shall be directed to Yolobus Special Administration in writing.

Appeals must be received by YoloBus Special Administration within 60 calendar days from the date of the written notice of suspension. The Service Provider shall forward to YoloBus Special Administration written documentation on the events leading to the suspension. Failure to submit a timely appeal as defined in this section will result in a forfeiture of the rider's right to pursue an appeal.

Once an appeal is submitted in writing to YoloBus Special Administration, the rider may continue to ride YoloBus Special pending an appeals hearing. However, riders appealing a suspension based on seriously disruptive or violent behavior may not continue to ride until the appeals panel issues a written decision on the case (See Policy on Suspension of Service).