



Public Transportation Department

Prohibited Conduct, Trespass/Ban Process, and Consequences

I. Purpose

The Municipality of Anchorage (MOA) Public Transportation Department (PTD) ensures that People Mover, AnchorRIDES, and RideShare provide safe and convenient transportation for Anchorage residents and visitors.

This document outlines the process PTD will use to suspend People Mover, AnchorRIDES, or RideShare passengers who engage in the prohibited conduct as identified in [Anchorage Municipal Code \(AMC\) 11.70.030](#) (see Attachment 1).

II. Overview and Definitions

No individual may engage in prohibited conduct identified in [AMC 11.70.030](#) on, at, or in assets managed, contracted, or operated by PTD. This includes People Mover, AnchorRIDES, or RideShare vehicles, transit facilities, bus stops, park and rides, customer service office, or maintenance and administrative facilities.

As shown in Attachment 1, prohibited conduct includes individual or group activity which is:

- Disruptive or harmful to others riding People Mover, AnchorRIDES, or RideShare or at any asset managed by PTD.
- Offensive or threatening behavior to any PTD employee, passengers, or Transit Security personnel.

Prohibited conduct also includes Offenses Against Persons as cited in [AMC 8.10](#) or criminal activity violating state or federal law. (The fact that a person is not arrested or convicted of a crime does not bar penalties under this policy.)

III. Prohibited Conduct

PTD maintains “Zero Tolerance Policy” for prohibited conduct identified in [AMC 11.70.030](#) to protect the safety of all its employees, while ensuring passengers also enjoy a pleasant and safe experience while riding People Mover, AnchorRIDES, and RideShare.

Anyone engaging in prohibited conduct defined by [AMC 11.70.030](#) (see Attachment 1) will receive a verbal warning from the Bus Operator, AnchorRIDES Driver, or RideShare Coordinator to refrain from such conduct. If the person fails to comply with this warning, the Bus Operator, AnchorRIDES Driver, or RideShare Coordinator will request assistance from PTD Dispatch. PTD

Dispatch then notifies Transit Security. If the incident includes an assault, Transit Security will alert the Anchorage Police Department (APD).

As required, Transit Security or their representative will request assistance from APD to remove the person causing the prohibited conduct from People Mover, AnchorRIDES, or RideShare.

As soon as the problem is resolved, the employee, RideShare Coordinator, passenger involved, and Transit Security will prepare an incident report that (1) describes the prohibited conduct, (2) identifies the person or persons causing it, (3) states whether this is a 1st, 2nd, 3rd, or 4th offense, (4) summarizes injuries and/or property damage, (5) whether People Mover or AnchorRIDES video systems recorded the incident, and (6) whether APD was called to the scene.

IV. Notification: Warning and Suspension Letters

Based on the incident report, PTD will notify the person(s) causing the prohibited conduct with a warning letter or a letter suspending their riding privileges on People Mover, AnchorRIDES, and RideShare. This letter will include the following information:

- Date, time, and location of the incident.
- Bus or vehicle number and route if possible.
- Description of prohibited conduct and specific section of [AMC 11.70.030](#) violated by the conduct.
- Duration of riding privilege suspension if imposed by PTD.
- Consequences that PTD will impose if the prohibited conduct is repeated.

Letters shall be sent to recipients by certified mail with a return receipt requested. If the mailing address or the person's name is unknown, PTD will notify the Bus Operator, AnchorRIDES Driver, or RideShare Coordinator involved in the incident and ask they obtain identification before allowing the individual to board the People Mover, AnchorRIDES, or RideShare vehicle. The Bus Operator, AnchorRIDES Driver, or RideShare Coordinator will forward this information to the PTD Operations Superintendent to send the letter to the individual.

V. Appeal Procedure

Persons may request an appeal of suspended People Mover, AnchorRIDES, and RideShare riding privileges by completing the "[Appeal Request Form](#)" available at the PTD Customer Service Office or online at www.peoplesmover.org. This form requires the following information:

- Name, email, mailing address, and phone number.
- Reasons why the prohibited conduct occurred.
- Others involved in the prohibited conduct.
- Statement explaining why the suspension should not be imposed.
- Steps for assuring they will not repeat the prohibited conduct in the future.

All letters appealing suspensions for prohibited conduct must be submitted to the PTD Customer Service Manager; postmarked no later than ten (10) business days after the PTD

suspension letter is mailed to the recipient. For incidents that require assistance from APD, persons who comply with the ten (10) business day appeal request may continue to ride People Mover, AnchorRIDES, and RideShare pending the outcome of their appeal.

Within thirty (30) business days after receiving an appeal request, an appeal committee including the PTD Director, PTD Operations Superintendent, and PTD Customer Service Manager will hold a phone or video conference to review the appeal request and decide whether to (1) waive the suspension, (2) reduce the suspension, (3) meet with the individual to obtain clarification, or (4) allow the original suspension to remain in place.

If clarification is needed from the individual requesting the appeal, PTD will contact them and schedule a phone or video conference that includes the PTD Operations Superintendent, PTD Customer Service Manager, and Transit Security Supervisor.

No later than seven (7) business days following the appeal review, PTD will send the individual a certified letter informing them of its decision.

VI. Considerations for Evaluating an Appeal

The PTD appeal committee shall not overlook or minimize the adverse impact prohibited conduct could have on employee and passenger safety, or daily operations of People Mover, AnchorRIDES, and RideShare. Therefore, within fourteen (14) business days the following steps will be used to evaluate and render a decision for each appeal:

- **Step 1 – Evidence Review.** During the initial meeting, the appeal committee will thoroughly review the incident report and video showing the prohibited conduct. While doing so, each appeal committee member will prepare a brief written statement assessing whether the incident was sufficiently described in the PTD notification letter to the appellant.
- **Step 2 – Interview Bus Operator, AnchorRIDES Driver, or RideShare Coordinator.** At least two (2) appeal committee members will interview the Bus Operator, AnchorRIDES Driver, or RideShare Coordinator and others who observed the prohibited conduct to ensure all facts regarding the appellant's conduct are considered during the appeal review.
- **Step 3 – Review and Discuss Appeal Request Form.** The appeal committee will read the appellant's [Appeal Request Form](#) aloud and discuss each point to discern if it provides sufficient merit for rescinding the penalty imposed for the prohibited conduct.
- **Step 4 – Consider Potential Mitigating Factors.** In some cases, self-dense, pre-existing medical conditions, or a disability could cause a rider to engage in prohibited conduct involuntarily. If the appellant raises any of these factors in their [Appeal Request Form](#) and provides proof, in the form of an eyewitness or medical statement, the appeal

committee will give this information due consideration for granting the appeal if no one was harmed and no criminal activity occurred.

- **Step 5 – Determine if a Meeting with the Appellant is Needed.** If the details provided in the appellant’s [Appeal Request Form](#) is unclear, the appeal committee will contact the appellant by certified letter and schedule a phone or video conference. (This certified letter will require the appellant to call the PTD Customer Service office to confirm they will participate in the phone or video conference on the scheduled date or reschedule if necessary. If the appellant fails to attend the phone or video conference as scheduled, the appeal committee will render its discussion and decision without further input from the appellant.)
- **Step 6 – Appeal Discission.** The appellant has the burden of proof in presenting mitigating evidence and convincing the PTD that the suspension imposed for the prohibited conduct is unjustified and should be rescinded. At least two-thirds of the appeal committee must agree that the appellant met this burden of proof for the PTD to grant the appeal and rescind or change the suspension.
- **Step 7 – Appeal Decision Letter.** Within seven (7) business days a letter containing the appeal committee’s decision will be signed by the PTD Director and forwarded to the appellant by certified mail.

VII. Records Management

PTD will maintain detailed records for each incident of prohibited conduct that includes a warning letter and suspension. These records shall consist of copies of the following items:

- Incident reports.
- Video documentation of incidents of prohibited conduct.
- Interviews and statements from witnesses.
- Police records for the incidents.
- Letters to the individual(s) causing the prohibited conduct.
- [Appeal Request Form](#).
- Minutes from appeal phone or video conference.
- PTD’s decision letter regarding the appeal request.

Attachment 1

Consequences for Prohibited Conduct

[Anchorage Municipal Code \(AMC\) AMC 11.70.030](#) defines prohibited conduct. The following consequences are categorized into three (3) levels of severity: Category A- Most Serious Acts, Category B- Serious Acts, and Category C- Less Serious Acts. These consequences shall be strictly enforced by the Municipality of Anchorage (MOA) Public Transportation Department (PTD) to protect the safety of all its employees, while ensuring passengers also enjoy a pleasant and safe experience while riding People Mover, AnchorRIDES, and RideShare.

No individual may engage in prohibited conduct identified in [AMC 11.70.030](#) on, at, or in assets managed, contracted, or operated by PTD. This includes People Mover, AnchorRIDES, and RideShare vehicles, transit facilities, bus stops, park and rides, customer service office, or maintenance and administrative facilities.

PTD will follow its approved policy and issue a written warning or a letter suspending riding privileges based on the following categories to persons engaging in prohibited conduct as outlined in this attachment:

Category A – Most Serious Acts

First-time offenders will be banned from People Mover, AnchorRIDES, and RideShare for no less than two (2) years and may receive up to a lifetime ban from the PTD for the following acts:

1. Violation of indecent exposure or exhibition laws.
2. Threaten (verbally or otherwise) or physically abuse another passenger or vehicle operator.
3. Brandishing weapons on a passenger vehicle or at any transit facility.
4. Offensive touching and obscene acts, including but not limited to displaying pornography or rubbing genitals (yours or another's).
5. Carry any flammable or combustible liquids, explosives, acids and other corrosive liquids, or any other item inherently dangerous or offensive to others.

Anyone found to have committed a second offense of these acts will receive a minimum five (5) year ban and may receive up to a lifetime ban.

Category B – Serious Acts

First-time offenders will receive a written warning from the PTD for the following acts:

1. Willfully obstruct, impede, hinder, interfere with, or otherwise disrupt the safe and efficient operation of the passenger vehicle or any passenger vehicle operator in the performance of his/her duties.
2. Vandalize or destroy any portion of a passenger vehicle or any transit facility, including application of graffiti.
3. Harassing other passengers.
4. Service animal attacks or injures another person in a passenger vehicle.
5. Buying, selling, or distributing drugs, controlled substances, or contraband on People Mover, AnchorRIDES, or RideShare vehicles, transit facilities, bus stops, park and rides, customer service office, or maintenance and administrative facilities.

Anyone committing a second offense of these acts will receive a six (6) month ban from riding People Mover, AnchorRIDES, and RideShare. A one (1) year ban will be issued for the third offense. A fourth offense will result in a ban ranging from two (2) years up to a lifetime ban.

Category C – Less Serious Acts

First-time offenders will receive a written warning from the PTD for the following acts:

1. Deposit bodily fluids such as spit, urine, feces, vomit, or blood in a passenger vehicle. (Passengers with a medical condition, American with Disability Act (ADA) approved accommodation, and or disability will be an exception).
2. Drink or consume alcohol or intoxicating substances or transport open containers.
3. Smoke, consume, or use a lighted or smoldering pipe, cigar, cigarette, or tobacco or marijuana product, including use of any vaping device regardless of whether it contains a marijuana or tobacco product.
4. Stand in front of the white/yellow line marked on the forward end of the floor of any passenger vehicle or otherwise conduct himself/herself in such a manner as to obstruct the vision of the passenger vehicle operator.
5. Knowingly fail or refuse to pay the applicable fare for transportation.
6. Present a pass, badge, or another fare medium when the person presenting such fare knows that the pass, badge, or other fare medium is not valid fare for the person using it.
7. Refuse to leave a passenger vehicle at the request of a passenger vehicle operator.
8. Throwing an object from or at a passenger vehicle.
9. Discard, dispose of, or leave any litter, food, or drink in a passenger vehicle, except in receptacles designated for that purpose.

10. Play any radio, MP3 player, boom box, cassette recorder, musical instrument, or other device unless it is connected to an earphone that limits the sound to the individual user.
11. Carry or be accompanied by any live animals except properly contained small animals (in approved hand-carriers stored on the passenger's lap or on the floor out of the aisle) or a service animal when accompanied by a passenger with a disability or a service animal trainer (service animals must be always on a harness or leash and either sit on the floor out of the aisle or be held in the passenger's lap).
12. Distribute unsolicited handbills or flyers on any topic.
13. Solicit, panhandle, advertise, or make announcements.
14. Conduct cell phone conversations on speakerphone.
15. Failure to follow local or state applicable public health orders.
16. Strong odors (including personal fragrances) or lack of hygiene that constitutes a nuisance.
17. Boarding passenger vehicles when riding privileges are suspended.
18. Knowingly giving false information to an employee or contracted security officer engaged in the enforcement of these rules.
19. Hanging onto or otherwise attaching oneself at any time to the exterior of a passenger vehicle.
20. Use of matches or lighters on passenger vehicles.

Anyone committing a second offense of these acts will receive a three (3) month ban from riding People Mover, AnchorRIDES, and RideShare. A six (6) month ban will be issued for the third offense. A fourth offense will result in a ban ranging from one (1) year up to a lifetime ban.

The ban process and consequences associated with prohibited conduct as defined in [AMC 11.70.030](#) in this document are effective upon signature. Additionally, the ban process and consequences associated with prohibited conduct defined in [AMC 11.70.030](#) will be reviewed annually.

Jamie M. Acton

Jamie Acton
Director, Public Transportation

12 January 2024

Date