

1.0 PURPOSE

The Transit Rules and Regulations are designed to ensure that Charlotte Area Transit System (CATS) continues to provide a comfortable, safe, and secure environment for customers of the public transportation system.

1.1 Objectives

- To govern behavior on and around the public transportation system
- To define a proof of payment fare system
- To delineate the civil penalty option for policy violations

1.2 Legal Authority

The Transit Rules and Regulations are consistent with the Transit Governance Interlocal Agreement, Charlotte City Charter Sections 7.110 and 7.111, and Charlotte City Code Sections 10-1 and 15-270 through 15-276.

Mecklenburg County Board of Health Rule to Prohibit Smoking in County, City and Town Buildings, Vehicles and Grounds. (Pursuant to N.C.G.S. 130A-498 and 130A-39(a).

2.0 DEFINITIONS

Proof of Fare Payment System – A system that requires passenger payment of the fare to utilize a Rapid Transit service prior to boarding the Rapid Transit Vehicle or while within designated fare zones. Passengers are to produce a valid ticket, pass or other fare media issued by CATS through an authorized sales outlet as proof of fare payment upon request by an authorized employee or agent of the City when boarding or riding a Rapid Transit vehicle or while within a designated fare zone.

Public Transportation System – Any property, real or personal, owned, leased, or controlled by the City and used to operate, maintain or provide public transportation services by rail, motor vehicle, or any other means of conveyance. "Public transportation system" shall also include any property, real or personal, owned, leased, or controlled by the City and used to operate, maintain or provide rapid transit services.

Public Transportation Vehicle – Any vehicle operated as part of the City's Public Transportation System including, but not limited to, buses, special transportation vehicles, and passenger rail vehicles.

Rapid Transit – Any mode of public transportation that operates using Rapid Transit Vehicles within an exclusive or semi-exclusive right-of-way that incorporates facilities to board and discharge passengers from the vehicles.



Rapid transit modes include, but are not limited to, light rail, commuter rail, bus, and streetcar services that possess these characteristics.

Rapid Transit Rail Platform – Real property owned or controlled by the City that is generally open for public use as an embarkation/disembarkation area or waiting area for any rail component of the public transportation system, including adjoining stairways, ramps, elevators, and attached equipment or fixtures.

Rapid Transit Vehicles – Any vehicles that are used to provide Rapid Transit services (as defined above), including light rail vehicles, streetcars, commuter rail passenger cars, rail-diesel vehicles and buses. These vehicles may be powered by electric propulsion or internal combustion engines. As defined herein, Rapid Transit Vehicles are public transportation vehicles in accordance with North Carolina law.

Smoking – The use or possession of a lighted cigarette, lighted cigar, lighted pipe, or the use or possession of any lighted tobacco product.

Tobacco Product – Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, vaped, absorbed, dissolved, inhaled, snorted, sniffed or ingested, including but not limited to cigarettes; cigars; little cigars; pipes; electronic cigarettes; hookahs; and smokeless tobacco products, or any other forms of tobacco. A tobacco product excludes any product that has been approved by the U.S. FDA for sale as a tobacco cessation product, such as nicotine replacement therapies (i.e. nicotine gum, patch, lozenge or inhaler).

For purposes of this policy, the phrase "**smoking and the use of tobacco products**" is defined as the smoking of tobacco via cigarettes, cigars, or pipes, or the use of devices or products that may be used to smoke or mimic smoking (including bongs, hookahs, vaporizers, e-cigarettes, etc.).

Transit Shelter – A structure with a roof located near a transit stop designed to shield transit customers from the elements.

3.0 APPLICATION

These Transit Rules and Regulations apply to the City's Public Transportation System operated by CATS.



4.0 TRANSIT RULES AND REGULATIONS

4.1 Smoking

- Smoking is not allowed on any public transportation vehicle.
- Smoking is not allowed on property owned by the City, including CATS-owned park and ride lots, light rail stations and transit centers, or in transit shelters with at least three sides.

4.2 Fare Payment

When requested by an authorized employee of the City, an authorized agent of the City, or a peace officer, any passenger on a light rail vehicle or within a designated fare zone must provide proof of fare payment.

When requested by a bus operator, an authorized agent of the City, or a peace officer, any passenger boarding a public transportation vehicle must pay a proper cash fare or employ the use of a proper ticket, pass or transfer.

4.3 Acts Prohibited on Public Transportation Vehicles:

- Smoking
- Consumption of any alcoholic beverage or possession of an open container of any alcoholic beverage
- Operating a digital or other audio device used to receive and amplify or reproduce sound, unless connected to earphones
- Taking any animal onto the vehicle except a service animal
- Carrying or possessing dangerous weapons subject to Chapter 15 of the Charlotte Code of Ordinances, Article I, Sec. 15-14.
- Possessing or transporting gasoline, kerosene, propane, or similar flammable liquid or other dangerous substance
- Littering
- Vandalizing the vehicle by writing, marking, or scribbling upon or otherwise defacing or causing destruction of the property in any manner
- Begging, soliciting or panhandling
- Excretion of any bodily fluid or matter, including projecting spittle
- Unlawful possession, use or sale of any controlled substance
- Engaging in disruptive or disturbing behavior or behavior that exceeds a reasonable tolerance for the vehicle, including the use of profanity or abusive language that is likely to cause an immediate breach of the peace
- Any other act, circumstance or condition which is prohibited by North Carolina Law, Charlotte City Ordinance, Mecklenburg County Board of Health Rule, or any other applicable law, statute or regulation



4.4 Acts Prohibited on Transit Rail Platforms

- Smoking
- Consumption of any alcoholic beverage or possession of an open container of any alcoholic beverage
- Lying or sleeping on seats, tables or benches
- Standing, sitting, lying, or being within two feet of the rail side edge of the platform at any time except when actually embarking or disembarking from a public transportation rail vehicle.
- Engaging in disruptive or disturbing behavior or behavior that exceeds a reasonable tolerance in a manner that obstructs the public's access or use of the public transportation system
- Littering
- Vandalizing the platform by writing, marking, or scribbling upon or otherwise defacing or causing destruction of the property in any manner
- Begging, soliciting or panhandling
- Excretion of any bodily fluid or matter, including projecting spittle
- Riding upon any vehicle or device, including skates and skateboards, in a manner so as to place any person or property, including the rider, at an appreciable risk of injury
- Unlawful possession, use or sale of any controlled substance
- Any other act, circumstance or condition which is prohibited by North Carolina Law, Charlotte City Ordinance, Mecklenburg County Board of Health Rule or any other applicable law, statute or regulation

4.5 Acts Prohibited on Any Other Part of the Public Transportation System, Including CATS-owned Park and Ride Lots, Parking Decks, Transit Centers and Multi-Use Paths Parallel and Adjacent to Light Rail Tracks

- Smoking
- Loitering
- Entering or being present upon any areas not open to the public and posted as such, without proper authorization and purpose
- Consumption of any alcoholic beverage or possession of an open container of any alcoholic beverage
- Engaging in disruptive or disturbing behavior or behavior that exceeds a reasonable tolerance in a manner that obstructs the public's access or use of the public transportation system
- Littering
- Vandalizing the property by writing, marking, or scribbling upon or otherwise defacing or causing destruction of the property in any manner
- Begging, soliciting, or panhandling
- Excretion of any bodily fluid or matter, including projecting spittle



- Riding upon any vehicle or device, including skates and skateboards, in a manner so as to place any person or property, including the rider, at an appreciable risk of injury
- Any other act, circumstance or condition which is prohibited by North Carolina Law, Charlotte City Ordinance, Mecklenburg County Board of Health Rule or any other applicable law, statute or regulation

4.6 General Rules of Conduct

CATS may establish other customary and usual rules of conduct to promote the safety and welfare of its customers and employees. The following behaviors are prohibited per CATS general rules of conduct.

- Eating or drinking on a CATS public transportation vehicle
- Operating a digital or other audio device used to receive and amplify or reproduce sound, unless connected to earphones, at the Charlotte Transportation Center or on CATS buses or trains
- Failure to follow posted parking rules
- Failure to comply with all applicable Rules established by CATS not specifically covered by other State or Local Act, Ordinance, or Regulation.

4.7 Notice of Violation, Trespassing

An authorized employee or agent of the City or a peace officer may issue a warning to any person violating any general rule of conduct. If the person continues to engage in the prohibited conduct after having received a warning during the same trip, the authorized representative may instruct that person to leave the vehicle or other public transportation system property as soon as necessary or convenient to maintain public safety. It is unlawful (trespassing) for any person to refuse to leave a vehicle or other property owned or lawfully controlled by the City when requested to do so by an authorized employee or agent of the City or a peace officer.

4.8 Penalties

Violations of the Transit Rules and Regulations are violations of Charlotte City Ordinances, punishable, upon conviction, as a class 3 misdemeanor or by the issuance of a civil penalty in the amount of \$50.00.

Violations of posted parking regulations may result in the vehicle being towed and a civil citation being issued.

Violators may appeal Civil Citations per CATS S&S12 *CATS-Issued Citations*.



4.9 Banning (Exclusion Policy)

CATS is authorized to establish a banning process for individuals who violate these Transit Rules and Regulations or commit criminal acts while upon the public transportation system.

CATS S&S16 *Exclusion Policy* further outlines the standards, processes, and procedures comprising the Exclusion Policy for the Public Transportation System. Reference is hereby made to that policy for a more particular description.

4.10 Administrative and Enforcement Authority

CATS, as a department of the City of Charlotte, shall be responsible for the administration and enforcement of the Transit Rules and Regulations and may utilize City employees, contracted company police, and unarmed security personnel in the fulfillment of these duties; however, this does not limit the legal authority of Charlotte-Mecklenburg Police officers to enforce ordinances, criminally or civilly, or to carry out their duties.

CATS contracted company police officers shall have the authority to request proof of fare payment and to enforce the city ordinances as applicable, via citation.

CATS-contracted company police officers shall have the same authority as granted to such officers by North Carolina law.

CATS Contracted security officers may issue civil citations for violation of CATS rules and regulations.

5.0 PERIODIC REVIEW AND AMENDMENT

5.1 The Transit Rules and Regulations delineated herein shall be subject to review and revision by the Metropolitan Transit Commission (MTC) at least every three years. This does not preclude the MTC from revising specific policies included herein nor from adding policies should the MTC determine that the best interest of the public or CATS would be served by making such a revision.

5.2 Amendments or revisions to the Transit Rules and Regulations may be initiated or proposed by any member of MTC or by the Chief Executive Officer of CATS. Nothing in these policies is intended to prohibit the Chief Executive Officer from implementing any requirements reflecting changes in federal, State or local law, regulations or policies consistent with the guidelines set forth herein.

5.3 The MTC must approve any amendment or revision by majority vote before said amendment or revision shall become official policy of CATS.



Summary of Changes

Entire Document:

Added rules to prohibit smoking in County, City and Town buildings, vehicles and grounds as enacted by the County Commission on October 21, 2014. The Mecklenburg County Board of Health Rule is effective March 18, 2015. Added reference to CATS S&S16 *Exclusion Policy*.

- 1.1 Deleted the objective to establish CATS as the administrator and enforcer of the policy.
- 2.0 Revised definition for "Public Transportation Vehicle."
Added definitions for "Smoking," "Tobacco Product," and "Transit Shelter."
- 4.1 Revised to specify smoking is not allowed on property owned by the City.
- 4.2 Changed "public transportation vehicle" to "light rail vehicle."
Added content about fare payment for any passenger boarding a public transportation vehicle.
- 4.4 Added "Smoking" to the list of acts prohibited on transit rail platforms.
- 4.5 Changed sub-section heading from "Acts Prohibited on Any Other Part of the Public Transportation System, Including Park and Ride Lots" to "Acts Prohibited on Any Other Part of the Public Transportation System, Including CATS-owned Park and Ride Lots, Parking Decks, Transit Centers and Multi-Use Paths Parallel and Adjacent to Light Rail Tracks."
Added "Smoking" and "Loitering" to list.
- 4.6 Added list of behaviors that are prohibited per CATS general rules of conduct.
- 4.7 Revised to specify an authorized employee or agent of the City or a peace officer may issue a warning to any person violating any general rule of conduct.
- 4.8 Deleted "If the civil penalty is not paid or appealed within 30 days from the date of issuance, an additional late fee civil penalty in the amount of \$50.00 shall apply."
Added "Violations of posted parking regulations may result in the vehicle being towed and a civil citation being issued."
Added reference to CATS S&S12 *CATS-Issued Citations*.
- 4.10 Replaced references to fare inspectors and unarmed security officers with company police officers.
Added "CATS Contracted security officers may issue civil citations for violation of CATS rules and regulations."

Previous Revision: March 23, 2011

