

## **SUSPENSION POLICY (rev. 11/02/2011)**

Macatawa Area Express Transportation Authority (MAX) passengers may be suspended or denied rides because of inappropriate behavior. Those who violate the rules are subject to removal, citation, or arrest. Rules apply to all MAX vehicles, bus stops and shelters, buildings, facilities, and property. Definitions of inappropriate behavior include, but are not limited to:

### **TYPICAL MINOR VIOLATIONS:**

Use of obscenities, profanity, or other offensive language.  
Eating/drinking on transit vehicle.  
Talking to or distracting the bus driver while the vehicle is in motion.  
Failure to remain seated while the transit vehicle is in motion.  
Solicitations of any kind.  
Language/verbal abuse/shouting that disrupts the comfort or safety of other passengers.  
Harassment of MAX staff/drivers.  
Inappropriate personal hygiene.

### **TYPICAL MAJOR VIOLATIONS:**

Violence – threat or act that puts riders and/or driver at risk.  
Possession of firearm or concealed weapon of any kind.  
Damaging/destroying transit property, or the personal property of a passenger.  
Use of racial/ethnic slurs or name calling, racist behaviors.  
Sexual touch or inappropriate comments.  
Public intoxication and/or the drinking of alcoholic beverages, or unauthorized controlled or illegal substances, or under the influence thereof.  
Theft from other riders or MAX staff/drivers.

**The Macatawa Area Express reserves the right to immediately refuse and suspend service to an individual to protect the health and safety of other passengers and staff. Riders who engage in physical abuse or cause physical injury to another rider or driver/staff member may be subject to immediate and permanent suspension, and possible criminal prosecution.**

**Depending on the severity of the offense**, there is a normal disciplinary sequence.

**FOR MINOR VIOLATIONS:** When a rider violates any of these rules, the driver or staff member will issue a verbal warning and ask the rider to comply. This will be considered a ***1ST OFFENSE***.

A ***2ND OFFENSE*** will result with the offending individual(s) being removed from the transit bus for the remainder of that day with all riding fares forfeited. An incident report will be completed by the staff/driver involved detailing the event, including date, time, and location of the incident and the rider(s) involved. Law enforcement will be called for the transport of offenders under 18 years of age removed from any transit bus. In certain situations, the assistance of local law enforcement will be requested for positively identifying offending individuals who refuse to cooperate with MAX employees.

**FOR MAJOR VIOLATIONS 1ST OFFENSE & MINOR VIOLATIONS 3RD OFFENSE:** Rider is removed from the bus/vehicle with all riding privileges suspended; law enforcement may be called. A written letter of suspension—stating why the rider was suspended, including any documented history of disruptive behavior, and length of suspension—will be completed and mailed to the offender (when complete names/addresses are available to MAX). Decisions on suspension/suspension length will be made only by MAX management staff and can be appealed to the MAX Director. Appeals must be made within five (5) business days of the suspension. An Appeals Committee, consisting of one (1) MAX staff member, one (1) MAX management member and one (1) MAX Local Advisory Council member will rule on the appeal. The Appeals Committee has ten (10) business days to resolve the appeal. Decisions on suspension will be made on a case-by-case basis; however, the decision of the Appeals Committee is final.

Passengers will not be allowed on any Macatawa Area Express vehicle while suspended or while an appeal is pending, however, trips can resume following the suspension period. Violation of suspension is considered trespassing and will be referred immediately to local law enforcement.