

## Rules of Conduct & Fines - MTA Bus Company

MTABC Rule	MTABC Offense Description	Fine
1044.4(b)	Entered non-public area or facility	\$50
1044.4(c)	Unauthorized commercial activity	\$50
1044.4(e)	Unauthorized photography/film	\$50
1044.5(a)	Entered without payment First (1st) offense	Warning, no fine.
	Entered without payment Second (2nd) offense within a 4-year time period	\$100 fine with \$50 OMNY credit if fine is paid on time in full. Individuals enrolled in Fair Fares at the time of a violation will have fines reduced by half. New Fair Fares enrollees will have fines waived.
	Third (3rd) offense and up within a 4-year time period	\$150 fine. Individuals enrolled in Fair Fares at the time of a violation will have fines reduced by half. New Fair Fares enrollees will have fines waived.
1044.5(b)	Unauthorized sale of fare media	\$50
1044.5(c)	Unauthorized use of fare media	\$50
1044.6(a)	Graffiti or other defacement	\$50
1044.6(b)	Posting signs or notices	\$50
1044.6(c)	Non-transit use	\$50
1044.7(a)	Obstruction of seating or facilities	\$50
1044.7(b)	Sound production device	\$50
1044.7(c)	Throwing objects	\$50
1044.7(d)	Open liquid or drinking alcohol	\$50
1044.7(e)	Consume controlled	\$50

MTABC Rule	MTABC Offense Description	Fine
	substance	
1044.7(f)	Impaired by alcohol or drugs	\$50
1044.7(g)	Endanger the safety of others	\$50
1044.7(h)	Graffiti or other defacement	\$50
1044.7(i)	Entered restricted area	\$50
1044.7(j)	Unauthorized entrance/exit	\$50
1044.7(k)	Commission of harmful acts	\$50
1044.7(l)	Cook or light a fire	\$50
1044.7(m)	Dispense commercial activity	\$50
1044.7(n)	Lighted cigarette, cigar, pipe, tobacco	\$50
1044.7(o)	Interfere commercial tenants	\$50
1044.7(p)	Unauthorized non-commercial activities	\$50
1044.7(q)	Misrepresent as agent	\$50
1044.7(r)	Carrying long or hazardous object	\$50
1044.7(s)	Bring bicycle into facility or bus	\$50
1044.7(t)	Extend body or item out vehicle	\$50
1044.7(u)	Riding outside vehicle	\$50
1044.7(v)	Interfere wheelchair seating	\$50
1044.7(w)	Enter bus through exit door	\$50
1044.8	Litter	\$50
1044.9	Spit, urinate, defecate, bathe	\$50
1044.10	Unauthorized animal	\$50
1044.11	Carrying a weapon	\$50
1044.12	Carrying explosives	\$50
1044.13	Interfere systems or equipment	\$50

# Rules governing the conduct and safety of the public in the use of the facilities of the MTA Bus Company

## § 1044.1 Authorization and purpose

(a) MTA Bus Company (MTABC) is a public benefit corporation and an independent subsidiary of the Metropolitan Transportation Authority (MTA) created pursuant to Public Authorities Law, section 1266(5). As such, MTABC is empowered by the New York State Public Authorities Law to make rules and regulations governing the conduct and safety of the public in the use and operation of its transportation facilities, buses and other conveyances. Public Authorities Law, sections 1265(5), 1265(14), 1266(4) and 1266(8).

(b) These rules are established by MTABC to promote safety, to facilitate the proper use of MTABC transportation facilities, and to protect its transportation facilities, its customers, its employees and the public and to assure the payment of fares and other lawful charges for the use of its system. In addition to these rules, all applicable provisions of the Penal Law or any other applicable law shall continue to be enforceable.

(c) These rules may be amended or added to from time to time at the sole discretion of MTABC in accordance with law.

## § 1044.2 Definitions

The following terms as used in this part shall have the following meanings:

(a) Authority means the Metropolitan Transportation Authority, the public benefit corporation created by section 1263 of the Public Authorities Law.

(b) Facilities or MTABC Facilities includes all property and equipment, including, without limitation, fuel, communication systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices and other real estate or personalty used or held for or incidental to the operation, rehabilitation or improvement of any bus line of MTABC.

(c) Service animal means a guide dog, signal dog, or other animal individually trained to perform tasks for the benefit of a person with a disability that such person is unable to perform due to such disability, such as guiding persons with impaired vision, alerting persons with impaired hearing to sounds, pulling a wheelchair, retrieving dropped items or providing rescue assistance. The term service animal does not include a therapy animal or animal used for emotional support.

(d) Sound production device includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, compact disc player, speaker device or system, and any sound amplifier or any other sound-producing device of similar nature.

(e) Excessive noise means excessively or unusually loud sounds produced by any means which are audible to another person and which cause public inconvenience, annoyance or alarm, or which interfere with transit operations, but does not include conversational speech or sounds incident to walking or normal movement. The emission of any sound in excess of 85 dBA on the A weighted scale measured at five feet from the source of the sound is excessive noise and is prohibited. The term excessive noise also includes sounds which interfere with the audibility of the normal communication, audio communication equipment

and speaker system of a terminal, station or bus.

**(f)** Conveyance includes any bus or other vehicle used or held for use by MTABC as a means of transportation of passengers.

**(g)** Commercial activities means activities whose main purpose is the sale of goods or services or the promotion or advertising of goods or services, including the distribution of goods or materials for free. Commercial activities include:

**(i)** the advertising, display, sale, lease, offer for sale or lease, or distribution of food, goods, services or entertainment (including the free distribution of promotional goods or materials); and

**(ii)** the solicitation of money or payment for food, goods, services or entertainment.

**(h)** Controlled substances means those substances designated as controlled substances by the New York State Penal Law.

**(i)** Rules means these rules.

**(j)** Person means any natural person, individual, firm, partnership, corporation, society, organization, association or company or other entity.

**(k)** Police Officer refers to any member of the New York City Police Department and any other police officer duly appointed pursuant to New York Criminal Procedure Law, section 1.20 who pursuant to his authority has jurisdiction within a terminal, station or bus.

**(1)** Fare means the lawful charges established by the Authority for the use of facilities.

**(m)** Fare Media means the various instruments issued by or on behalf of or accepted by MTABC to use for the payment of fare, including, but not limited to, farecards, passes, transfers, tickets, and vouchers.

**(n)** Farecards include, but are not limited to:

**(i)** value-based, magnetically encoded cards (frequently referred to as pay-per-ride MetroCards) containing stored monetary value from which a specified amount of value is deducted as payment of a fare; and

**(ii)** time-based, magnetically encoded cards (frequently referred to as unlimited ride MetroCards) which permit entrance onto conveyances for a specified period of time.

**(o)** Payment of the fare includes the use at a fare collection device of a time-based farecard for purposes of gaining lawful entry onto a conveyance.

**(p)** Noncommercial activities means activities involving public speaking; distribution of written materials related to a charitable, religious or political causes; solicitation of contributions for charitable, religious or political causes; and artistic performances, including the acceptance of donations for such performances.

## **§ 1044.3 Construction**

In interpreting or applying these rules, the following provisions shall apply:

**(a)** MTABC reserves the right from time to time to suspend, modify or revoke application of any or all of the rules as it deems necessary or desirable.

**(b)** No act otherwise prohibited by any of these rules may be undertaken unless specifically

authorized by the terms of any written contract, agreement, permit, license or lease of the type issued in the ordinary course of business of MTABC, provided that such act is otherwise in compliance with any other applicable laws, rules and regulations. Any act otherwise prohibited by these rules is lawful if performed by an officer, employee or designated agent of MTABC acting within the scope of his employment or agency.

**(c)** The rules shall not apply to an MTABC employee acting within the course of his employment in an area which is closed to the public. Conduct by employees in areas closed to the public shall continue to be governed in accordance with applicable rules, laws and MTABC operating and disciplinary procedures.

**(d)** The rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another, including a minor, in the avoidance of any of the requirements of the rules.

**(e)** The order or judgment of a court or other tribunal of competent jurisdiction that any provision of the rules is invalid shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate any other provision of the rules or the application of any part of the rules to any other person or circumstance; the provisions of the rules are declared to be severable.

**(f)** The singular shall mean and include the plural; the masculine gender shall mean and include the feminine, and vice versa.

## **§ 1044.4 General provisions**

**(a)** Public areas within terminals or stations are open to the public at such times as may be established by MTABC from time to time. Public areas are those areas of the terminals or stations which are open for use by the public in gaining access to transportation, terminals or stations, in traveling through the terminals or stations from one point to another, in waiting for transportation, and in utilizing public toilet facilities and public pay telephones or other services as may be permitted pursuant to these rules.

**(b)** No persons except persons assigned to duty therein by MTABC or the Authority shall enter any area of a depot, storage yard or any other facility that is not a public area or that is closed to the public, except in a public safety capacity or pursuant to the terms of a lease, license, operating agreement or concession granted by MTABC or the Authority.

**(c)** No person, unless duly authorized by MTABC or the Authority, shall engage in any commercial activity upon any facility or bus. No person shall panhandle or beg upon any facility or bus.

**(d)** Except as expressly authorized and permitted in this subdivision, no person shall engage in any nontransit uses upon any facility or conveyance. Nontransit uses are noncommercial activities that are not directly related to the use of a facility or conveyance for transportation. The following nontransit activities are authorized and permitted by MTABC, provided they do not impede transit activities and they are conducted in accordance with the rules governing the conduct and safety of the public in the use of MTABC Facilities and Conveyances: public speaking; distribution of written noncommercial materials; artistic performances, including the acceptance of donations; solicitation for religious or political causes; solicitation for charities that:

**(1)** have been licensed for any public solicitation within the preceding 12 months by the

Commissioner of Social Services of the City of New York under section 21-111 of the Administrative Code of the City of New York or any successor provision;

(2) are duly registered as charitable organizations with the Attorney General of the State of New York under section 172 of the New York Executive Law or any successor provision; or

(3) are exempt from Federal income tax under section 501(c)(3) of the United States Internal Revenue Code or any successor provision. Solicitors for such charities shall provide, upon request, evidence that such charity meets one of the preceding qualifications. The aforementioned nontransit uses within the stations and terminals are deemed to be authorized provided that such activities: (i) do not impede or interfere with or impair transportation services or the movement of persons to or from a bus; (ii) do not violate any of the prohibitions contained in these rules; and (iii) do not take place on buses.

(e) Photography, filming or video recording in any facility or bus is permitted except that ancillary equipment such as lights, reflectors or tripods may not be used. Members of the press holding valid identification issued by the New York City Police Department are hereby authorized to use necessary ancillary equipment. All photographic activity must be conducted in accordance with the provisions of these rules.

## **§ 1044.5 Payment of fare and access to MTABC facilities**

(a) No person shall use or enter upon the MTABC Facilities or Conveyances, for any purpose, without the payment of the fare or tender of other valid fare media used in accordance with any conditions and restrictions imposed by the Authority or MTABC. For the purposes of this section, it shall be considered an entrance into a facility or conveyance whenever a person passes through a point at which a fare is required or collected.

(b) Except for employees of MTABC acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any fare media or otherwise authorize access to or use of the MTABC Facilities or Conveyances, or its services, without the written permission of a representative of MTABC duly authorized by the Authority to grant such right to others.

(c) No person shall put or attempt to put any paper, article, instrument or item, other than fare media issued by the Authority or MTABC and valid for the place, time and manner in which used, into any farebox, turnstile, pass reader or other fare collection instrument, receptacle, device, machine or location.

(d) Fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with the rules shall be confiscated.

## **§ 1044.6 Property and equipment**

(a) No person shall destroy, mark, soil or paint, or draw, inscribe, write, spray paint or place graffiti upon, or remove, injure or tamper with any facility, conveyance, sign, advertisement, or notice of MTABC, including any MTABC Facilities under the jurisdiction of tenants or licensees, except that this provision shall not apply to any work within the scope of any contract made by or on behalf of MTABC.

(b) No person shall post, distribute or display any sign, poster, notice, advertisement or other

printed or written matter in or on any facility or conveyance without the permission of MTABC, except as otherwise provided by law.

(c) Except as an incident to travel on MTABC conveyances for which a fare has been paid or which has otherwise been duly authorized by MTABC, no conveyance or facility may be occupied, used or handled, except by permit, agreement, license or other authorization of the Authority or MTABC duly made.

## **§ 1044.7 Prohibited uses**

No person in a facility or bus shall:

- (a) block free movement of another person or persons; lie on the floor, stairs or occupy more than one seat when to do so would interfere with the operation of MTABC's transportation system or the comfort of other passengers; or place his or her foot, or item on any seat;
- (b) create any sound through the use of any sound production device, except as is specifically authorized by these rules. In no event will the use of amplification devices of any kind, electronic or otherwise, be permitted on a bus. Use of radios and other devices listened to solely by headphones or earphones and inaudible to others is permitted;
- (c) throw, drop or cause to be propelled any object, projectile or other article at, from, upon, in or on a facility or bus;
- (d) bring into a facility or carry onto a bus liquid in an open container, or drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage;
- (e) consume any controlled substance except pursuant to valid prescription;
- (f) enter or remain in any facility or bus while his or her ability to function safely in the environment of the facility or bus is impaired by the consumption of alcohol or by the taking of any drug;
- (g) endanger the safety of others, engage in fighting or assault another person or persons, or threaten another person with such conduct;
- (h) vandalize, injure, deface, alter, write upon, destroy, remove or tamper with the facilities or buses, including any facilities under the jurisdiction of tenants or permittees;
- (i) except as specifically authorized by the Authority or MTABC, enter or attempt to enter into any area not open to the public, including, but not limited to, bus operator's seat location, closed-off areas, mechanical or equipment rooms, storage areas, interior rooms, catwalks, emergency stairways (except in cases of an emergency), roadbeds, plants, shops, barns, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;
- (j) enter or attempt to enter any area which is locked or otherwise restricted from public access by any means including, but not limited to, barricades, fencing, doors and signs, or enter or leave a facility or bus except by designated entrance ways or exits;
- (k) ride or otherwise stand on a skateboard, wear roller skates or in-line skates, ride or straddle a bicycle while in motion, or ride a scooter or any other self-propelled vehicle or motor-propelled vehicle or device, on or through any part of a facility or bus, or while attached to the outside of a bus. This provision does not apply to the proper use of self-propelled or motor-propelled vehicles or similar devices by nonambulatory persons;

- (l) cook, light a fire or otherwise create a fire except pursuant to the terms of any lease, license, operating agreement or concession granted by MTABC or the Authority;
- (m) dispense commercial merchandise with or without charge or carry on any commercial activity except pursuant to the terms of a lease, license, operating agreement or concession granted MTABC or the Authority;
- (n) burn a lighted cigarette, cigar, pipe or any other matter or substance which contains tobacco or any tobacco substitute on a bus or within any facility;
- (o) engage in any activity which interferes with the commercial activities of lessees, tenants or their customers;
- (p) engage in noncommercial activities, except as expressly permitted by these rules;
- (q) misrepresent through words, signs, leaflets, attire or otherwise, such person's affiliation with or lack of affiliation with or support by any organization, group, entity, or cause, including any affiliation with or support by MTABC or the Authority;
- (r) carry on or bring to any facility or bus any item that:
  - (i) is so long as to extend outside the window or door of a bus;
  - (ii) constitutes a hazard to the operation of MTABC, interferes with passenger traffic or impedes service; or
  - (iii) constitutes a danger or hazard to other persons. Nothing contained in this section shall apply to the use of wheelchairs, crutches, canes, or other physical assistance devices;
- (s) bring a bicycle into a facility or bus;
- (t) extend his or her hand, arm, leg, head or other part of his or her person, or extend any item, article or other substance outside of the window or door of a bus or other conveyance operated by MTABC;
- (u) ride on the roof or any other area outside a bus or any other conveyance operated by MTABC;
- (v) refuse or fail to relinquish a seat on a conveyance which has been designated as "PRIORITY SEATING", "WHEELCHAIR PRIORITY SEATING" or words of similar import, if requested to do so by or on behalf of a person with a disability, or occupy any location on a conveyance designated for persons using wheelchairs if such location is required to accommodate a person using a wheelchair; and
- (w) gain entry into a bus in any unauthorized manner through an exit door or through or past any point at which a fare is required or collected, and it shall be no defense to a charge of a violation of this subdivision that fare media, a fare media sales device or a fare collection device was malfunctioning.

## **§ 1044.8 Littering and dumping rubbish and refuse**

No person shall litter in a facility or bus. All persons shall use receptacles provided the disposal of refuse, if any. No bulk refuse generated or collected on property outside the jurisdiction of MTABC may be taken into, dumped within or carried through a facility or bus or deposited in any facility receptacle. Trash and other waste materials contained in waste receptacles within a facility or bus shall not be removed except by persons duly authorized to do so.

## § 1044.9 Hygiene

- (a) No person shall spit in or upon any facility or bus.
- (b) No person shall urinate or defecate in any part of a facility or bus, other than in a urinal or toilet intended for that purpose.
- (c) No person shall use any water fountain, drinking fountain, or any other water found in a facility for the purpose of washing or cleaning himself or herself, his or her clothing, or other personal belongings. This subdivision shall not apply to those areas within the facilities which are specifically designated for personal hygiene purposes (i.e., wash basin, bathroom, and shower room) for employees provided, however, that no person shall wash his or her clothes or personal belongings in such areas and that only one person at a time may occupy a shower.

## § 1044.10 Animals

- (a) No person, except as otherwise provided in subdivision (b) of this section, may bring any animal on or into any conveyance or facility unless enclosed in a container and carried in a manner which would not annoy other passengers.
- (b) Subdivision (a) of this section does not apply to working dogs for law enforcement agencies, to service animals which have been trained or are being trained to aid or guide a person with a disability and are accompanying persons with disabilities, or to service animals which are being trained by a professional trainer. All service animals must be harnessed or leashed.
- (c) Upon request by a Police Officer or other designated employee of MTABC or the Authority, a trainer must display proof of affiliation with professional training school and that the animal is a licensed service animal or an animal being trained as a service animal. Upon request of a Police Officer or designated MTABC or Authority personnel, a passenger must provide evidence that an animal claimed to be a service animal and thus exempt from the provisions of subdivision (a) of this section qualifies as such or is being trained as a service animal. Such evidence may be supplied through: the display of a service animal license issued by the New York City Department of Health, New York State Department of Agriculture and Markets or by other governmental agencies in New York or elsewhere authorized to issue such licenses, the display of an identification from a professional training school that the animal is a trained service animal, the presence of a harness or a marking on a harness, or the credible verbal assurances of the person with a disability using the service animal or animal being trained as such. For purposes of this paragraph, credible verbal assurances may include a description of one or more tasks that the animal performs or is being trained to perform for the benefit of the person with a disability.
- (d) As an alternative to any of the methods described in subdivision (c) of this section for providing evidence that an animal meets the definition of service animal, persons with disabilities who use service animals who do not have a service animal license or other written documentation that the accompanying animal is a service animal may apply to the Authority for a service animal identification card.
- (e) Police Officers or designated MTABC or Authority personnel have the right to refuse admission to or eject any passenger accompanied by an animal, including a service animal, which poses a direct threat to the safety of other passengers.

## **§ 1044.11 Firearms or other weapons**

No firearms or other weapons (as the term is used in the New York State Penal Law) may be carried in or on any facility or conveyance except as permitted by law.

## **§ 1044.12 Explosives, acids, inflammables, compressed gases, and other dangerous substances**

No person shall bring into or carry in a facility or bus any explosives, acids, inflammables, compressed gases or articles or materials having or capable of producing strong offensive odors, explosion or fire, or articles or materials likely to endanger persons or property. No person shall bring or cause to be brought into or kept in a facility or bus any signal flare or any container filled with or which has been emptied or partially emptied of oil, gas, petroleum products, paint or varnish.

## **§ 1044.13 Unauthorized interference with or use of systems or equipment prohibited**

No person shall do or permit to be done anything which may interfere with the effectiveness or accessibility of the fire protection system, sprinkler system, drainage system, alarm system, telephone system, electrical system, public announcement and intercommunications system, plumbing system, lighting system, security system, air-conditioning system, ventilation system, fire hydrants, hoses, fire extinguishers, towing equipment or other mechanical systems, facilities or equipment installed or located at or in any facility or bus, including closed circuit television cameras and monitors, signs and notices; nor shall any person operate, adjust or otherwise handle or manipulate, without permission, any of the aforesaid systems or portions thereof, or any machinery, equipment or other devices installed in or located at or in a facility or bus. Tags showing date of last inspection attached to units of fire extinguishing and fire fighting equipment shall not be removed therefrom, nor shall any person plug a television, radio or other electrical device into any outlet or connect any device to any utility at or in any facility or bus, except with the permission of an authorized MTABC employee.