



## *SETran (Southeast Transit)*

*Advocacy, coordination, education, and information for Transit & Mobility  
Serving Baca, Bent, Crowley, Kiowa, Otero, and Prowers counties*

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### PASSENGER CODE OF CONDUCT

*THE MISSION OF SECED-SETRAN (HEREAFTER REFERRED TO AS SETRAN) TO PROVIDE DEPENDABLE AND SAFE TRANSPORTATION FOR ALL WHO WISH TO CONNECT WITH REGIONAL RESOURCES AND COMMUNITY ACTIVITIES.*

The intent of this code of conduct is to ensure safe and comfortable operation of SETRAN buses and facilities for riders and employees. Riders who violate this code or any other SETRAN policy or reasonable direction by County employees are subject to suspension of service as outlined by the SETRAN Passenger Suspension Policy, which is available from any employee upon request.

1. No vulgar language, abuse, disorderly conduct, illegal activities, or harassment of County employees or other passengers.
2. Animals must be properly contained in a pet carrier. Service animals must be on a leash and in control of the passenger. No animals allowed on the seats.
3. No eating and drinking on the bus. Food and beverages allowed in closed containers.
4. 10 carryon items allowed (including grocery bags) per rider.
5. No blocking the aisle of the vehicle.
6. Children under 12 must be accompanied by an adult.
7. Riders must maintain safe personal hygiene. Riders will not be allowed on SETRAN buses or SETRAN property if they have: fleas, bedbugs, bodily fluids, urine, blood, or feces on their clothing.
8. Seatbelts are required while the bus is in motion. Riders must remain seated until the bus comes to a complete stop.
9. No open alcohol containers, consumption of alcohol, tobacco usage, smoking, vaping, or use of any other electronic smoking devices on SETRAN buses or SETRAN property.
10. Federal Transportation Regulations prohibit the transportation in any transit vehicle of any flammable/acids (i.e. gasoline, battery acid) or explosive materials, including any type of batteries larger than those for typical household uses. Batteries for mobility devices and oxygen tanks are exempt.

#### Notices.

- SETRAN buses and facilities are under video and audio surveillance.
- Drivers have the right to refuse service to intoxicated or disruptive riders.
- Be careful entering and exiting SETRAN buses.
- Report suspicious packages or behavior to drivers as soon as possible.
- Have exact change ready for your fares.
- Be ready for your bus early if possible.



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### NOTICE OF VIOLATION APPEAL FORM

A person seeking to appeal a Notice of Violation must submit this completed and signed Appeal Form, a copy of the Notice of Violation, and any supporting documentation and evidence to the SECED Executive Director and Mobility Manager/Facilitator within ten (10) business days of issuance of the Notice of Violation. The Appeal must be submitted either by email to [seced@seced.net](mailto:seced@seced.net), or hard copy to the SECED Office, 112 West Elm St, Lamar, CO 81052.

First and Last Name: \_\_\_\_\_ Date of Notice of Violation: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Daytime Phone#: \_\_\_\_\_

Please explain why you believe the Notice of Violation should be considered for appeal. Attach any additional narrative information or evidence as needed:

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_



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### **SETRAN PASSENGER SUSPENSION POLICY**

In the interest of public safety as well as compliance with Federal, State, and local laws, and The SETRAN Passenger Code of Conduct, a person may not engage in any prohibited activity or conduct on any SETRAN vehicles, facilities, or property.

Violation of any Federal, State, or local laws. or the SETRAN Passenger Code of Conduct may subject a person to penalties up to and including:

- A written Notice of Violation;
- Immediate suspension (temporary or permanent); and/or
- Report of illegal conduct to law enforcement.

#### **SETRAN Passenger Suspension Policy and Procedure**

If a rider violates any Federal, State, or local laws, or the SETRAN Passenger Code of Conduct, they may receive a written Notice of Violation, which will notify the person of the violation and the penalty, up to and including permanent suspension. A Notice of Violation may be issued by any' SETRAN driver, employee, supervisor, or manager. Each Notice of Violation may be appealed using the Appeal Procedure.

Any rider receiving a Notice of Violation may be required to exit the SETRAN vehicle, facilities, or property immediately, at the sole discretion of the driver. employee, supervisor, or manager who issued the Notice of Violation. If video or audio recordings of the violating conduct exist, SETRAN management will preserve those recordings for at least ten (10) business days.

#### **1. Penalties**

The following general criteria will be used to determine the penalty for each Notice of Violation issued to a SETRAN rider. A SETRAN supervisor or manager may increase the penalty of a Notice of Violation if the violating conduct is considered extremely dangerous or harmful. A suspended person WiFi not be entitled to any refund of unused fares, including punch tickets.

##### **a. Non-criminal Violations of SETRAN Passenger Code of Conduct**

A person receiving a Notice of Violation for violations of the SETRAN Passenger Code of Conduct within a rolling 24 month is subject to the following general penalties:

- i. First Offense: Written warning.
- ii. Second Offense: Suspension not to exceed 45 days.
- iii. Third Offense: Suspension not to exceed 365 days.
- iv. Fourth Offense: Suspension up to permanent Suspension



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### b. Criminal Offenses

Any criminal offense occurring on SETRAN vehicles, facilities, or property may be reported to law enforcement.

A person receiving a Notice of Violation for a non-violent criminal act within a rolling 24 month is subject to the following general penalties:

- i. First Offense: Suspension not to exceed 45 days.
- ii. Second Offense: Suspension not to exceed 365 days.
- iii. Third Offense: Suspension up to permanent suspension.

A person receiving a Notice of Violation for a violent criminal act within a rolling 24 month is subject to the following general penalties:

- i. First Offense: Suspension up to permanent suspension
- ii. Second Offense: Automatic permanent suspension.

If a person refuses to accept their copy of a Notice of Violation, the copy will be held in the SETRAN Dispatch office and the person shall be de facto suspended from riding SETRAN until the person calls (719) 336-3850 to retrieve the Notice of Violation.

### c. Violation of Suspension

If a person currently under suspension elects to board a SETRAN vehicle or access SETRAN facilities or property without permission, the person may incur additional penalties, up to and including permanent suspension and/or charges for criminal trespass.

## 2. Appeal Procedure

### a. Right to a Review

Every person issued a Notice of Violation shall be entitled to have their appeal reviewed if they appeal within ten (10) business days. The purpose of the review is to determine whether

the evidence (including witness accounts) supports the issuance of a Notice of Violation, whether there are any mitigating circumstances or aggravating factors relevant to the Notice of Violation, whether the length of any suspension is commensurate with the nature of the violation, whether the penalty shall be sustained, modified, reduced, or waived.

### b. Appeal Procedure

A person seeking to appeal a Notice of Violation must submit their request to the Prowers Executive Director within ten (10) business days of issuance of the Notice of Violation. The



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Appeal must be submitted either by email to [ctyadmin@prowerscounty.net](mailto:ctyadmin@prowerscounty.net), or written letter to the SECED Office, 112 West Elm Street, Lamar, CO 81052. If the Appeal is received after ten (10) business days from issuance of the Notice of Violation, the original Notice of Violation and corresponding penalty will be final.

An Appeal submission must include the following:

- i. Completed and signed Appeal Form.
- ii. Copy of passenger's Notice of Violation.
- iii. Any supporting documentation and evidence

If the person issued the Notice of Violation is unable to submit an Appeal, their representative (including a parent or guardian of a minor) may submit the appeal on their behalf, along with verification regarding the representative's right to act on their behalf.

Upon receipt of the Appeal, the Executive Director or the Executive Director's Designee, will contact the person within three (3) business days to confirm receipt and request any additional information or evidence needed.

The Executive Director or Designee will review all relevant information and evidence, consider any mitigating circumstances or aggravating factors, and determine - at his or her sole discretion - whether the Notice of Violation or penalty shall be sustained, modified, reduced, or waived.


Within ten (10) business days of receiving all requested information or evidence, the Executive Director or designee shall issue a signed Final Order explaining all findings and decisions on the Notice of Violation and penalty. If a Final Order cannot be issued within ten (10) business days, the Executive Director or Designee shall stay any issued penalties, including suspensions, until the Final Order can be issued. The Final Order shall be in effect the date it is signed and mailed and/or emailed to the contact on the Appeal Form. If the Final Order modifies, increases, reduces, or waives the Notice of


Violation or penalty, the Final Order shall clearly state the new penalty, including the exact start and end date of any suspension.

SECED "SETran Transit" Program Code of Conduct and Suspension Policy reviewed and adopted this 27<sup>th</sup> day of March, 2024.

  
Tom Grasmick, Board Chair

ATTEST:

  
Bev Middleton, SECED Staff

  
Stephanie Gonzales, Executive Director