



Dallas Area Rapid Transit

RESOLUTION

of the

**DALLAS AREA RAPID TRANSIT BOARD
(Executive Committee)**

RESOLUTION

Approval of Regulations and Code of Conduct

WHEREAS, Section 452.105 of the Texas Transportation Code authorizes DART, by resolution, to adopt rules for the safe and efficient operation and maintenance of the public transportation system; for the use of the public transportation system and the authority's services by the public and the payment of fares, tolls, and other charges; and for the regulation of privileges on property owned, leased, or otherwise controlled by the authority; and

WHEREAS, notice of each rule adopted must be published in a newspaper with general circulation in the area; and

WHEREAS, rules or regulations adopted under this provisions of law become effective 10 days after the date of the second publication; and

WHEREAS, DART has received complaints from its customers about circumstances and the behaviors of others on DART vehicles, at DART facilities, and on DART property. These complaints include behaviors that are similar to those addressed by the proposed regulations; and

WHEREAS, recent surveys of DART customers indicate that safety, security and cleanliness at stops and stations are of concern to DART customers; and

WHEREAS, the Board has recently adopted Goals to increase customer perception of public safety and sense of security, and therefore help build ridership; and

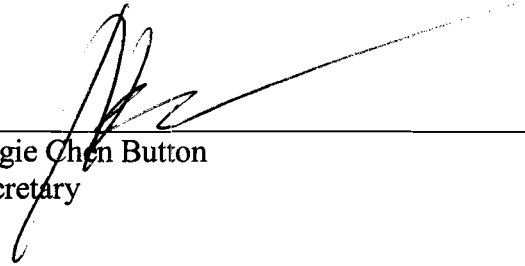
WHEREAS, the proposed regulations will have a direct impact of the ability of management to attain the Board's goals, on the perceptions of DART's customers, and on customer complaints.

NOW, THEREFORE, BE IT RESOLVED by the Dallas Area Rapid Transit Board of Directors that:

- Section 1: The Regulations for the Management of DART, including the general provisions and a code of conduct for persons on DART vehicles, facilities, or property attached to this resolution are adopted.
- Section 2: The President/Executive Director or his designee is authorized to publish notice of the regulations as required by law.

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Approval of Regulations and Code of Conduct

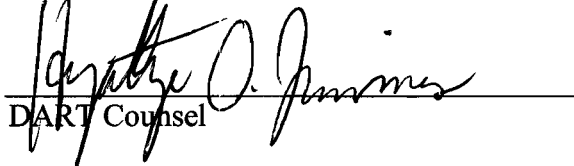


Angie Chen Button
Secretary



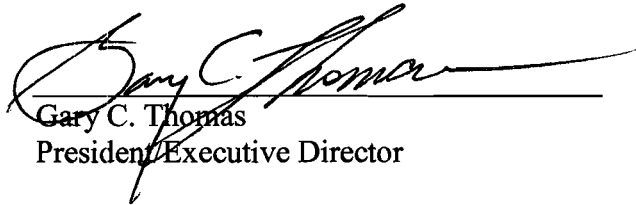
Mark Enoch
Chair

APPROVED AS TO FORM:



DART Counsel

ATTEST:



Gary C. Thomas
President/Executive Director

June 26, 2007

Date

DALLAS AREA RAPID TRANSIT

REGULATIONS FOR
MANAGEMENT OF
THE AUTHORITY

CHAPTER 1 - GENERAL PROVISIONS

Section 1.01. Authority and Purpose.

- (a) Dallas Area Rapid Transit ("DART") is a regional transportation authority created and operating under Chapter 452 of the Texas Transportation Code. These regulations are issued under the general authority of Chapter 452 of the Texas Transportation Code and under Section 452.105 providing that the DART Board of Directors may adopt rules for the safe and efficient operation and maintenance of the public transportation system, use of the public transportation system and the authority's services by the public, and regulation of privileges on property owned, leased, or otherwise controlled by the Authority.
- (b) These regulations also constitute delegations of authority to employees of DART to assist the DART Board of Directors and the President/Executive Director in discharging their management responsibilities under Chapter 452 of the Texas Transportation Code.

Section 1.02. General Principles of Law and Interpretation.

- (a) Unless the context of these regulations requires otherwise:
 - (1) Words in the singular number include the plural, and those in the plural include the singular; and
 - (2) Words of a particular gender include any gender and the neuter, and, when the sense so indicates, words of the neuter gender may refer to both genders; and
 - (3) Words such as "may" when used in context of an action or actions to be taken or performed by an employee or employees of the DART refer to discretionary and non-ministerial functions or assignments of the employee.
- (b) The titles of chapters, sections, and subsections, or other titles contained in these regulations are for convenience and reference only and in no way define, describe, extend, or limit the scope or intent of the substantive provision to which the title applies unless the context so requires.

- (c) Unless otherwise stated, a listing of factors, criteria, or subjects in these regulations does not constitute an order of preference.

Section 1.03. Law Controlling and Severability.

- (a) These regulations shall be interpreted under the laws of the State of Texas applicable to local governmental entities. No waiver of immunity from suit or liability is intended by enactment of these rules or regulations unless authorized by clear and unambiguous language in law.
- (b) If any provision of these regulations, or any application thereof to any person or circumstance, is held invalid, such in-validity shall not affect any other provision or application of these regulations which can be given effect without the invalid provision or application, and to this extent the provisions of these regulations are declared to be severable.

Section 1.04. Specific Repealer. All prior policies and resolutions of the DART Board of Directors that are inconsistent with these regulations are superseded by these regulations.

Section 1.05. Construction Against Implicit Repealer. Since these regulations are general policies of DART, no part of these regulations shall be deemed to be impliedly repealed or modified by subsequent action of DART if such construction can be reasonably avoided.

Section 1.06. Effective Date.

- (a) A notice of each rule adopted by the DART Board of Directors shall be published in a newspaper with general circulation in the area in which the authority is located once each week for two consecutive weeks after adoption of the rule.
- (b) The notice must contain a condensed statement of the substance of the rule and must advise that a copy of the complete text of the rule is filed in the principal office of the authority where the text may be read by any person.
- (c) A rule becomes effective 10 days after the date of the second publication of the notice under this section.

CHAPTER 2 - CODE OF CONDUCT FOR PERSONS ON DART VEHICLES,
FACILITIES OR PROPERTY

Section 2.01. Purpose. DART desires to build, establish and operate a safe, efficient, and effective mass transportation system. For the safety and comfort of all persons, DART has established the following regulations that apply to the conduct of a person that may adversely affect others using or operating the DART transportation system.

Section 2.02. Prohibited Conduct and Enforcement.

- (a) A person is prohibited from committing the following acts on a DART vehicle, DART facility, or DART property unless otherwise specified in this Section:
- (1) Smoke or expel the residue of any tobacco product including chewing tobacco on a DART vehicle or at a DART facility;
 - (2) Consume any alcoholic beverage or possess an open container of any alcoholic beverage on a DART bus or DART Light Rail vehicle;
 - (3) Eating on a DART bus or DART Light Rail vehicle unless medically necessary;
 - (4) Engage in disruptive, disturbing behavior including: loud conversation, profanity or rude insults, or operating any electronic device used for sound without an earphone(s);
 - (5) Take any animal onto a vehicle unless the animal's purpose is to assist a person with a disability, or unless the animal is in training to assist a person with a disability, or unless the animal is secured in a container sufficient to contain the animal.
 - (6) Carry or possess any illegal weapon;
 - (7) Possess or transport any flammable liquid, combustible material or other dangerous substance such as gasoline, kerosene or propane;
 - (8) Litter;
 - (9) Vandalize the vehicle or property by writing, marking, scribbling, defacing or causing destruction to the vehicle or property in any manner;
 - (10) Beg or solicit by forcing yourself upon another person;
 - (11) Spitting, urinating, defecating or exposing one's anus or genitals;
 - (12) Possess, use or sell any controlled substance;
 - (13) Ride a DART vehicle without evidence that the proper fare has been paid;
 - (14) Unauthorized presence on a DART vehicle, DART facility, or DART property after hours of operation;
 - (15) Unauthorized use of a DART facility or DART property for non-transportation related purposes;
 - (16) Crossing DART Light Rail tracks at a location other than at a traffic or pedestrian controlled intersection or at a designated pedestrian crossing;
 - (17) Interfering with the operation of a DART vehicle.

- (b) A person who violates one or more of these regulations may be warned and/or ordered to leave the DART vehicle, DART facility, or DART property immediately by a DART Police Officer, a DART Fare Enforcement Officer, or a DART Bus/LRV Line Supervisor. Situations where a person refuses to leave a DART vehicle, DART facility or DART property after being ordered to do so may be handled by DART Police or other appropriate law enforcement agencies. In the case of a violation of Section 2.02 (a)(13), riding a DART vehicle without evidence that the proper fare has been paid, such situations may be handled in accordance with Texas Transportation Code, Section 452.0611.

- (c) This section does not seek to limit or conflict with any federal, state, or local law or ordinance; or to prevent any law enforcement agency or entity from taking any lawful action against any person on a DART vehicle, DART facility, or DART property.