EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

Passenger Rules of Conduct

Effective: November 18, 2026

01 Purpose and Applicability

The Emeryville Transportation Management Association (ETMA) provides fare-free transportation services that are open to the public and connect employers, residents, shoppers, and visitors with BART and destinations throughout the communities it serves. ETMA also provides charter services to local community organizations. The services covered by these Rules include the Emery Go-Round, the Emery Express, and all other services provided by the ETMA, now or in the future.

These Passenger Rules of Conduct ("Rules") apply to everyone using ETMA services, vehicles, and property, including vehicle stops, shelters, signs, and any facility operated by or on behalf of ETMA. They are intended to protect the safety, comfort, and well-being of passengers and drivers, and to protect the equipment used to provide service. Everyone using ETMA services is expected to treat drivers, staff, and other passengers with consideration, respect, patience, and civility.

ETMA and its contracted service provider reserve the right to refuse service to anyone who does not follow these Rules.

02 Passenger Rules of Conduct

A. Waiting, Boarding, Seating, and Exiting

1. Wait for the vehicle at a designated stop. Stay back from the curb and do not step into the street, block traffic, or approach a moving vehicle.
2. Stay behind the white "limit line" at the front of the vehicle, and wait until the vehicle comes to a complete stop before boarding or exiting.
3. Vehicles board and drop off passengers ONLY at designated stops. Once a vehicle has left a stop, it will not stop again to pick up or drop off passengers until the next designated stop.
4. A vehicle that is at capacity will not stop to board additional passengers. Please wait for the next vehicle.
5. Yield priority and reserved seating to older adults and people with disabilities.
6. Make room for others by moving toward the back of the vehicle. Do not occupy more than one seat, and do not put your feet or belongings on the seats.
7. Keep aisles, doorways, and stairwells clear at all times.

8. Hold on and use caution when moving about the vehicle, especially while it is in motion. Reckless or unsafe actions that could harm others or disrupt service are prohibited.
9. Parents, guardians, and caregivers are responsible for securing infants, small children, and others in their care to prevent falls or injury if the vehicle stops or turns suddenly.
10. Use the stop request signal, if available, to let the driver know you want to exit at the next stop. If there is no stop request signal, tell the driver which stop you need.
11. Use caution when boarding and exiting, and use the rear door, if available, to exit.
12. All passengers must exit the vehicle at the end of the route unless the driver directs otherwise.

B. Wheelchairs and Other Mobility Devices

1. ETMA vehicles are wheelchair accessible. Any passenger who needs the lift or ramp to board or exit, including a passenger who uses a cane or walker or who has difficulty with steps, may ask the driver to deploy it.
2. For your safety, wheelchairs and other mobility devices must be secured in the designated wheelchair area using the vehicle's tie-down system (49 C.F.R. § 37.165(c)). The driver will secure your device, first attaching the front straps, then the rear straps, and then retightening the front straps to confirm the device is secure. Wheelchair brakes must be in good working order when you board.
3. Passengers who use a mobility device are encouraged to use the available personal restraint (seat belt), but ETMA will not require it. You may transfer to a regular seat if you are able; whether to remain in your wheelchair is your choice.
4. Refusing to allow a mobility device to be secured in the manner described above is considered a refusal of securement, and the passenger may be asked to exit the vehicle.
5. ETMA vehicles are designed to accommodate wheelchairs and mobility devices up to 30 inches wide and 48 inches long (measured 2 inches above the ground) that weigh no more than 600 pounds when occupied. ETMA will carry larger devices when the lift and vehicle can safely accommodate the device and its occupant (42 U.S.C. § 12101 et seq.; 49 C.F.R. Parts 37 and 38).
6. Passengers using mobility devices have priority for the wheelchair securement area. Other passengers, strollers, carts, and folding bikes in that area must move or fold when a mobility device user boards.
7. Electric mobility devices may not be operated onboard except when used as a mobility aid by a person with a disability.

C. Strollers, Carts, and Personal Items

1. Strollers, carts, luggage, and other carry-on items must be controlled by their owner at all times and must not block aisles, doorways, or other passengers. Stroller and cart wheels must be locked while onboard.
2. Passengers are responsible for carrying, folding, storing, and controlling their own items. Drivers are not able to assist with personal items, but will assist passengers with disabilities upon request.

3. If space allows, an unfolded stroller or cart may be placed in the wheelchair area. If a passenger with a mobility device boards, you will be asked to fold your stroller or cart and move to a regular seat. If the stroller is occupied and cannot be folded, you may be asked to exit and wait for the next vehicle.
4. Items larger than a stroller or personal shopping cart are not permitted unless collapsed. Items that cannot be reasonably secured and kept out of the aisles, or that create an unsafe condition, are not permitted.

D. Service Animals and Pets

Service animals and small pets may ride ETMA vehicles, subject to the following:

1. A service animal is an animal individually trained to do work or perform tasks for a person with a disability, such as guiding a person who is blind, alerting a person who is deaf, pulling a wheelchair, or alerting and protecting a person having a seizure. Service animals are working animals, not pets, and are welcome on all ETMA vehicles.
2. Service animals must remain under the handler's control at all times. A handler may be asked to remove a service animal if the animal is out of control and the handler does not take effective action to control it, or if the animal poses a direct threat to the health or safety of others.
3. Pets and other animals that are not service animals (including emotional support animals) may ride only if fully enclosed in a secure carrier that the passenger can hold on their lap or place at their feet without blocking the aisle or a seat.
4. An animal must not be a danger or nuisance to other passengers. If an animal misbehaves, the driver may, at their discretion, instruct the passenger to remove the animal from the vehicle.
5. Passengers are responsible for any damage or injury caused by their animal and must immediately clean up any animal waste.

E. Bicycles, Scooters, and Other Wheeled Devices

1. ETMA vehicles equipped with bike racks carry bikes on a first-come, first-served basis. If the rack is full, you will need to wait for the next vehicle.
2. Let the driver know before loading or unloading your bike. Passengers must load and unload their own bikes, remove loose items (bags, bottles, pumps) before loading, and return the rack to the closed position after removing their bike.
3. Do not lock your bike to the rack. ETMA is not responsible for loss of or damage to a bike while it is being loaded, unloaded, or carried on the rack.
4. Folding bikes and folding electric scooters are allowed onboard if they are folded and can be controlled by their owner without blocking aisles, doorways, or seats. Non-folding bikes, scooters, and other devices are not permitted inside the vehicle.
5. Passengers using mobility devices have priority over bikes and other wheeled items. You may be asked to exit and wait for the next vehicle if the space is needed.
6. Riding a bike, skateboard, scooter, roller skates, or rollerblades on a vehicle is prohibited.
7. Gas-powered wheeled devices are prohibited. Devices with damaged, leaking, or visibly swollen batteries are not permitted on the vehicle or on the rack.

F. Eating and Drinking

The following are prohibited on ETMA vehicles:

1. Eating or drinking.
2. Carrying any open beverage container.

Passengers who need to eat or drink because of a disability or medical condition (for example, to manage low blood sugar) may do so.

G. Alcohol, Drugs, and Smoking

The following are prohibited in, on, or in close proximity to ETMA vehicles and stops:

1. Carrying an open container of, or consuming, any alcoholic beverage or controlled substance, unless otherwise authorized by law.
2. Smoking or using tobacco or cannabis products of any kind, including cigarettes, e-cigarettes, vapes, cigars, pipes, and oral tobacco.
3. Using, manufacturing, selling, delivering, or possessing with intent to sell or deliver any controlled substance or counterfeit substance.
4. Being under the influence of alcohol, a drug, or a controlled substance to the extent that you are unable to care for your own safety or the safety of others.

ETMA discourages driving under the influence and encourages alternatives, including its services. However, a driver may refuse service to or remove any passenger who, in the driver's judgment, presents a health or safety risk to themselves, other passengers, the driver, or the vehicle.

H. Weapons and Hazardous Materials

The following are prohibited in, on, or in close proximity to ETMA vehicles and stops:

1. Exhibiting, displaying, or drawing any firearm, dagger, sword, knife, club, or other weapon capable of causing bodily harm in a manner that shows an intent to intimidate or that would alarm a reasonable person for their safety, unless otherwise authorized by law.
2. Discharging or directing a weapon, or any object used as a weapon, at, on, or in close proximity to an ETMA vehicle or any person or object in it.
3. Carrying explosives, acids or corrosives (including large vehicle-type batteries), flammable liquids, or other toxic or hazardous materials.
4. Using any device that produces a flame.

I. Noise and Disruptive Behavior

The following are prohibited:

1. Shouting or engaging in boisterous, unruly, or disruptive behavior.
2. Playing music, video, or other audio that can be heard by others. Please use headphones and keep the volume at a level others cannot hear.
3. Failing to comply with a warning from a driver or ETMA representative to stop creating loud or unreasonable noise, including phone or other conversations that are so loud, lengthy, sexually

explicit, threatening, or violent that they create an unsafe condition or interfere with other passengers' use of the vehicle.

4. Unwanted conversation or contact with other passengers after being asked to stop.
5. Distracting the driver or interfering with the safe operation of the vehicle, including talking to the driver unnecessarily while the vehicle is moving.

J. Civility, Safety, and Respect

ETMA will not tolerate violence or harassment of any kind on its vehicles or property. Any physical or verbal behavior that threatens or endangers a driver, ETMA staff member, employee of an ETMA service provider, or passenger is a violation of these Rules and will be reported to law enforcement for prosecution. Under California law, assault or battery against a transit driver or passenger is punishable by fines of up to $10,000 and imprisonment, and assault with a deadly weapon on a transit driver is punishable by up to five years in prison (California Penal Code §§ 241.3, 243.3, and 245.2).

The following conduct is also prohibited:

1. Fighting, pushing, shoving, injuring another person, or damaging another person's property.
2. Harassment or discrimination of any kind, including acts of racial or ethnic discrimination and hate speech.
3. Inappropriate sexual conduct of any kind, including unwanted sexual comments, indecent exposure, stalking, groping or grabbing, rubbing against someone in a sexual manner, or engaging in or soliciting lewd conduct.
4. Any act likely to provoke an immediate breach of the peace, including threats, fighting words, or inciting violence, including verbal or visual gang signs or provocation.
5. Obscene, threatening, or abusive language or gestures directed at the driver or other passengers.
6. Willfully blocking the free movement of another person on the vehicle or at a stop.
7. Destroying, defacing with graffiti, vandalizing, tampering with, or otherwise damaging ETMA vehicles or property, including stop signs, shelters, and notices.
8. Opening or tampering with emergency doors, windows, or other safety equipment, except in an emergency, or operating any equipment intended for the driver's use.
9. Extending any part of your body or any object out of a window or door, or throwing any object inside, from, or at a vehicle.
10. Hanging or swinging on bars or stanchions, or hanging onto or attaching yourself to the outside of a vehicle.
11. Littering or discarding trash anywhere other than a trash receptacle, or dumping any material, including chemicals, automotive fluids, or bodily fluids, on ETMA property.
12. Spitting on a vehicle, stop, or ETMA property.
13. Sleeping, camping, or storing personal property on or in ETMA vehicles, or remaining onboard at the end of the route after being asked to exit, unless otherwise authorized by law.
14. Selling, peddling, or conducting commercial activity without written authorization from ETMA.

15. Falsely claiming to be an ETMA driver or employee, or wearing clothing, insignia, or equipment designed to create that impression.
16. Stopping, standing, or parking a personal vehicle at an ETMA vehicle stop or in any other location reserved for ETMA vehicles.
17. Disregarding or disobeying the directions of a driver or ETMA representative given in enforcing these Rules.

K. Hygiene and Health

1. Shoes, a shirt, and bottoms must be worn at all times while onboard.
2. Personal hygiene conditions that pose a health hazard to others, such as the presence of bodily fluids, are prohibited.
3. Bringing odors onto a vehicle that endanger the health or safety of others or interfere with their use of the vehicle, whether from one's person, clothing, belongings, or animal, is prohibited. This does not apply to odors resulting from a disability or medical condition.
4. Urinating or defecating on a vehicle or ETMA property is prohibited. This does not apply to a person who cannot comply because of a disability, age, or medical condition.

03 Onboard Cameras

All ETMA vehicles are equipped with cameras that continuously record activity in and around the vehicle during operating hours. Recordings may be reviewed by ETMA, its service provider, and law enforcement to investigate incidents, complaints, and violations of these Rules.

04 Enforcement

Any person who violates federal or state law, these Rules, or other ETMA policy is subject to a notice of violation and to any and all remedies, fines, criminal sanctions, damages, and penalties available by law, and may be refused entry to, or ordered to leave, ETMA vehicles by a commissioned law enforcement officer, ETMA personnel, or ETMA's contracted service provider (in accordance with the terms of its service contract).

Failure to immediately comply with a removal order may be grounds for prosecution for criminal trespass and/or unlawful conduct on a transit vehicle. Drivers are required to report to their supervisor, and the service provider is required to report to ETMA, any violation of these Rules that results in a refusal of service or the need for law enforcement assistance. Upon notice of a violation, drivers and ETMA personnel may take any of the following actions:

- **Warning.** The passenger will be warned that further similar conduct will be grounds for removal from the vehicle and/or future denial of service.
- **Refusal to Board.** If the conduct occurs before the passenger boards, the driver may refuse to allow the passenger onto the vehicle.
- **Removal.** The vehicle will be stopped until the conduct stops or the passenger exits or is removed from the vehicle. Law enforcement may be called to assist.

- **Immediate Refusal.** The passenger may be immediately reseated, refused transportation, or removed from ETMA vehicles without prior written notice if the passenger has engaged in prohibited conduct that, in ETMA's or its designee's discretion, poses a safety or security risk, interferes with the rights of others, or impedes the orderly and efficient operation of ETMA vehicles.
- **Report to Police.** The passenger's conduct may be reported to local law enforcement.
- **Refusal to Comply.** Refusal to immediately comply with a written or verbal notice may result in the passenger being excluded or restricted from ETMA vehicles and may be grounds for prosecution for criminal trespass.

Enforcement of these Rules is not intended to limit, in any manner, the enforcement of any applicable federal, state, or local law. ETMA reserves the right to suspend, waive, modify, limit, or revoke the application of these Rules.

05 Administrative Action and Suspension

ETMA staff will review all reports from drivers, the service provider, and passengers concerning conduct that appears to violate these Rules. Upon review, ETMA may, at its sole discretion:

- Contact the person to notify them of the violation and discuss expectations for their conduct.
- Issue a warning letter or notification.
- Suspend future riding privileges for a definite or indefinite period.
- Notify the appropriate law enforcement agency and pursue arrest and criminal prosecution.
- Contact school authorities, where applicable.
- Pursue any other appropriate legal or administrative remedy.
- Determine that no further action is required.

If ETMA management, in coordination with legal counsel, determines that a person's conduct presents a clear and immediate threat to the safety of passengers or personnel, the person may be immediately suspended from ETMA vehicles and property.

Except where an immediate suspension is necessary to protect public safety, before suspending a person's riding privileges ETMA will make a reasonable effort to contact the person verbally and in writing to warn them that continued conduct will result in suspension. Warning and suspension notices will be provided in a language and format that is accessible to the person. Notices are considered received on the date of email or personal delivery, or three days after the notice is mailed.

Suspensions will be handled as follows:

- **First Offense:** Suspension of riding privileges for up to one week.
- **Second Offense:** A second violation within 12 months of the first may result in suspension for up to one month.
- **Third Offense:** A third violation within 18 months of the second may result in suspension for up to one year.

- **Criminal or Dangerous Conduct:** Conduct that is criminal in nature or threatens the safety of drivers, staff, or passengers will result in immediate and permanent suspension.

06 Youth and Student Riders

These Rules apply equally to youth and student riders. Youth riders who violate these Rules are subject to the enforcement actions described above. When known, violations by youth and student riders will also be reported to a parent or guardian and to school personnel. Parents and legal guardians are responsible for any damage caused by their children. Penalties for youth and student riders are:

- **First Offense:** Verbal warning from the driver and a written incident report sent to the parent or guardian and school contact, if known.
- **Second Offense:** Five-day suspension of riding privileges and a written incident report.
- **Third Offense:** Suspension of riding privileges for the remainder of the academic school year and a written incident report.
- **Criminal or Dangerous Conduct:** Conduct that is criminal in nature or threatens the safety of drivers, staff, or passengers will result in immediate and permanent suspension.

07 Application to Individuals with Disabilities

Nothing in these Rules will be applied in a manner that discriminates against individuals with disabilities. Passengers who need a reasonable modification of these Rules because of a disability may ask the driver or contact ETMA using the information below. It is not discrimination to refuse service to an individual with a disability who engages in violent, seriously disruptive, or illegal conduct (49 C.F.R. § 37.5(h)).

08 Liability

Nothing in these Rules creates a duty to any person on the part of ETMA or forms any basis for liability on the part of ETMA, its officers, directors, agents, contractors, or employees. The obligation to comply with these Rules rests solely with each person using ETMA vehicles and property, and ETMA's enforcement of these Rules is discretionary, not mandatory.

09 Reporting Concerns and Contacting ETMA

In an emergency, call 911. To report a safety concern, a violation of these Rules, or to share a comment or complaint, please contact ETMA and include the date, time, route, and vehicle number if possible:

- **Phone:** (510) 451-3862
- **Email:** transit-info@emerygoround.com
- **Website:** emerygoround.com

Thank you for helping make ETMA vehicles safe and pleasant for everyone.

10 References

- California Penal Code § 640 (infractions and misdemeanors on public transportation systems).
- California Penal Code §§ 594 and 640.5 through 640.8 (vandalism and graffiti).
- California Penal Code §§ 241.3, 243.3, and 245.2 (assault and battery against transit operators and passengers).
- Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.; 49 C.F.R. Parts 37 and 38.