

SUMMARY

This ordinance amends Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, Article II, *Busses*, Division 2, *City Busses*, by adding, Section 47-2-15, *Prohibited conduct subject to removal policy; promulgation of rules*, in order to provide for the efficient management and operation of City Busses and the safety and comfort of City Bus passengers.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 47 of the 2019 Detroit City Code, *Transportation*
3 *for Hire*, Article II, *Busses*, Division 2, *City Busses*, by adding, Section 47-2-15, *Prohibited*
4 *conduct subject to removal policy; promulgation of rules*, in order to provide for the efficient
5 management and operation of City Busses and the safety and comfort of City Bus passengers.

6 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
7 **THAT:**

8 **Section 1.** Chapter 47 of the 2019 Detroit City Code, Article II, Division 2, be amended by
9 adding Section 47-2-15, to read as follows:

10 **CHAPTER 47. TRANSPORTATION FOR HIRE**

11 **ARTICLE II. BUSSES**

12 **DIVISION 2. CITY BUSSES**

13 **Sec. 47-2-15. Prohibited conduct subject to removal policy; promulgation of rules.**

14 (a) In addition to any misdemeanor penalties provided for in this City Code or State
15 law, the following conduct is prohibited on any Detroit Department of Transportation bus or in
16 any Detroit Department of Transportation owned facility and any violators will be subject to
17 removal, suspension, or prohibition pursuant to the Detroit Department of Transportation removal
18 policy, as promulgated under Subsection (b) of this section:

19 (1) Boarding or attempting to board a Detroit Department of Transportation bus
20 without payment or a valid pass, unless the person is in the process of paying the
21 required fare for use of the Detroit Department of Transportation bus system;

22 (2) Interfering with the collection or verification of fares, failing to carry proof of fare
23 payment, or failing or refusing to show proof of fare payment upon proper request;

- 1 (3) Improper use of fare media issued by Detroit Department of Transportation without
2 authorization, as provided in Section 47-2-12 of this division;
- 3 (4) Remaining on the Detroit Department of Transportation bus beyond the final stop
4 or refusing to leave the Detroit Department of Transportation bus or any Detroit
5 Department of Transportation owned facility when ordered;
- 6 (5) Smoking, vaping, consuming alcoholic beverages or marijuana, or illegal drug use
7 on a Detroit Department of Transportation bus or at a Detroit Department of
8 Transportation facility;
- 9 (6) Interfering with the Detroit Department of Transportation bus operator or the
10 operation of the Detroit Department of Transportation bus or obstructing the Detroit
11 Department of Transportation bus operator's view, including standing at the front
12 of the Detroit Department of Transportation bus near the driver's seat and engaging
13 in loud, offensive, or unruly conduct that may distract the Detroit Department of
14 Transportation bus operator;
- 15 (7) Consuming food or drink, as provided in Section 47-2-13 of this Code;
- 16 (8) Playing radios or other sound-producing equipment as provided in Section 47-2-14
17 of this Code;
- 18 (9) Bringing on-board any large articles, packages, baggage, non-collapsible strollers,
19 or equipment in a manner that blocks the aisle and restricts the free movement of
20 passengers;
- 21 (10) Allowing unattended minors five years of age and under who are not closely
22 accompanied by a person 18 years of age or older to board a Detroit Department of
23 Transportation bus;

- 1 (11) Soliciting, selling, loitering, or panhandling on any Detroit Department of
2 Transportation bus or at any transit facility;
- 3 (12) Interfering with the operation of Detroit Department of Transportation bus doors,
4 including but not limited to preventing a Detroit Department of Transportation bus
5 door from closing in order to delay the departure of the Detroit Department of
6 Transportation bus;
- 7 (13) Extending any body part or any item through any door or window of a Detroit
8 Department of Transportation bus while it is in motion;
- 9 (14) Laying down across the floor of the Detroit Department of Transportation bus;
- 10 (15) Laying down across the seats of a Detroit Department of Transportation bus in a
11 manner which inhibits the proper use of seats provided for waiting or boarding
12 riders;
- 13 (16) Hanging onto the exterior of any part of a Detroit Department of Transportation
14 bus;
- 15 (17) Failing to vacate seats on a Detroit Department of Transportation bus designed for
16 use by individuals with disabilities when requested to do so by a law enforcement
17 officer, enforcement agent, Detroit Department of Transportation employee, or
18 designees of Detroit Department of Transportation;
- 19 (18) Carrying or transporting any animal on a Detroit Department of Transportation bus,
20 with the exception of a service animal as described in 49 CFR § 37.3;
- 21 (19) Disposing of garbage, papers, gum, refuse or other forms of trash within the Detroit
22 Department of Transportation bus, except in receptacles provided for such purpose;

- 1 (20) Depositing, blowing, or spreading any bodily discharge on or in any part of the
2 Detroit Department of Transportation bus ;
- 3 (21) Fighting, including Assault, or Battery;
- 4 (22) Except as otherwise provided by law, bringing any inherently dangerous items on-
5 board a Detroit Department of Transportation bus or in Detroit Department of
6 Transportation facilities including weapons such as pistols, rifles, knives or swords;
7 flammable liquids; dangerous, toxic or poisonous substances; or vessels containing
8 caustic materials, chemicals, or acids;
- 9 (23) Engaging in behavior that is disruptive, harassing, or threatening in nature to
10 Detroit Department of Transportation passengers or employees, including
11 following or stalking passengers or employees, or prolonged loud, abusive,
12 indecent, or drunken conduct;
- 13 (24) Using or offering for passage any fraudulent transfer, ticket, pass, payment token,
14 or other fare medium;
- 15 (25) Stealing or willfully damaging, defacing, destroying, or tampering with Detroit
16 Department of Transportation property. In addition to issuing a level II violation,
17 the City will prosecute anyone who steals or willfully damages, defaces, or destroys
18 Detroit Department of Transportation property;
- 19 (26) Lighting an incendiary device;
- 20 (27) Indecent exposure or other form of sexual misconduct, as provided for in this Code
21 or State law; or
- 22 (28) Picketing, demonstrating, distributing leaflets or handbills, displaying a sign,
23 engaging in oral protest, educating or counseling others, other than in the areas that

1 shall be designated for such conduct by the Director of the Detroit Department of
2 Transportation, provided that such designations are done so in a manner that is
3 narrowly tailored to serve a significant government interest, and leave open ample
4 alternative channels for communication of the information.

5 (b) The Detroit Department of Transportation is empowered to promulgate the policy
6 and procedures governing the removal, suspension or prohibition for prohibited conduct in this
7 section, in accordance with Section 2-111 of the 2012 Detroit City Charter.

8 Secs. ~~47-2-15~~ 47-2-16 – 47-2-30. Reserved.

9 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are
10 repealed.

11 **Section 3.** This ordinance is hereby declared necessary for the preservation of the
12 public peace, health, safety, and welfare of the people of the City of Detroit.

13 **Section 4.** Where this ordinance is passed by a two-thirds majority of City Council
14 Members serving, it shall be given immediate effect and shall become effective upon publication
15 in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is
16 passed by less than two-thirds majority of City Council Members serving, it shall become effective
17 30 days after publication in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

Approved as to form:

Conrad L. Mallett
Corporation Counsel