



Policy Title:	Rules of Conduct for Transit Vehicles, Facilities and Properties
Revision Number:	40.14 Rev. 2026
Effective Date:	2026
Prepared By:	Katie Heikkila
Reviewed By:	Art Blauvelt

Rules of Conduct for Transit Vehicles, Facilities and Properties

I. INTRODUCTION

Grays Harbor Transportation Authority (DBA Grays Harbor Transit “GHT”) Transit Vehicles, Facilities, and Properties are intended to provide Public Transportation Services for the benefit of the general public. Pursuant to RCW 36.57, and in order to maintain Public Transportation Services that are orderly, safe, secure, comfortable, and convenient, the following Rules of Conduct for GHT Transit Vehicles, Facilities, and Properties (the “Rules of Conduct”) have been adopted by the GHT Board of Directors. The Rules of Conduct are intended to regulate conduct occurring on with GHT employees, on GHT transit vehicles, within or upon GHT facilities and properties, and in connection with GHT’s provision of Public Transportation Services.

The Rules of Conduct consist of three separate articles, which include the following:

- Article I -- Introduction
- Article II -- Definitions
- Article III -- Regulation of Conduct
- Article IV – Public Communication Activities

Unless otherwise provided herein, reference to the phrase “Rules of Conduct” shall collectively include Articles I through IV.

If any one or more of the provision(s) in the Rules of Conduct shall be declared by any court of competent jurisdiction to be contrary to law, then such provision(s) shall be null and void and shall be deemed separable from the remaining provisions in the Rules of Conduct and shall in no way affect the validity of the other provisions of the Rules of Conduct.

II. DEFINITIONS

As used in these Rules of Conduct, the words herein shall have the meanings provided in this Article II. Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Words imparting the singular number shall include the plural numbers and vice-versa, unless the context shall otherwise dictate.

- A. "ADA" shall mean The Americans with Disabilities Act.
- B. "Business Day" means each day GHT's Administrative Office is open, excluding holidays and weekends.
- C. "Bus Shelters" shall mean those structures located in transit vehicle loading zones that provide cover for the general public to board and alight transit vehicles.
- D. "Commercial Activity or Activities" shall mean any enterprise or venture by groups or individuals for the purpose of promoting or selling products or services to GHT Employees or the general public, whether for profit or not.
- E. "Fixed Route or Fixed Route Services" means a system of transporting individuals (other than by aircraft), including the provision of designated Public Transportation Services by public entities and the provision of transportation service by private entities, including, but not limited to, specified Public Transportation Services, on which a vehicle is operated along a prescribed route according to a fixed schedule as defined by 49 CFR §37.1.
- F. "General Public" shall mean any Person or group of Persons, including GHT Employees not acting in an official capacity at the time.
- G. "GHT Employee" shall mean any part-time or full-time, temporary or regular, exempt or non-exempt, represented or non-represented person, including an intern or contracted party, who is compensated by GHT for services by wages, salary, or other remuneration.
- H. "GHT Facilities and Properties" shall mean all facilities, structures, schedule and news racks, kiosks, fare vending machines, cameras and camera components, bulletin and information boards, bus stops, bus stop signs, lands, interest in lands, air rights over lands, and rights of way of all kinds that are owned, leased, held, or used by GHT for the purpose of providing Public Transportation Services, including, but not limited to transit centers, bus shelters, and bus stops on public streets and sidewalks that are used by the general public to board and alight transit vehicles.
- I. "News racks" shall mean any stand, box, structure, rack, or other device, which is designed and used for the sale of and/or distribution of newspapers, periodicals, magazines, or other publications or combinations of the same.
- J. "Paratransit or Paratransit Services" means comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems as defined by 49 CFR §37.3. GHT refers to paratransit as Specialized Van Services (SVS) or HarborFlex.
- K. "Park-and-ride lots" shall mean locations at which persons park their individual vehicles and transfer to a transit vehicle or car/rideshare vehicles, including all physical improvements and landscaping.
- L. "Permit" shall mean a permit that gives a Permittee authority to conduct public communication activities in a manner consistent with applicable endorsements, limitations, rules, and procedures described in these Rules of Conduct.
- M. "Permittee" shall mean any individual, firm, partnership, corporation, organization, association, or entity of any kind who obtains a Permit as described above.
- N. "Person" shall mean any individual, firm, partnership, corporation, organization, association or entity of any kind.

- O. "Public Communication Activity or Activities" shall mean the posting or distributing of flyers, pamphlets, brochures, books or other written material, collecting petition signatures, political campaigning, demonstrating, displaying signs, picketing, unscheduled playing of musical instruments or other performances, public speaking, conducting surveys, soliciting or receiving of funds or contributions of any kind for any purpose, or otherwise communicating or attempting to communicate to the general public.
- P. "Public Transportation Services" shall include the definition of Public Transportation Services in RCW 36.57, together with rideshare and fixed route and paratransit services, whether operated by GHT or any governmental agency, private person, firm, or corporation contracting with GHT pursuant to chapter RCW 36.57.
Rideshare or Rideshare Services" shall mean a voluntary commuter ridesharing arrangement, using vans with a seating capacity greater than seven (7) Persons (including the driver) or buses, which provides transportation to a group of individuals traveling to and from their homes to their regular places of work within the same geographical area, and in which the commuter/driver does not receive compensation beyond reimbursement for their costs of providing the service as defined by 49 CFR §37.3.
- Q. "Rules of Conduct" shall mean the Rules of Conduct adopted by the Board of GHT in April 2018, and amended thereto on February 10, 2026, which regulate conduct occurring on GHT transit vehicles, within or upon GHT facilities and properties, and in connection with GHT's provision of Public Transportation Services.
- R. "Transit Centers" shall mean locations where bus routes have a common terminus, and facilities are provided to facilitate general public boarding and alighting of transit vehicles, including all physical improvements and landscaping.
- S. "Transit-related Activities" shall mean activities associated with the provision or support of GHT Public Transportation Services, the use of those services by the general public, or GHT sales, promotion, and maintenance activities in support of GHT Public Transportation Services.
- T. "Transit Vehicle" shall mean a municipal transit vehicle defined in RCW 46.04.355.

III. REGULATION OF CONDUCT

A. Prohibited Conduct

The following conduct is prohibited on GHT vehicles, within or upon GHT facilities and properties, and in connection with GHT's provision of public transportation services:

1. Engaging in any conduct prohibited by RCW 9.91.025 or prohibited by any federal, state or municipal civil or criminal law;
2. Use of chewing tobacco except at a designated place; use of any nicotine or smoking device which causes any smoke, mist, vapor or the like to be emitted through its use, within twenty-five (25) feet of any GHT transit vehicle, shelter, or other public transportation facility, or within twenty-five (25) feet of any entrance, window, or air intake opening of GHT buildings; smoking or carrying a lighted or smoldering pipe, cigar, or cigarette within twenty-five (25) feet of any GHT transit vehicle, shelter or other public transportation facility, or within twenty-five (25) feet of any entrance, window, or air intake opening of GHT buildings (RCW 9.91.025, RCW 70.160.020(1)(2) and RCW 70.160.030);

3. Discarding litter other than in designated receptacles (RCW 9.91.025);
4. Dumping or discarding, or both, any materials on transit property, including but not limited to hazardous substances and automotive fluids (RCW 9.91.025);
5. Playing any radio, recorder, or other sound-producing equipment, except that nothing herein prohibits the use of the equipment when connected to earphones or an ear receiver that limits the sound to an individual listener or the use of communications devices by GHT employees and GHT contractors or public safety officers in the line of duty, or the use of private communications devices used to summon, notify, or communicate with other individuals, such as pagers and cellular phones (RCW 9.91.025);
6. Spitting, expectorating, urinating or defecating; except in the appropriate plumbing fixtures in restroom facilities (RCW 9.91.025);
7. Failure to maintain a reasonable level of personal hygiene. It is not GHT's objective to enforce personal hygiene standards on the public, but in order to maintain a clean and safe environment to all who use GHT's vehicles and property, passengers who may contaminate an area due to blood, urine, fecal matter, or other body fluids will be refused transportation. This includes those whose body odor is so offensive that others would complain and vacate the immediate area;
8. Carrying any flammable liquid, explosive, acid, or other article or material likely to cause harm to others except that nothing herein shall prevent a person from carrying a cigarette, cigar, or pipe lighter or carrying a firearm or ammunition in a way that is not otherwise prohibited by law (RCW 9.91.025);
9. Intentionally obstructing or impeding the flow of GHT vehicles or passenger traffic, hindering or preventing access to GHT vehicles, facilities and properties, including causing unreasonable delays in boarding or alighting, blocking or partially blocking an aisle or stairway with a package or object, reclining in more than one seat, or in any way interfering with or seriously disrupting the provision or use of transit services (RCW 9.91.025);

10. Disturbing others by engaging in loud, raucous, unruly, harmful, violent, threatening or harassing behavior (flashing gang signs or displaying gang colors is considered harassing behavior); (RCW 9.91.025); Destroying, defacing, or otherwise damaging GHT property, vehicles or facilities;
11. Consuming an alcoholic beverage or is in possession of an open alcoholic beverage container on transit vehicles, facilities or property, unless authorized by the GHT and required permits have been obtained; (RCW 9.91.25)
12. Consuming, opening, having an open package containing marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates on GHT facilities and properties or in transit vehicles; including possessing marijuana or marijuana products in transit vehicles except in a package, container or receptacle that has not been opened or the seal broken or contents partially removed. (RCW 46.61.745/RCW 69.50.445);
13. Carrying, exhibiting, displaying, or drawing any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons, unless otherwise authorized by law (RCW 9.41.270);
Throwing an object at/in a transit vehicle, at a transit facility or property, or at any person at a transit facility with intent to do harm (RCW 9.91.025);
14. Roller skating, roller blading or skateboarding on GHT facilities and properties (RCW 9.91.025);

15. Riding bicycles, unicycles, mopeds and motorcycles on GHT property, except where public vehicle travel and access is permitted;
16. Eating or drinking on GHT vehicles or in prohibited areas of GHT facilities and properties;
17. Drinking, except from a spill-proof covered container, on GHT vehicles or in prohibited areas of GHT facilities and properties; Allowing any animal to occupy a seat on transit property, to run at large, to unreasonably disturb others, to leave waste matter on transit Agency property, to board transit vehicles unless secured in an approved pet container, or to interfere with transit-related activities. Exceptions will be made for service animals;
18. Using a public address system, loudspeaker or other sound amplifying device, except as authorized by GHT or its designee (RCW 9.91.025);
19. Using GHT property for residential or commercial parking purposes except as authorized by GHT or its designee;
20. Sitting or lying on floors of transit vehicles, planters, handrails, stairs, counters, window sills, or any other area or fixture not specifically designed for seating purposes, or floors, sidewalks, asphalt, or other ground covering in or on GHT facilities and properties;
21. Sleeping, camping or storing personal property on benches and floors on or within GHT vehicles, facilities and properties, unless otherwise authorized by law;
22. Entering or remaining upon any non-public areas of GHT facilities and properties, including, but not limited to, staging areas, work areas and equipment rooms, except when authorized by GHT or its designee;
23. Seats and areas marked as "Reserved" or "Eligible Riders Only" are intended for riders who qualify for that designation. Customers who are not eligible may not enter or remain in these areas when requested to vacate for an eligible rider.;
24. Entering GHT vehicles, facilities or properties without wearing a shirt, shoes, or pants unless medical accommodation is pre-authorized by the transit agency to allow for coverings other than shoes;
25. Engaging in commercial activities, except as such activities are authorized by GHT or its designee in a written permit, license, concession contract, lease, or other written authorization;
26. Engaging in public communications activities on GHT facilities, properties or transit vehicles, except as such activities are authorized by Article IV.
27. Engaging in any civic, cultural, or other special event, not included in the definitions of
28. commercial or public communication activities in Article II herein, except as such activities are authorized by GHT or its designee in a written permit, license, concession contract, lease, or other written authorization;
29. Committing any act which tends to create or incite, or creates or incites an immediate breach of peace, including, but not limited to (a) fighting, (b) racing, (c) obscene language and noisy or boisterous conduct tending to cause a breach of the peace, and (d) personally abusive epithets, or words or language of an offensive, disgusting or insulting nature, which epithets, words or language when addressed to the ordinary citizen are, as a matter of common knowledge, inherently likely to provoke a violent reaction of fear, anger or apprehension;
30. Engaging in sexual activity with self or others while accessing or riding a transit vehicle; or on GHT facilities or properties;
31. Displaying or reading pornographic material where others may see it;

32. Engaging in gambling or any game of chance for the winning of money or anything of value on GHT transit vehicles, facilities or properties (RCW 9.91.025);
33. Using of GHT vehicles, facilities and properties for non-transit-related activities, except as authorized by GHT or its designee in a written permit, license, lease or other written authorization (RCW 9.91.025);
34. Refusing to allow proper securement of a wheelchair on GHT vehicles;
35. Entering GHT vehicles, facilities, or properties when lacking the ability to care for
36. oneself because of illness, intoxication, or medication(s);
37. Extending an object or a portion of one's body through the door or window of a GHT vehicle;
38. Hanging or swinging on bars or stanchions with feet off the floor while on transit property or hanging onto or otherwise attaching oneself to the exterior of a transit vehicle or other transit property;
39. Engaging in any physical sport activity on transit property;
40. Loitering or "hanging out" (customers are expected to board the next scheduled transit vehicle traveling in the direction of their destination);
41. Missing scheduled paratransit trips without notifying the agency at least one hour prior to the scheduled pick-up time will be considered a "no-show" and recorded as such. GHT reserves the right to temporarily suspend an individual's eligibility for paratransit service if the individuals' paratransit history indicates three (3) no-shows in any consecutive thirty (30) day period. Trips missed by the individual for reasons beyond their control will not count as no-shows;
42. Impeding paratransit service through non-compliance with the paratransit procedures;
43. Failing to pay the appropriate fare as required by GHT, including failure to display proof of payment when requested to do so by a person designated to monitor fare payment or failure to depart the bus or other mode of public transportation when requested to do so by a Person designated to monitor fare payment (RCW 36.57A.230/RCW 9.91.025);
44. Falsely representing oneself as eligible for a special or reduced fare or using any permit or pass related to a transit vehicle by making a false representation of eligibility (RCW 9.91.025);
45. Falsely claiming to be a transit operator, other transit employee, or volunteer; or through words, actions and/or the use of clothes, insignia or equipment resembling department issued uniforms and equipment, creating a false impression that they are transit operator, other transit employee, or volunteer (RCW 9.91.025);
46. Interfering or tampering with mobile data computers, fare boxes, or any other equipment on GHT vehicles or properties;
47. Laying hands or verbally intimidating a transit operator or transit employee, including spitting on them.
48. Violating an exclusion order issued pursuant to paragraph B.2 of Article III herein;
49. Engaging in other conduct that is inconsistent with the intended use and purpose of transit vehicles or GHT facilities or properties and refusing to obey the lawful commands of an agent of the transit authority or a law enforcement officer to cease such conduct (RCW 9.91.025); and
50. Violating any federal, state, or municipal civil and criminal laws.

B. Enforcement

1. Exclusion from Service

- a) Basis for exclusion.** Any person engaging in prohibited conduct under these provisions of Article III, Section A, may be refused entrance upon, ordered to leave, or otherwise restricted in the use of GHT vehicles, facilities, or properties by a commissioned law enforcement official, GHT personnel, or authorized personnel of a GHT contracted service provider. Failure to immediately comply with such a removal or exclusion order may be grounds for prosecution for criminal trespass and/or unlawful transit conduct.
- b) Immediate Exclusion or Removal.** A GHT employee may immediately reseal, refuse transportation, or remove from GHT vehicles, facilities, or properties without prior written notice a person who has engaged in prohibited conduct under Article III, Section A, which, in the GHT employee's discretion, poses a safety or security risk, interferes with or impinges on the rights of others, impedes the free flow of the general public, or impedes the orderly and efficient use of GHT vehicles, facilities, or properties. If an individual who is immediately excluded or removed is also excluded from future access to GHT vehicles, facilities, or properties, GHT should, to the extent possible, give notice to that individual of the future exclusion pursuant to section (B)(1)(c).
- c) Notice procedure.** GHT shall give a person to be excluded from GHT vehicles, facilities, or properties written notice, to the extent possible, by personal delivery or by U.S. Postal Service Priority Mail, delivery confirmation requested, addressed to the person's last known address. The notice shall specify the reason for exclusion, identify the scope, duration, and effective date of the exclusion, and explain the appeal process. The exclusion notice is effective upon actual or constructive receipt.
- d) Constructive Receipt.** Receipt of an exclusion notice is construed to have occurred if the person knew or reasonably should have known from the circumstances that they are excluded from GHT vehicles, facilities or properties. Receipt of an exclusion notice is also presumed to have been accomplished three (3) calendar days after the notice has been placed in the U. S. mail to the person's last known mailing address or delivered in person by a GHT designee.
- e) Refusal to Comply.** The refusal to immediately comply with an order excluding a person from GHT vehicles, facilities, or properties shall be grounds for prosecution for criminal trespass.
- f) Length of exclusion.** The following guidelines shall be used by GHT in determining the duration of a particular exclusion for engaging in prohibited conduct under the provisions of Article III. The actual exclusion period imposed may be shorter or longer depending on the circumstances of each case. Circumstances considered by GHT in determining the length of exclusion may include, but are not limited to, the circumstances of the incident and the individual's history of documented prior conduct/incidents while using or accessing GHT vehicles, facilities, or properties. **Permanent exclusion may be appropriate under certain circumstances.**

- (1) If the person being excluded has had no policy violations, including exclusions or removals, in the prior 12 months, and

- a. The prohibited conduct would constitute a misdemeanor in Washington State or be prohibited by RCW 9.91.025, the duration of the exclusion should not exceed 30 days.
 - b. The prohibited conduct would constitute a felony in Washington State, the exclusion should not exceed 90 days.
 - (2) If the person being excluded has had one prior policy violation, including exclusions or removals, in the prior 12 months, and
 - a. The prohibited conduct would constitute a misdemeanor in Washington State or be prohibited by RCW 9.91.025, the duration of the exclusion should not exceed 60 days.
 - b. The prohibited conduct would constitute a felony in Washington State; the exclusion should not exceed 90 days.
 - (3) If the person being excluded has had two or more prior policy violations, including exclusions or removals, in the prior 12 months, and
 - a. The prohibited conduct would constitute a misdemeanor in Washington State or be prohibited by RCW 9.91.025, the duration of the exclusion should not exceed 90 days
 - b. The prohibited conduct would constitute a felony in Washington State; the exclusion should not exceed 120 days.
 - (4) If the prohibited conduct is identified as a crime against a person or involves a firearm or other dangerous weapon, the duration of the exclusion could range from 365 days to permanent.
- g) Appeal procedure.** Not later than 15 calendar days after an exclusion notice becomes effective, an excluded person may appeal in writing to the GHT Operations Manager for a review of the exclusion. The appellant may request a hearing, or the appellant may request review without a hearing based on a written statement setting forth the reasons why the appellant believes exclusion is invalid or improper. If the appellant is unable to respond in writing, GHT will make reasonable accommodations. If no hearing is requested, the GHT Operations Manager, or his or her designee, shall render a written decision within twenty (20) calendar days after GHT's receipt of the appeal.

h) Hearing. Hearing. If the appellant does request a hearing, the hearing shall be held within thirty (30) calendar days after GHT's receipt of the appeal, and the hearing may be recorded (see consent form). GHT's Operations Manager, or his or her designee, shall render a written decision within twenty (20) calendar days after the hearing. The appellant may be represented by counsel and may present witnesses to testify upon oath or affirmation in support of the appeal. The Operations Manager may also hear from witnesses who testify upon oath or affirmation, and he or she may examine evidence during the appeal hearing. The exclusion shall remain in effect during the appeal process.

If an appellant requires public transportation service to attend the hearing, the appellant shall contact GHT's Operations Manager five (5) business days prior to the hearing date, and GHT shall make arrangements to provide the necessary public transportation services for the appellant.

i) Missed trips (no-shows) on paratransit vehicles. The appeal and hearing provisions in the subsections above shall not apply to exclusions based on a violation of Article III, Section A.43 herein concerning missed paratransit trips. The written notice of such violation provided for in section (B)(1)(c) above shall provide the appellant an opportunity to appeal within sixty (60) days after notice of exclusion is received. The appeal process shall include an opportunity to be heard and to present information and arguments. The exclusion is stayed pending the outcome of the appeal.

2. Other Laws Not Limited

The enforcement of this regulation of conduct herein is not intended to limit, in any manner, the enforcement of any applicable federal, state, or municipal laws.

C. Liability

Nothing in this regulation herein shall create a duty to any person on the part of GHT or form any basis for liability on the part of GHT, its officers, agents or employees. The obligation to comply with Article III is solely that of any person entering and using GHT vehicles, facilities, or properties, and GHT's enforcement of Article III is discretionary, not mandatory.

IV. PUBLIC COMMUNICATIONS ACTIVITIES

A. Purpose and Scope

1. Non-Public Forum

As a provider of public transportation services, GHT makes a variety of transit vehicles, facilities, and properties available to persons who use such public transportation services. Although these transit vehicles, facilities, and properties may be accessed by the general public, they are not open public forums either by nature or by designation. They are intended

to be used solely for transit-related activities and provide little, if any, space for other non-transit-related activities.

2. GHT's Legitimate Interests

Most public communication activities are prohibited on GHT vehicles and within or upon GHT facilities and properties regardless of the viewpoint expressed, because they are incompatible with GHT's legitimate interests. These legitimate interests include, but are not limited, to the following:

- a) securing the use of scarce parking spaces and bus shelter space for persons who are using public transportation services;
- b) maintaining safe, clean, and secure transit vehicles, facilities, and properties to retain existing, and attract new, users of public transportation services;
- c) reducing litter pick-up and other maintenance or administrative expenses so as to maximize the provision of public transportation services; and
- d) preventing delays and inconvenience to the general public by minimizing congestion and expediting boarding, transferring, and alighting from GHT vehicles.

3. Purpose of Article IV and GHT Vehicles, Facilities, and Properties

GHT vehicles, facilities, and properties are first and foremost intended for Transit Agency public transportation services and the use of those services by the general public. Safe and efficient movement of GHT vehicles and customers within and upon facilities and properties is paramount to achieving safety, security, maintenance, and operation objectives and meeting general public expectations concerning the GHT's provision of public transportation services. GHT's intent and desire is to allow members of the general public to engage in public communication activities on GHT vehicles or within or upon GHT's facilities and properties to the extent that such activities are compatible with GHT's legitimate proprietary functions and interests.

Accordingly, GHT is, within reasonable limits, authorized to regulate the time, place, and manner in which persons engage in public communication activities. Without regard to content, individuals, or groups involved, some activities might be denied altogether, made subject to the Rules of Conduct, or limited by scope, location, or duration. Such activities would include, but are not necessarily limited to, those that are inconsistent with the intended purpose of a given area; pose safety or security risks; interfere with or impinge on the rights of others; impede the free flow of the general public; affect the orderly and efficient use of transit vehicles, facilities, or properties; or otherwise interfere with GHT's public transportation services, operations, or maintenance activities.

GHT expressly does not hereby designate its transit vehicles, facilities, or properties as public forums. It is the purpose of Article IV to describe the limited extent to which the general public is allowed to engage in public communication activities on GHT vehicles and within or upon GHT facilities and properties.

Article IV does not apply to GHT employees engaged in authorized activities in the course of their employment or to events or commercial activities previously authorized by GHT.

4. Facilities Governed by Article IV

All GHT vehicles, facilities, and properties are governed by Article IV herein.

B. Regulation of Public Communication Activities

1. Limitations

Public communication activities, which are otherwise lawful, are permitted on GHT vehicles and within or upon GHT facilities and properties, subject to the following exceptions and limitations:

- a) Posting, projecting or affixing flyers, pamphlets, brochures, leaflets, displays, or any other written, printed, or graphic materials of any kind is prohibited.
- b) Selling or offering for sale or donation books, pamphlets, or any other written, printed, or graphic material is prohibited.
- c) Soliciting funds is prohibited.
- d) Signs, banners, structures, displays, or other paraphernalia may not be affixed to, projected on, or erected on GHT vehicles or within or upon GHT facilities or properties, except as authorized by GHT or law.
- e) Signs carried by or on a person are permitted, provided that the signs are not constructed of a size or material that could inadvertently or intentionally cause injury to a person or property, and provided that the signs are not permitted on GHT vehicles. Signs may not be of a size that obstructs the free flow of the general public and may not exceed 32 inches by 32 inches. A “sandwich board” sign may not extend beyond the carrier’s shoulders or, if used by a Permittee, beyond the permitted area.
- f) Public communication activities will not be permitted in parking areas or roadways. Public communication activities may not block any loading zone,

signage, stairway, escalator, elevator, customer service counter, ticket or automatic teller machine, authorized commercial activity, fire safety system component, telephone, information board, or the normal general public paths to and from such areas.

- g) Public communication activities otherwise permitted under Article IV are prohibited if the number of persons engaged in the activities, their location, or the manner of conducting the activities creates safety or security problems; interferes with the free flow of persons onto GHT vehicles or into, within, or from GHT facilities or properties; or interferes with the operation of such transit vehicles, facilities, or properties, or GHT's provision of public transportation services.
- h) Persons engaged in public communication activities within or upon GHT facilities and properties shall not use any parking spaces provided at such facilities or properties unless they are also using GHT's public transportation services

C. Permitting Procedures

1. **Permit.** No person shall engage in public communication activities permitted under Article IV without first obtaining a Permit in accordance with the rules and procedures set forth herein.
2. **Application for Permit.** Any person that desires to obtain a Permit shall submit an application ("Application") to GHT's Operations Manager or his or her designee. A copy of the form of this Application is attached hereto as Appendix 2. Applications may be obtained in person from GHT's Business Office (address and hours of operation here). Applications may also be requested by mail or by calling (telephone number) during the Business Officer hours of operation
3. **Issuance of Permit**
 - a) Within a period of no longer than five calendar days of receipt of a completed Application, a Permit shall be issued by GHT's Operations Manager or his or her designee, or the applicant shall be furnished a written statement setting forth the reason why the Application for a Permit had been denied. A Permit will not ordinarily be issued more than 14 calendar days prior to the commencement of intended use and will be valid only for the specific dates, times, and designated areas identified in the Permit. A Permit shall be effective for a period of no longer than seven calendar days and will be limited to the normal hours and days that the designated areas identified in the Permit are open for public access. Applications shall be processed in the order of their receipt

- b) A Permit may be renewed prior to its expiration for up to seven additional calendar days by filing with GHT's Operations Manager or his or her designee a notice that the Permittee intends to continue the activity, together with any amendments necessary to keep the information required by the Application current and accurate. A Permit shall not be renewed if the notice and information herein required are not timely filed or if the continued presence of the Permittee cannot be accommodated under these rules and procedures.
 - c) Permittees are required to have the Permit on their person (or with the group) when engaged in the permitted activity and to present the Permit to GHT and security personnel upon request. A copy of the form of the Permit is attached hereto as Appendix 3.
- 4. Denial of Permit.** If a Permit is denied, GHT's Operations Manager or his or her designee shall serve on the applicant personally or by US Postal Service Priority Mail, delivery confirmation requested, a written statement of reasons for the denial. A Permit shall not be denied unless:
- a) The applicant has not furnished the information required by the Application, or the applicant has failed to agree to the conditions of the Permit;
 - b) Conditions exist which make the applicant's proposed activity at the date, time, or location proposed by the applicant incompatible with GHT's operational function or is otherwise limited or prohibited under Article IV;
 - c) The nature of the activity that the applicant wishes to conduct constitutes a commercial activity subject to other requirements of GHT described in Article III herein;
 - d) There has been within the previous 12 months: (i) an exclusion order issued to the applicant or participant pursuant to Article III herein; (ii) a revocation of a previous Permit issued to the applicant; or (iii) a failure to comply with the terms and conditions of a Permit previously issued to the applicant; or
 - e) One or more applicants have requested Permits for the same date, time, or location; GHT cannot reasonably accommodate additional public communication activities at that same date, time, or location; and the current applicant is not entitled to priority in accordance with these rules and procedures.
- 5. Revocation of Permit.** A Permit may be revoked immediately by GHT's Operations Manager or his or her designee, when evidence exists that:
- a) A Permittee has violated the provisions of the Permit or these Rules of Conduct,
or

- b) The activity has attracted a crowd of sufficient size so as to begin to adversely impact the safety, security, or rights of others; the free flow of the general public; or the normal operation requirements of the transit vehicle, facility, or property. Before revoking a Permit, the Operations Manager or his or her designee may, but is not required to, give Permittees verbal warnings of any violations of the Permit or these Rules of Conduct or return a Permit after adverse conditions that existed at the time of revocation are no longer present.

6. Notice of Revocation

- a) Notice of revocation shall be in writing, supported by a statement of facts and a list of witnesses to the facts stated, and be personally served upon the Permittee or mailed to the Permittee by US Postal Service Priority Mail, delivery confirmation requested. A notice of revocation need not be in writing if immediate conditions exist that pose safety or security risks; interfere with or impinge on the rights of others; impede the free flow of the general public; affect the orderly and efficient use of the transit facility; or otherwise interfere with GHT's public transportation services, operations, or maintenance activities. If written notice of revocation is not given because of such immediate conditions, the GHT Operations Manager or his or her designee shall, within three calendar days from the date of revocation, prepare a written notice of revocation as required above.
- b) Once a Permit has been revoked, a person shall not continue their activity until another Permit has been obtained or the revoked Permit returned. If the Permit has been revoked on a permanent basis, all materials involved in the terminated activity must be removed immediately by the individual(s) involved.

7. Appeal from Denial or Revocation.

- a) Upon notification of the denial of a Permit or revocation thereof, an applicant or Permittee may file with GHT's General Manager a notice of appeal.
- b) Upon GHT's receipt of the notice of appeal, the matter shall be set for a hearing before GHT's General Manager within fifteen calendar days. The General Manager or his or her designee shall issue a notice of hearing which shall be sent by certified mail, return receipt requested, to the applicant or Permittee, and which shall contain the date, time, and place of the hearing.
- c) At the hearing, the applicant or Permittee may be represented by legal counsel. Testimony shall be taken upon oath or affirmation first of witnesses in support of the denial or revocation. The applicant or Permittee may then testify and present witnesses on his or her behalf. A record shall be made of the proceeding and kept on file with GHT for at least three years.

- d) The General Manager's findings and order shall, within seven calendar days of the conclusion of the hearing, be sent to the applicant or Permittee by US Postal Service Priority Mail, delivery confirmation requested.

8. Availability of and Limit Upon Permits.

- a) Permits will be issued on a first-come, first-serve basis, subject to availability, provided that GHT may give preference to an applicant or applicants who have had the least opportunity during the preceding 30 calendar days to conduct public communication activities. Permits shall be issued without regard to the identity of the person or cause for which the Permit is being requested.
- b) For safety and security reasons; to ensure that the free flow of the general public and the intended transportation functions of the transit vehicles, facilities, and properties are met; and to accommodate other activities competing for the limited available space; a maximum of four (4) individuals representing the same groups or causes will be allowed to engage in public communication activities at any given time.

9. Transferability. Upon written approval by GHT's Operations Manager, a Permit may be transferred to another person engaged in the same activity, provided that the receiving party complies with the conditions of the Permit and retains it on her or her person during the activity.

10. Reproduction. Permits may not be reproduced or altered in any manner. Reproduced or altered Permits will be considered invalid and confiscated. The holder of the invalid Permit will be required to cease their activity until a valid Permit is obtained.

11. Signs, Banners, Literature, Etc. Signs, banners, literature, leaflets, posters, structures, or other paraphernalia may not be affixed to the GHT vehicles, facilities, or properties or erected in conjunction with an activity, unless space has otherwise been provided for such purpose or under a provision stated elsewhere in these rules and procedures. Permittees may offer literature to the general public, but they shall refrain from attempting to distribute literature to any member of the general public who indicates he or she does not desire to receive said literature. Permittees may not distribute or offer to distribute said literature within ten (10) feet of persons in queue lines, bus exits or entrances, or permanent waiting fixtures, unless invited closer by a transit patron.

12. Responsibility for Clean-up. Permittees shall be responsible for cleaning up litter that they personally (or as a group) generate in the course of their activity. If, at the end of the Permittee's activity, the Permittee fails to clean up such litter, GHT shall cause the clean-up of the Permittee's litter and the Permittee shall reimburse GHT for all costs incurred therefore.

- 13. Unattended Distribution and Storage of Materials.** No Permittee shall leave unattended distribution or storage of materials, placards, boxes, or other supplies used in support of public communication activities.
- 14. Hold Harmless.** Any Permittee, including Permittee's personal representatives, successors in interest, and assigns, shall, as a precondition to the issuance of any Permit, agree to indemnify, defend and hold harmless GHT and its officers, agents, and employees from all suits, claims, actions, and damages of whatsoever kind or nature arising out of or resulting from Permittee's use of the premises, except to the extent caused by the negligence of GHT and its officers, agents, and employees. Any Permittee shall further covenant and agree to specifically assume potential liability for actions brought by Permittee's own employees against GHT and its officers, agents, and employees and, for that purpose only, Permittee specifically waives any immunity under workers' compensation act, Title 51 RCW, provided, however, that said waiver shall not apply to such actions in which Permittee's employee alleges that the claim arises through no fault of Permittee, unless the fault of Permittee is established through discovery or at trial.
- 15. Interaction with the General Public.** GHT and its officers, agents, and employees, shall not unnecessarily interfere with any consensual conversation between Permittees and members of the general public. Permittees shall forthwith terminate any conversation with any member of the general public when requested to do so by the addressee. No person, while engaged in public communication activities, shall physically touch or contact a member of the general public, unless the person has previously consented to the contact or unless the person has previously agreed to contribute to the Permittee or the organization that he or she represents.
- 16. Misrepresentation.** No person, while engaging in solicitation of funds, shall misrepresent the true purposes for which the resources obtained will be utilized by the person. In the solicitation of funds, the person shall inform the person being solicited of the true intent of the organization for which said funds are solicited. No false, fraudulent, or misleading statements or representations shall be made.
- 17. Permits and Licenses.** The Permittee shall be responsible for obtaining all necessary permits and licenses from any other regulatory agencies required for the Permittee's use of transit vehicles, facilities, or properties. Permittee shall provide copies of said permits to GHT upon its request.
- 18. Compliance with the Rules of Conduct and Laws.** Permittees shall abide by the Rules of Conduct and all applicable federal, state, and municipal criminal and civil laws.

D. General

1. Liability for Clean-up

Any person engaged in public communication activities and found responsible for litter, damages, or destruction of property, whether by accident or intent, shall be responsible for the clean-up and/or liable for the cost of repairing or replacing the damaged or destroyed property.

2. Liability of GHT

Nothing in Article IV or in the permission of public communications activities on GHT vehicles or within or upon GHT facilities or properties shall create a duty to any person on the part of GHT or form any basis for liability on the part of GHT or its agents or employees. The obligation to comply with the requirements of Article IV is solely that of any persons engaging in public communication activities and GHT's enforcement of Article IV is discretionary, not mandatory.

3. Non-GHT Use

Notwithstanding the limitations and prohibitions contained in Article IV, GHT reserves the right to enter into leases or other use agreements permitting non-GHT uses of GHT vehicles, facilities, or properties that are found to be compatible with GHT's proprietary functions and interests.