

SUBJECT: Modify WMATA Tariff to Adopt a Policy Regulating the Use of Automatic Balancing Wheeled Conveyances, Accept D.C. Circulator Transfers, and Provide Free Travel for Sheriffs

2005-34
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, The Board of Directors adopted Resolution 83-73, authorizing a permanent Bike-On-Rail Program allowing cyclists to transport bicycles on Metro trains under set guidelines in WMATA's Tariff on Metro Operations, and adopted Resolution 94-37, authorizing the General Manager/Chief Executive Officer (GM/CEO) to modify the Bike-On-Rail Program "based on the system needs to accommodate the bicycle community without impacting the riding public" with notice to the Board of Directors; and

WHEREAS, The GM/CEO has modified the Bike-On-Rail Program to provide more flexibility for the bicycling community on Metrorail and to allow bicycles to be transported in Metrobus racks, such that the Program is now known as the Bike-N-Ride Program more fully detailed in WMATA's Tariff on Metro Operations; and

WHEREAS, Battery-powered, non-collapsible, self-balancing wheeled personal transportation devices not contemplated by the Bike-N-Ride Program, (Automatic Balancing Wheeled Conveyances or ABWCs), including but not limited to those ABWCs marketed under the brand-name Segway, are being used in the Metrorail system in absence of a policy regulating their use; and

WHEREAS, Customers using ABWCs, including members of the disabled community, have requested that WMATA establish a policy for using these devices in the Metrorail system; and

WHEREAS, Staff recognizes that there are competing policy concerns between ABWC users and the safety and convenience of WMATA's Metrorail customers; and

WHEREAS, Staff recommends that the Board of Directors modify the WMATA Tariff on Metro Operations to adopt an ABWC policy, attached as Exhibit A; and

WHEREAS, The creation of the District of Columbia's Circulator Bus Service and the desire to integrate that service with Metrobus service requires a Tariff change to authorize the acceptance of transfers from the D.C. Circulator bus service; and

Motioned by Mr. Smith, seconded by Mr. Zimmerman

Ayes: 6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Graham, Mr. Smith

WHEREAS, The proposed treatment of transfers from the D.C. Circulator bus service is similar to the treatment accorded other local bus services as set forth in WMATA Board Resolution 2004-30; and

WHEREAS, Both Sheriffs (and their deputies) and police are both law enforcement officers and, therefore, should be treated equally; and

WHEREAS, Staff believes that the provision of free transit to members of Sheriff's Departments of contributing jurisdictions while not in uniform is desirable but not clearly addressed in the Tariff; now, therefore be it

RESOLVED, That the Board of Directors modifies the WMATA Tariff on Metro Operations to adopt the ABWC policy as shown on Exhibit A; and be it further


RESOLVED, That the GM/CEO shall have the authority to modify the ABWC policy based on the system needs to accommodate the ABWC-using community without adversely impacting the riding public and shall notify the Board of Directors accordingly; and be it further

RESOLVED, That the Board of Directors modifies the WMATA Tariff on Metro Operations section labeled Metrobus Fare Structure to add a line to the Bus Transfers subsection to authorize the acceptance of transfers from the D.C. Circulator, with the transfer to be valued at \$1.25 for both regular and express service; and be it further

RESOLVED, That the Board of Directors modifies the WMATA Tariff on Metro Operations Rule 7.c. of the section on General Rules and Regulations to read as follows: "Sworn non-uniformed police and members of the sheriff's offices of the WMATA contributing jurisdictions, when presenting a WMATA-issued ID card." as shown on Exhibit B; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe
General Counsel

22. Automatic Balancing Wheeled Conveyance (ABWC)

The Washington Metropolitan Area Transit Authority (WMATA) developed the Use of Automatic Balancing Wheeled Conveyance (ABWC) Program to provide safe integration of the use of certain wheeled conveyances within the Metrorail system. In general, the public may bring ABWCs into the Metrorail system but not operate them within the system, subject to the terms and conditions of this section. An exception to the ban on the operation of ABWCs within the Metrorail system permits registered persons with disabilities to operate ABWCs in the Metrorail system as provided by this section. This Program covers battery-operated wheeled devices for the conveyances of a person which can have a footprint no greater than 19 inches x 25 inches and maximum platform height of 8 inches. This policy does not cover motorcycles, mopeds, tricycles, motor-powered bicycles [including electric and gasoline-powered bicycles], and any other wheeled conveyance, that exceed the size restrictions stated above. Such wheeled conveyances are prohibited within the Metrorail system. WMATA reserves the right to amend or terminate this policy at any time to ensure the safe and/or efficient use of Metrorail.

WMATA allows ABWCs that meet the size restrictions, inside the railcars from Monday through Friday, at any time except 7:00 A.M. to 10:00 A.M. and 4:00 P.M. to 7:00 P.M.; all day Saturday and Sunday; and all day on the following holidays: Martin Luther King Jr. Day-observed, President's Day-observed, Memorial Day, Labor Day, Columbus Day-observed, Veterans Day, Thanksgiving Day, Christmas Day and New Year's Day. ABWCs are **not allowed** in the Metrorail system on Inauguration Day, the Fourth of July, during major marches, or other large special events.

An ABWC will not be powered on or operated within the Metrorail system except by persons with disabilities and under the terms and conditions of this section. Any ABWC brought into the Metrorail system except by a registered person with a disability shall be pushed or pulled by the person bringing the ABWC into the Metrorail system. No ABWC will be allowed on escalators. If a level change is required, the ABWC will be allowed in an elevator.

At all times, Metro Station Managers or Metro Transit Police may exercise discretion to temporarily deny ABWC users access to station mezzanines and platforms during periods of passenger congestion until the congestion is cleared.

WMATA allows ABWCs to be operated in the Metrorail system only by persons with disabilities meeting the following requirements:

- 1) The person has obtained a certification in either WMATA's Reduced Fare Program or MetroAccess Program;

- 2) The person has obtained and submitted a certification from a doctor that the person uses an ABWC as a mobility device on a form which is approved by WMATA and the certification of which is approved by WMATA;
- 3) The person has received in-person rail system orientation provided by WMATA;
- 4) The person has been issued a registration by WMATA and that registration is displayed on the ABWC while being used in the Metrorail system;
- 5) The ABWC can only be used by the person to whom it is registered; and
- 6) The ABWC cannot be operated in the Metrorail system faster than a normal walking speed.

ABWCs registered and operated under these requirements are exempt from time restrictions on the use of ABWCs within the Metrorail system Monday through Friday, 7:00 A.M. to 10:00 A.M. and 4:00 P.M. to 7:00 P.M.

Age Limits: Anyone under the age of 16, bringing an ABWC into the Metrorail system shall be accompanied by an adult (someone over the age of 18). An adult shall accompany only one child with an ABWC at a time. Persons with ABWCs who are registered as persons with a disability are not covered by this age limit.

Liability: ABWC users are responsible for their own ABWC and all actions, injuries, losses and/or damages resulting from their ABWC in station areas and aboard trains under this program.

While in the Metrorail system with an ABWC, customers must observe the following conventions within the Metrorail system:

- Pay the appropriate fare.
- Yield to pedestrian traffic.
- Enter and exit the system through the extra-wide gates.
- Use the elevators to access mezzanines and platforms.
- Must remain in control of their ABWC at all times.
- Enter rail cars through the end doors. Limit of four ABWCs per railcar, two at each end, without blocking isles.
- Shall not ride or otherwise operate ABWCs within the station or paid area, with the exception of customers with a WMATA-registered ABWC. The "power assist" mode, or any other mode that engages the ABWC battery may not be used when walking the ABWC within the station or paid area.
- ABWCs registered as a mobility device may not be operated inside the Metrorail system at a speed greater than the walking speed of other customers.
- Shall wait for trains as far away from the granite edge as possible.
- Shall leave the device on the train or in the station in an emergency that requires an evacuation.

ABWCs are not permitted on Metrobus.

7. Free Transportation

- a. All former and active WMATA Board members and Officers, all active and retired WMATA employees, spouses of designated former AB&W employees, when presenting a valid identification card.
- b. Police of the local governing bodies of the WMATA transit zone when in uniform; also, when in uniform, the state police of Maryland and Virginia, the U.S. Park Police, the U.S. Capitol Police, the Secret Service, and local sheriff's offices.
- c. *Sworn non-uniformed police and members of the sheriffs' offices of the WMATA contributing jurisdictions, when presenting a WMATA-issued ID card.*
- d. Children under five years of age when accompanied by a paying passenger, except that not more than two children under five years of age will be permitted to ride free with one paying passenger. Children five years of age or over must pay full fare. In case of doubt, operator must courteously inquire of the accompanying passenger. The accompanying passenger's statement will be accepted.

* Italicized language is the language changed by this Resolution.