

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address [REDACTED]		
INCIDENT DETAIL		
Category INATTENTIVENESS/NEGLIGENCE	Type 201 PASSUP/DIDNT W8	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 49 VAN NESS-MISSION	Direction INBOUND	
Incident Date 01-25-2019	Incident Time 15:22	
Vehicle Number 6670	Location MARKET ST VAN NESS AVE SAN	
Department FLN OPS	Division FLYNN	
Employee ID [REDACTED]		
Employee Physical Description n/a		
<p><b>Incident Details</b> Per Muni patron. It was bus 6670. I told him hold on, hold on. Im visually impaired. Im trying to get on at the back door. I couldnt get on. The door shut. He was still there and he wouldnt let me on. I was at the stop on the side of the Walgreens going north. I hit my cane on the side of the bus. While he was sitting there I saw the bus number. They should ask drivers to be a little more courteous.</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 01-25-2019		
Date Closed 07-29-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 201 PASSUP/DIDNT W8	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 14R MISSION RAPID	Direction OUTBOUND	
Incident Date 02-06-2019	Incident Time 13:30	
Vehicle Number 6615	Location MISSION AND 2ND NEAR NEW M	
Department FLN OPS	Division FLYNN	
Employee ID [REDACTED]		
Employee Physical Description Caucasian, blonde, tall, slim		
<p><b>Incident Details</b> Per Muni patron: The 14R refused to pick me up—I have a buggy with my service dogs. He would not put out the lift or open the front door. He told me to go to back door. I told him it was too high—I can't lift the buggy that high. I'm disabled; I have a buggy and 2 service dogs. I asked him, I asked him to please lower the lift and put out ramp. He told me to get on at back. And drove away. He was really nasty.</p> <p>And a girl standing there, getting on the bus hit me. She went around between the bus stop and garbage can. She had a buggy. I was coming around to get in back of her. I rode the space between the road curb and area around large garbage cans, you know they are the nice ones, round and brown....don't look like a garbage can. I pushed the buggy in front of her and slightly bumped her wheel. I said excuse me. She started screaming at me, called me old woman and a bitch. FU and then hit me. I'm ok. She assaulted me. She said you hit me first. She got on the bus.</p> <p>The driver had had blondish hair. He was sitting but looked tall, slim, Anglo-Saxon caucasian.</p> <p>Both of these issues happened with the bus right in front of 7213.</p> <p>Additional info. from customer via email on 2/27/19: The driver pointed, directing at me to enter the same entrance she had gotten on which was one space down from the front door. I considered this young woman to be dangerous and didn't want to get in the same door. Perhaps more importantly I was/am physically incapable of lifting my Service Dog buggy high up and up stairs into the bus floor. The driver kept the first door shut, when I tried to tell him I couldn't enter this door, he just drove away. The driver is blond looked like maybe he was tall and of medium build. Perhaps about 50 yrs old</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 02-06-2019		
Date Closed 07-11-2019		
Resolution Code [REDACTED]		

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
INCIDENT DETAIL		
Category INATTENTIVENESS/NEGLIGENCE		Type 209 NO PULL TO CURB
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 44 O SHAUGHNESSY		Direction INBOUND
Incident Date 02-07-2019		Incident Time 17:42
Vehicle Number 8646		Location DIAMOND ST BOSWORTH ST SAI
Department WDS OPS		Division WOODS
Employee ID [REDACTED]		
Employee Physical Description Male driver, unsure of details- patrons eyesight is poor		
<p><b>Incident Details</b> ADA Patron reports: "I was standing at the bus stop closest to the diamond street side of the shelter. A 52 bus came around and stopped there- I was checking the Nextbus information on my phone and it said that there was a 44 arriving. I looked back and the bus wasnt there. I then walked down to see but there were people in my way. There were people in the way in the shelter and they did not move out of my way. By the time I got to the bus he was closing his doors. He was not at the bus zone- he was in the street which is why I couldnt see him. I got to the doors and knocked and he just pulled ahead. I yelled in case he couldnt see me- and I was left standing there with my cane. The driver had to stop for the light and I went up to the door and knocked again and refused to let me on. He then told that since I knocked on the door I jeopardized his bus and that was why he wouldnt let me on. He also told me that he had passed a later bus and there was another bus right behind him. I said that I couldnt see it but he said it was there. I felt like I was going to be left at the station for who knows how long. My eyesight is bad and it was difficult for me to get the number of the bus. This has been an ongoing problem- when the buses stop so far from the sidewalk we cannot see the bus. Please contact me by email to schedule an accessibility hearing."</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 02-07-2019		
Date Closed 02-12-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 201 PASSUP/DIDNT W8	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route T THIRD BUS	Direction INBOUND	
Incident Date 02-11-2019	Incident Time 09:24	
Vehicle Number 8316	Location 3RD ST REVERE AVE SAN FRANK	
Department GRN OPS	Division GREEN	
Employee ID [REDACTED]		
Employee Physical Description MALE		
<p><b>Incident Details</b> PATRON STATES: "The T shuttle bus that just stopped at 3rd and Revere, which I have been waiting at for quite some time, stopped. The driver stopped at the bus stop but lets 7 people get on the bus and says that I can wait for the next bus. He can read and I can read and we both know that people in the wheelchair deserve a priority. It says there on the bus. I want this driver to be dealt with. He needs to understand that people in a wheelchair deserve priority."</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 02-11-2019		
Date Closed 03-13-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 201 PASSUP/DIDNT W8	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 54 FELTON	Direction OUTBOUND	
Incident Date 02-22-2019	Incident Time 16:18	
Vehicle Number 8635	Location 3RD ST INNES AVE SAN FRANCIS	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description Asian male, no hair		
<p><b>Incident Details</b> Patron states: "When the bus leaves Newhall between Innes and Hudson, the next stop is 3rd and Innes heading to Daly City. The driver stopped in the intersection and let somebody get on the bus which is not an authorized stop. I was at the authorized stop, I was waving at the driver so we can board, he rolls right by. Fortunately at the corner of Jerrold and 3rd he caught a red light I was able to catch up with him, which I should not have to do, he should have stopped at the proper stop. The next time he sees me well be in a hearing room on the 3rd. I am in a wheelchair."</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 02-22-2019		
Date Closed 03-15-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]		Email [REDACTED]
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category DISCOURTEOUS/INSENSITIVE/INAPPROPRIATE CONDUCT		Type 301 DISCOURTESY
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 19 POLK	Direction OUTBOUND	
Incident Date 03-01-2019	Incident Time 12:20	
Vehicle Number 8102	Location 8TH ST MARKET ST SAN FRANCI	
Department KIR OPS	Division KIRKLAND	
Employee ID [REDACTED]		
Employee Physical Description Female driver, African american		
<p><b>Incident Details</b> ADA Patron states: "I boarded the bus 8th and Market and there were two people who had to take two walkers off the bus. The driver was already frustrated and yelled at me to hurry up. I asked for the lift and she was upset and was acting rude- I think that she didnt want to do it again since she already had to do it twice for the other people. Once I got inside she yelled at me to hurry up and get off the lift. She pushed the walker off the lift while I was using it. After this happened I asked her why she was acting this way and told her that I was going to report her. She said that she didnt care. Another passenger then told me that the driver wont lose her job and wanted to know why I was going to report her."</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 03-01-2019		
Date Closed 04-08-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 207 REF KNEEL/LOW	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 43 MASONIC	Direction OUTBOUND	
Incident Date 03-03-2019	Incident Time 11:50	
Vehicle Number 8635	Location LAGUNA ST CHESTNUT ST SAN F	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description Female, Black woman, may be in late 20s or early 30s		
<p><b>Incident Details</b> Patron states the bus number is 8635 The driver stopped at least two feet from the curb. I have an unseen disability with my knee. I am 75 years old."I asked the driver could she please open the ramp for me?".The driver said "no". "I asked why?" and she said "I can only open the ramp for people in wheelchairs" I said really, drivers do it for me all the time. The driver said I can pull the bus closer and I said thats fine. I appreciate that, but I dont think not opening the ramp was the right thing to do. Basically my complaint is that she refused to open the ramp for me, I am seventy five years old and I have the knee problem which is unseen. Patron states this is ADA related.</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 03-03-2019		
Date Closed 05-14-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 210 REF SVC ANIMAL	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 27 BRYANT	Direction	
Incident Date 03-10-2019	Incident Time 09:58	
Vehicle Number 8874	Location WASHINGTON ST HYDE ST SAN I	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description African American male with mustache, extremely short hair, heavy set in his 30s, about 5		
<p><b>Incident Details</b> Patron stated that "I have a disability and I boarded the 27 bus to go downtown from Washington and Hyde. I told the bus driver that my dog was a service dog and he started questioning if I needed a service dog and he started getting really angry. He kept getting angrier and said you can get off of my bus! I even offered to show him my disability card. He was not wearing his uniform he was wearing a gray hoodie so I asked him for his number. Then he ended up taking the whole bus out of service after 3 stops just after Trader Joe's and made people get off because he said he wasn't comfortable with me. I can see if I was a crack head or drunk and disorderly but I'm a nice kind person and I'm not any trouble at all. I really hope someone takes a look at this and takes this seriously. I don't know what it is about this line but there a few rotten eggs on this line and there is training needed but there are some really good drivers too. I really think this guy needs some sort of disciplinary action. It's not kind policy and not legal. I would really love it if he did not drive this line anymore. I would like someone to review the video and contact me back about it."</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 03-10-2019		
Date Closed 03-15-2019		
Resolution Code [REDACTED]		



<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address		
<b>INCIDENT DETAIL</b>		
Category UNSAFE OPERATION	Type 107 FALL WITH INJURY	
ADA? X	Title VI?	Other Disc. X
Trapeze Line/Route 5 FULTON	Direction OUTBOUND	
Incident Date 03-15-2019	Incident Time 15:45	
Vehicle Number 8601	Location MCALLISTER ST LARKIN ST SAN	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description thin build, Chinese male, about 45 yrs		
<p><b>Incident Details</b> Patron stated, " I go the front door because I saw two people got off and he said slammed the front door on my arm , he said you have to use the back door and because the door was closed I removed my arm and I walked to the back door and got on , I then walked up to the front of the bus and I asked him for his number and he wouldnt give it to me and I saw it on his uniform. This was meanness and I want to pursue this. This was a mean thing to do to a senior citizen."</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 03-15-2019		
Date Closed 06-07-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 202 IGN STP REQUEST	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route N JUDAH	Direction INBOUND	
Incident Date 04-08-2019	Incident Time 10:58	
Vehicle Number 2056	Location CABRILLO ST LA PLAYA SAN FR/	
Department GRN OPS	Division GREEN	
Employee ID [REDACTED]		
Employee Physical Description Male - medium built with crop top hair cut.		
<p><b>Incident Details</b> Patron states: Yes, I want Muni to call me and I want a copy of this complaint send to me by mail as my internet is not working. I am disable and can hardly walk. I waved at the operator while I was heading over to the ramp at La Playa/Cabrillo to board. He looked at me and saw me going all the way around to get to the ramp. He did not open door. Someone hold the door open to let me on. I was only taking the train for x2 stops. He said I did not pulled bell to request my stop, which I did, and dropped me off at the stop after. Now I have to walk to my intentional stop. Muni operator should be assume whether a person is handicap just by looking at the appearance! It was the train right before vehicle no. 1490B.</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 04-08-2019		
Date Closed 05-06-2019		
Resolution Code [REDACTED]		

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
INCIDENT DETAIL		
Category INATTENTIVENESS/NEGLIGENCE	Type 201 PASSUP/DIDNT W8	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route F MARKET & WHARVES	Direction INBOUND	
Incident Date 04-20-2019	Incident Time 10:55	
Vehicle Number 1079	Location 5TH AND MARKET/	
Department GRN OPS	Division GREEN	
Employee ID [REDACTED]		
Employee Physical Description Possibly a black male		
<p>Incident Details patron states that, " i was at the inbound corner at 5th and market and I was at the elevator for the street car and the operator passed me by. I am in a wheelchair."</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 04-20-2019		
Date Closed 08-07-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 201 PASSUP/DIDNT W8	
ADA? <input checked="" type="checkbox"/>	Title VI? <input type="checkbox"/>	Other Disc. <input checked="" type="checkbox"/>
Trapeze Line/Route N JUDAH	Direction INBOUND	
Incident Date 05-02-2019	Incident Time 12:40	
Vehicle Number 1528	Location JUDAH ST LA PLAYA SAN FRANC	
Department GRN OPS	Division GREEN	
Employee ID [REDACTED]		
<b>Employee Physical Description</b>		
<p><b>Incident Details</b> Patron stated: "Going up ramp at end of N Judah . There was a lady IFO me with a stroller, the guy saw me and he shut the door on me. Im tired of this its discrimination. I tried to run but I cant run fast, I was waving but he pretended not to see me I pressed the button and he still took off."</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 05-02-2019		
Date Closed 07-26-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 201 PASSUP/DIDNT W8	
ADA? <input checked="" type="checkbox"/>	Title VI? <input type="checkbox"/>	Other Disc. <input checked="" type="checkbox"/>
Trapeze Line/Route N JUDAH	Direction INBOUND	
Incident Date 05-12-2019	Incident Time 18:25	
Vehicle Number 1415	Location LA PLAYA JUDAH ST SAN FRANC	
Department GRN OPS	Division GREEN	
Employee ID [REDACTED]		
Employee Physical Description heavysset african american male goatee & mustache		
<p>Incident Details ADA Patron stated " I was at the handicapped ramp and the N Judah passed me u. The driver waived me to go off the ramp and stand in line with everyone else. Im going to get a lawyer and Im going to sue them for distress and discrimination."</p> <p>05/21/19: Not Title VI, box unchecked , no Title VI basis for complaint. I am forwarding to customer Service for further processing. KLB</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 05-12-2019		
Date Closed 07-26-2019		
Resolution Code [REDACTED]		

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
INCIDENT DETAIL		
Category DISCOURTEOUS/INSENSITIVE/INAPPROPRIATE CONDUCT		Type 301 DISCOURTESY
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 49 VAN NESS-MISSION		Direction OUTBOUND
Incident Date 05-22-2019		Incident Time 16:50
Vehicle Number 6714		Location OTIS ST./S. VAN NESS
Department FLN OPS		Division FLYNN
Employee ID [REDACTED]		
Employee Physical Description Middle-aged male with dark hair and tan hat		
<p><b>Incident Details</b> 1. THIS IS AN ADA COMPLAINT. PLEASE MAKE AN ADA HEARING FOR THIS COMPLAINT.</p> <p>2. I AM FORMALLY REQUESTING ALL VIDEO FOOTAGE DURING THE TIME OF THIS INCIDENT. IN THE PAST MUNI / SFMTA HAS NEGLECTED TO PROVIDE THIS FOOTAGE WITHOUT ADDITIONAL COMPLAINTS. PLEASE DO NOT MAKE ME FILE MORE COMPLAINTS, I HAVE A RIGHT TO THE RECORDED VIDEO FOOTAGE.</p> <p>I am a disabled wheelchair using MUNI customer.</p> <p>I was waiting to board the 49 outbound bus today at Otis Street and S. Van Ness to go home between 4 - 5pm. I had already waited for other buses and was patiently waiting for a bus to be not too full or not have other wheelchair passengers so that I could return home after my doctors appointment. I was in a lot of pain and needed to get back into bed to rest and take my medication.</p> <p>When the 49 bus, number 6714 arrived, the driver did not even pull up to the curb, which required me to go into the street to try and board. The driver then told me the bus was too full and that there were seniors occupying the seats. There were no wheelchair passengers on the bus that I could see. I pointed out to the driver that many of the passengers in the senior and disabled area did not look like seniors (over the age of 65).</p> <p>The entire right side of the bus looked like it was unoccupied by seniors. In fact, one of the passengers in the senior seating even took the time to get out of the disability seating and step off the bus to yell at me for holding up the bus. The driver of course did nothing about this.</p> <p>While talking to the driver another passenger came up to the front of the bus and said "you stupid motherfucker, get the fuck out of here." The driver did nothing about this either and continued to blame me. The driver then took the bus out of commission and said, "Im calling." I asked the driver who he was calling but he refused to answer that question. While asking the driver to get on the bus, another bus drove around us and away, so I could not get on that one either. I pointed this out to the driver and he blamed me, clapping his hands</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 05-22-2019		
Date Closed 11-15-2019		
Resolution Code [REDACTED]		



## SFMTA - Muni Complaint

[Enter Personal Details](#) > [Enter Service Request Details](#) > [Review & Submit](#) > [Attach Photo\(s\) / File\(s\)](#) > [Print & Track](#)

### Successfully Submitted

Your Tracking Number is: 10898402

May 22 2019 11:44PM

Please print a copy for your records. You may close your browser when done.

#### Customer Contact Information:

First Name:  
Last Name:  
Primary Phone:  
Alternate Phone:  
Email Address:  
Address:  
City:  
State:  
Zip Code:



#### Request Details:

Category: Conduct - Discourteous/Insensitive/Inappropriate Conduct  
Type: 301 Discourtesy to Customer  
Expected Response Time:  
I have read the disclaimer: Y  
Vehicle Number: 6714  
Employee ID:  
Employee Physical Description: Middle-aged male with dark hair and tan hat  
Line/Route: 49 - VAN NESS/MISSION Outbound toward City College via Civic Center and Mission district.  
Incident Date/Time: 05/22/2019 04:50 PM  
Location: Otis st.  
Cross Street: S. Van Ness

#### Details:

1. THIS IS AN ADA COMPLAINT. PLEASE MAKE AN ADA HEARING FOR THIS COMPLAINT. 2. I AM FORMALLY REQUESTING ALL VIDEO FOOTAGE DURING THE TIME OF THIS INCIDENT. IN THE PAST MUNI / SFMTA HAS NEGLECTED TO PROVIDE THIS FOOTAGE WITHOUT ADDITIONAL COMPLAINTS. PLEASE DO NOT MAKE ME FILE MORE COMPLAINTS, I HAVE A RIGHT TO THE RECORDED VIDEO FOOTAGE. I am a disabled wheelchair using MUNI customer. I was waiting to board the 49 outbound bus today at Otis Street and S. Van Ness to go home between 4 - 5pm. I had already waited for other buses and was patiently waiting for a bus to be not too full or not have other wheelchair passengers so that I could return home after my doctors appointment. I was in a lot of pain and needed to get back into bed to rest and take my medication. When the 49 bus, number 6714 arrived, the driver did not even pull up to the curb, which required me to go into the street to try and board. The driver then told me the bus was too full and that there were seniors occupying the seats. There were no wheelchair passengers on the bus that I could see. I pointed out to the driver that many of the passengers in the senior and disabled area did not look like seniors (over the age of 65). The entire right side of the bus looked like it was unoccupied by seniors. In fact, one of the passengers in the senior seating even took the time to get out of the disability seating and step off the bus to yell at me for holding up the bus. The driver of course did nothing about this. While talking to the driver another passenger came up to the front of the bus and said "you stupid motherfucker, get the fuck out of here." The driver did nothing about this either and continued to blame me. The driver then took the bus out of commission and said, "I'm calling." I asked the driver who he was calling but he refused to answer that question. While asking the driver to get on the bus, another bus drove around us and away, so I could not get on that one either. I pointed this out to the driver and he blamed me, clapping his hands in a mocking gesture and said "kudos to you!" I believe the driver violated MUNI conduct by: 1. Not asking people to vacate seats to try and make space for me to board. I understand that sometimes the buses are too full, but the driver did not even try. 2. Mocking me and blaming me for simply wanting to get onto the bus 3. Not pulling to the curb and requiring me to go into the street to try and board 4. Letting other passengers cuss and yell at me, and doing nothing about it. 5. Taking the bus out of commission just because I wanted to board. This angered other passengers who then blamed me. 6. Blocking the bus zone by taking it out of commission so that the following bus could not pick me up. Additionally, the driver was very discourteous and rude. It is not my fault that I need a wheelchair and that I needed to go home during rush hour. Disabled people have lives just like everyone else. This is a common problem with MUNI buses which are often jam-packed. This kind of discrimination is not an uncommon occurrence. Wheelchair users often have to wait for 2, 3, 4 or even more buses just to go home while drivers just pass us by and say "it's too full," even if no other wheelchair users are on the bus. This is not equal access as outlined by the ADA and is in fact discriminat on and is affecting my life greatly. I try to schedule and plan all my days to be home and not outside during the hours of 4pm - 6pm but sometimes my doctors appointments go over and I cannot change that. I do my best not to travel at rush hour but sometimes I have no choice. I think MUNI can do a better job of providing more buses during these peak hours and a better job of training drivers to not discriminate against us.

Is your feedback regarding an alleged Americans with Disabilities Act (ADA) violation?  Yes

If your feedback is related to the conduct of a Muni Operator in relation to your ADA violation, would you like to receive information regarding neutral accessibility hearings?  Yes

Title VI: Did the customer mention discrimination based on race, color, or national origin?  No

Do you want to be contacted by Muni Customer Service?  Yes

If "Yes," your preferred method of Email contact:

**Back Office Fields**

Other: Did the customer ment on discriminat on based on gender ident ty, sexual affiliation, age, appearance, etc.?  Yes  No

BACK OFFICE USE ONLY \*\*\*\*\*

Source Agency Request Number:

Responsible Agency Request Number:

Service Request Work Status: closed

Work Status Updated: 2019-11-15T11 03:04

Print

Submit



CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
INCIDENT DETAIL		
Category DISCOURTEOUS/INSENSITIVE/INAPPROPRIATE CONDUCT		Type 306 GEN UNPROF CONDU
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 12 FOLSOM-PACIFIC	Direction OUTBOUND	
Incident Date 05-20-2019	Incident Time 17:45	
Vehicle Number 8918	Location HARRISON/FOURTH	
Department KIR OPS	Division KIRKLAND	
Employee ID [REDACTED]		
Employee Physical Description Male, Black, glasses, scruffy beard		
<p><b>Incident Details</b> Driver very arrogant and uncooperative to me, a person using a wheelchair for mobility.</p> <p>Refused to kneel the bus to lessen the incline on the ramp and avoid tipping backward.</p> <p>When I was unable to breach the top of the ramp and was stalled, your driver [REDACTED] sat in his seat and, knowing a kneel would have better enabled the onboarding, callously asked me, "Cmon now. What you gonna do know?".</p> <p>After an unnecessarily difficult effort to board, your driver was prone to being argumentative and profane in speaking to me, a disabled rider, using the word "fuck" more than once.</p> <p>Finally, he did not offer to help me with any of the securements on the bus. I informed him I will be reporting his conduct to SFMTA and took a picture of the bus number to document it and the date and time of the incident.</p> <p>I can only hope that this driver receives punitive interventions and retraining in conduct and courtesy towards all riders. It is drivers like him that make MUNI a harsh and unsafe mode of transportation.</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 05-25-2019		
Date Closed 06-24-2019		
Resolution Code [REDACTED]		

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address [REDACTED]		
INCIDENT DETAIL		
Category INATTENTIVENESS/NEGLIGENCE	Type 208 NO PRIOR SEATS	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route T THIRD BUS	Direction INBOUND	
Incident Date 05-28-2019	Incident Time 10:35	
Vehicle Number 8316	Location REVERE AVE 3RD ST SAN FRANK	
Department GRN OPS	Division GREEN	
Employee ID [REDACTED]		
Employee Physical Description		
<p><b>Incident Details</b> Customer stated "Ive been waiting for 45 mins for the bus. When the bus pulled up, the driver said "I have a wheelchair already". I insisted on getting on because Ive already waited for 45 mins and Im not waiting for another bus. There was another muni operator inside the bus, but he didnt even assist me in getting people out of the way. Muni had 100 days to master this T bus shuttle, it should be going much better this time around. Looks like they have a little party. The drivers need to come back heading towards the Embarcadero."</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 05-28-2019		
Date Closed 11-08-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 202 IGN STP REQUEST	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 22 FILLMORE	Direction INBOUND	
Incident Date 05-30-2019	Incident Time 08:20	
Vehicle Number 5736	Location VALENCIA AND 16TH /	
Department POT OPS	Division POTRERO	
Employee ID [REDACTED]		
Employee Physical Description Male, thin, Asian		
<p><b>Incident Details</b> Patron Stated: I got on the bus at 16th and Folsom, bus was a little bit crowded. I usually get off at Valencia Street. Someone had requested the stop button so I did not have to because someone already pressed it. I got off my seat about midway between Mission and Valencia and ready to get off at Valencia stop, the driver breeze through the stop because he did not want to miss the light. I yelled at him to stop but he did not. He did the same thing to me about two weeks ago. So when I was getting off the bus, I asked him...did you not see the stop requested sign and he just looked at me and did not say a word. Two weeks ago, when he did that and asked him the same thing, he said... sorry I did not see it. I am handicapped. I have two bad knees and a bad hip and I walk with a cane. I had to walk back to Valencia Street and it took 10 minutes. I feel that he knew he should have stopped but he didnt.</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 05-30-2019		
Date Closed 07-05-2019		
Resolution Code [REDACTED]		

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
INCIDENT DETAIL		
Category DISCOURTEOUS/INSENSITIVE/INAPPROPRIATE CONDUCT		Type 302 ALTERC: EMP/CUST
ADA? X	Title VI? X	Other Disc.
Trapeze Line/Route 9 SAN BRUNO	Direction INBOUND	
Incident Date 06-11-2019	Incident Time 11:02	
Vehicle Number 8874	Location N/A/	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description African American female, appx 55 years old, lower lip piercing		
<p><b>Incident Details</b> Patron stated "Im on the number 9 in front of the Lowes on Bayshore and I have an agitated driver here calling the police on me. Im a disabled senior and I asked for the ramp because I have an object with me that is not dangerous and she started getting aggressive with me. She called the police and I want to make a report to have a hearing with a neutral officer. When I got on she started asking me 20 questions and I told her it was none of her business what I had, then there was this other African American male who grabbed me and tried to push me off the bus. Ive never had a bus driver be so aggressive. So shes calling the police, the camera is recording and I think it may be a racial thing."</p> <p>06/12/19: PSR emailed to Superintendent. KLB  06/12/19: Follow-up T-6 emailed /mailed to patron. KLB  06/12/19: Video requested. KLB  06/12/19: Attempted to contact the patron ( no answer). KLB</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 06-11-2019		
Date Closed 07-01-2019		
Resolution Code [REDACTED]		

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
INCIDENT DETAIL		
Category DISCOURTEOUS/INSENSITIVE/INAPPROPRIATE CONDUCT		Type 301 DISCOURTESY
ADA? <input checked="" type="checkbox"/>	Title VI? <input type="checkbox"/>	Other Disc. <input type="checkbox"/>
Trapeze Line/Route 45 UNION-STOCKTON	Direction OUTBOUND	
Incident Date 06-12-2019	Incident Time 11:25	
Vehicle Number 5747	Location COLUMBUS /STOCKTON	
Department PRE OPS	Division PRESIDIO	
Employee ID [REDACTED]		
Employee Physical Description Large black lady with hair tied upward		
<p><b>Incident Details</b> Large black female driver with sunglasses on wouldnt allow us on a brand new bus. It was me and my two children. We have a Bob double stroller which is wheel chair length and width. She wouldnt allow us on a brand new 45 outbound bus in the 79 degree heat from Columbus and Stockton to Union &amp; Jones. There was barely anyone on the bus.</p> <p>06/17/19: Not Title VI, box unchecked, no Title basis for complaint, forwarding to Customer Service for further procesing. KLB</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 06-12-2019		
Date Closed 07-16-2019		
Resolution Code [REDACTED]		

CUSTOMER DETAIL		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
INCIDENT DETAIL		
Category INATTENTIVENESS/NEGLIGENCE	Type 202 IGN STP REQUEST	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 33 ASHBURY-18TH ST	Direction INBOUND	
Incident Date 07-11-2019	Incident Time 20:45	
Vehicle Number 8427	Location 16TH ST MISSION ST SAN FRANC	
Department PRE OPS	Division PRESIDIO	
Employee ID [REDACTED]		
Employee Physical Description hugely obese man , tall, Latino ?		
<p><b>Incident Details</b> Patron stated, " The minute I boarded the bus and asked him to drop me at my residence. He said we will see when we get there and I said, no, the other drivers drop me off there. I said the other drivers told me to tell him to read his rule book and he said that is your opinion and then when we got close to my address he said it was not safe to pull over there, it was not unsafe, it was unsafe for me to have to walk on the uneven sidewalk , I ride the bus 4 days a week from work, the other drivers are very kind and very cooperative , it this just this guy. I told him he is a jerk. I am furious about this. "</p>		
AGENCY HANDLING AND RESOLUTION DETAILS		
Date Logged 07-11-2019		
Date Closed 08-12-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 205 OFFRTE/DIDNTCOMP	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 54 FELTON	Direction OUTBOUND	
Incident Date 07-12-2019	Incident Time 14:05	
Vehicle Number 8845	Location 3RD ST WILLIAMS AVE SAN FRAN	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description African American male about 45 y/o height about 58		
<p><b>Incident Details</b> Patrons states that,"As the bus crossed the street to williams going to daly city and the door opens I was sitting in the street in my wheelchair. And he says i am not going up the hill.i asked where will you be stopping and he said on Williams ifo foods co . As the bus went on Williams before the police station i pulled the stop to get off ifo of foods co on williams . He did not not stop there and said you will have to get off at phelps and Vesta and walk back"</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 07-15-2019		
Date Closed 07-23-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 202 IGN STP REQUEST	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 54 FELTON	Direction OUTBOUND	
Incident Date 07-18-2019	Incident Time 19:04	
Vehicle Number 8602	Location SCOTIA AVE THORNTON AVE SA	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description Asian 50s 57ish		
<p><b>Incident Details</b> Patron stated "</p> <p>54 goes up Tokepa it turn left on Maddox to Daly City. Missed his stop at Bridge View. Came down Maddox and I pushed the bell. And I said he better stop and he did nt . he turned and when up to Scotia and Thorton. And that when I got off the bus. Im in the wheelchair. "</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 07-18-2019		
Date Closed 07-23-2019		
Resolution Code [REDACTED]		



<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category UNSAFE OPERATION		Type 107 FALL WITH INJURY
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 37 CORBETT		Direction OUTBOUND
Incident Date 07-18-2019		Incident Time 11:33
Vehicle Number 8522		Location 15TH/MARKET
Department WDS OPS		Division WOODS
Employee ID [REDACTED]		
Employee Physical Description black female approx 45 yrs and 160 lbs		
<p>Incident Details already submitted written complaint and phone conversation with agent after incident , who advised written communic. am writing this as a reminder to NOT ERASE/ DELETE THE CAMERA FOOTAGE OF THIS INCIDENT OF JULY 18, 2019. bus was almost empty and my fall should be clearly documented in the video recording including my interaction with driver.</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 07-21-2019		
Date Closed 07-23-2019		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email	
Address [REDACTED]		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 208 NO PRIOR SEATS	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 8AX BAYSHORE A EXPRESS	Direction OUTBOUND	
Incident Date 07-23-2019	Incident Time 17:40	
Vehicle Number 6549	Location 4TH ST MARKET ST SAN FRANCI	
Department ISC OPS	Division ISLAIS CREEK	
Employee ID [REDACTED]		
Employee Physical Description Chinese male, short haircut, about 55", medium built		
<p><b>Incident Details</b> Customer stated "I am on a electric wheelchair, and got on the 8AX. As I was getting in, I realized there were no seats up. I told the driver about it, but he didnt talk to me, and just drove off. My wheelchair moved into the middle of the aisle. Other passengers came to the rescue and put the seats up for me. I had to wait for the bus to stop to get my wheelchair into position."</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 07-23-2019		
Date Closed		
Resolution Code [REDACTED]		

<b>CUSTOMER DETAIL</b>		
Name [REDACTED]		
Phone [REDACTED]	Email [REDACTED]	
Address		
<b>INCIDENT DETAIL</b>		
Category INATTENTIVENESS/NEGLIGENCE	Type 202 IGN STP REQUEST	
ADA? X	Title VI?	Other Disc.
Trapeze Line/Route 29 SUNSET	Direction INBOUND	
Incident Date 08-28-2019	Incident Time 17:53	
Vehicle Number 8840	Location OCEAN AVE HOWTH ST SAN FRA	
Department WDS OPS	Division WOODS	
Employee ID [REDACTED]		
Employee Physical Description Male		
<p><b>Incident Details</b> Patron said: My daughter wanted to get off the bus and the driver refused to stop. This happened yesterday too. My daughter has Asperger syndrome and this causes her to have emotional distress when she cannot get to her destination. Today the driver told her another bus is coming and he could not stop. What does another bus have to do with the driver stopping at the stop to let people off the bus? The bell was rang requesting the stop and the driver is not stopping.</p>		
<b>AGENCY HANDLING AND RESOLUTION DETAILS</b>		
Date Logged 08-28-2019		
Date Closed 08-30-2019		
Resolution Code [REDACTED]		



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

### Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	561851
<b>Hearing Date:</b>	02/12/2019
<b>Hearing Officer:</b>	HO41 SEBASTIAN HO42 MORALES
<b>Attendees:</b>	By Phone (Patron [REDACTED]) [REDACTED] (Shop Steward) Eva Wong
<b>Incident Date and Time:</b>	01/25/2019 @ 1:32pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category) 201 Pass Up</b>	
Patron alleges services denied: Operator closed door on Patron when Patron was preparing to board coach from rear door. Operator refused to open rear door even though Patron hit the coach rear door with her visually impaired walking stick while coach was still stopped at inbound stop.	
<b>Operator's Response (Brief Summary)</b>	
Operator stated that he never saw patron. Operator allowed exiting and boarding at Inbound stop than closed coach doors. Operator looked left to merge onto oncoming traffic and departed Inbound stop. Operator had to stop for traffic and waited for clearance before continuing with transit Inbound route.	
<b>DVD Evidence: Yes x No</b>	
Video evidence is available. Video shows coach rear doors closed after final exiting and boarding of patrons at Inbound stop while visually impaired patron was still approaching Inbound stop and coach in hurried movement. Coach departs Inbound stop with Operator looking left merging onto oncoming traffic simultaneously with Patron's arrival at Inbound bus stop with the rear of the coach still in the Inbound stop area. Patron shouts and uses visually impairing walking stick to strike the right rear side of the coach in an attempt to have Operator open rear door.	
<b>Access-Related Muni Rule Violations: Yes <input type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence <input checked="" type="checkbox"/></b>	
<b>Comments</b>	
There is no evidence of a MUNI accessibility or ADA violation(s). Patron was not at stop when rear doors closed after final exiting of boarding of coach at Inbound stop. Coach had departed Inbound stop and was in route stopped for traffic when patron yelled and made physical contact with the rear of the coach with her visually impaired walking stick. Compliance and safety policy met by Operator	
For Internal Use Only:	

Hearing Officer

Date

02-21-2019



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

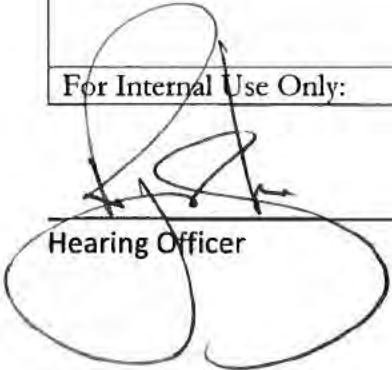
## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	562631
<b>Hearing Date:</b>	04/01/2019 at 1:30pm
<b>Hearing Officer:</b>	HO41 R.Sebastian and HO44 E.Hou
<b>Attendees:</b>	Patron: [REDACTED] Operator: [REDACTED] Union Rep/Shop Steward: A.Ballester
<b>Incident Date and Time:</b>	02/16/2019 at 1:30pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category) 201 Passup/Didn't Wait</b>	
Patron contended that Operator refused to pick up Patron with her service animals in a stroller. Patron stated that she was assaulted by another Patron with a stroller prior to coach arriving at stop. Patron asserted that Operator never opened front coach doors and never used lift. Patron stated that Operator told Patron to board coach from rear doors and then eventually drove away without Patron boarding.	
<b>Operator's Response (Brief Summary)</b>	
Operator contended that when he arrived at the stop, he viewed Patron with Stroller involved in a verbal altercation with other Patron with stroller. Operator stated that the other Patron with stroller boarded first through the rear coach doors and she stated "this woman hit me and my baby." Operator immediately decided that Patron with service animals in stroller was not boarding coach for safety reasons. Operator stated that he told Patron that "you are not getting on" with closed front coach doors. Operator contended that Patron was yelling obscenities at Operator with closed front doors. Operator did not call in incident to Central and disembarked stop without Patron and her service animals in stroller.	
<b>DVD Evidence:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
No video available.	
<b>Access-Related Muni Rule Violations:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Insufficient Evidence	
<b>Comments</b>	
There is insufficient evidence that a MUNI accessibility or ADA related violations occurred. Without video incident, it is difficult to verify an alleged denial of access violation. Per standard operating procedures regarding safety reasons (verbal altercation between patrons) and stroller policy with newer coaches (lift cannot accommodate stroller), operator actions were within policy. However, applying 6.3.2 "Employees may request passengers to leave vehicle for quarreling fighting indecent actions or profane language. However, employee must first ask the passenger to discontinue the offending conduct. If the passenger refuses to stop the offending conduct the employee is notify OCC," per testimony from both patron and operator, the hearing officer finds the operator in violation of 6.3.2. Both Operator and Union Rep apologized to Patron at hearing.	



Page 2  
PSR#562631  
HO41 & HO44

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A large, stylized handwritten signature in black ink is written over the signature line. The signature is highly cursive and loops around the text 'Hearing Officer'.

Hearing Officer

Date

04-04-2019.



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

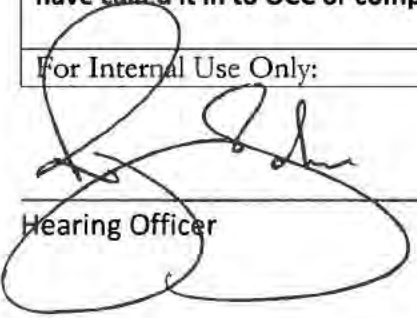
## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	562768
<b>Hearing Date:</b>	04/10/2019 at 1:00pm
<b>Hearing Officer:</b>	HO41 R. Sebastian
<b>Attendees:</b>	Patron: [REDACTED] Operator: [REDACTED] Union Rep: Representative: Martin
<b>Incident Date and Time:</b>	02/07/2019 at 5:42pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category) 209 No Pull to curb</b>	
Patron contended that because of his limited mobility and poor eyesight, it was a difficult passage to the 44 coach which was behind the 52 coach (2 coaches) at the bus stop. Patron contended that the stopped coach was not in the bus zone, off the curb and on the street. Patron stated that as the front coach doors closed and the Operator pulled the coach ahead, the Patron with cane in hand knocked on the coach front doors and yelled to the Operator for acknowledgment. Patron asserted that he was left behind with no acknowledgment from the Operator as the coach departed. Patron stated that the coach stopped at the intersection traffic light that was parallel to the bus zone. Patron contended that he walked to the coach's front doors and knocked again but the Operator refused to board the Patron. Patron stated that the Operator told the Patron that when the Patron knocked on the closed front doors, he jeopardized the coach's safety and would not be allowed to board. Patron contended that the Operator told the patron to take the next 44 coach behind his coach. Patron contended that with his poor mobility and eyesight, it is difficult to view the coach number when the coaches are not stopping curbside in the bus zone	
<b>Operator's Response (Brief Summary)</b>	
Operator contended that the patron was not present when he completed the servicing of the coach stop. Operator stated that the coach was in motion departing the bus stop, when simultaneously, he heard the sound of knocking on the front coach doors. Operator stated that the coach was moving ahead when he saw the patron running from the rear right side of the coach towards the front doors. The Patron was running between the lane of travel, the right side of the coach and the curb. Operator contended that at the traffic light stop with the front coach doors remaining closed, he told the Patron to catch the next 44 coach and the patron would not board his coach due to safety concerns.	
<b>DVD Evidence: Yes <input checked="" type="checkbox"/> No</b>	
Per the video, the Operator and Patron had a total of 3 encounters regarding this incident. Operator serviced stop without the Patron present. Patron knocked on the closed front doors of a moving coach. Patron ran beside the right side of the moving coach between the lane of travel and the curb. With closed front coach doors, the final encounter ended with the Operator admonishing the Patron for an unsafe act.	
<b>Access-Related Muni Rule Violations: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Insufficient Evidence</b>	
No violation.	



PSR 562768  
HO41 R. Sebastian  
Page 2

Comments
<p>There is no evidence of a MUNI accessibility or ADA violation(s). The servicing of the stop was completed with the patron not present. It was undisputed that the patron knocked on the closed front coach doors while the coach was moving. In accordance with 4.15.3 "safe boarding location in a bus zone, 4.15.5 "multiple coach loading stops," and 4.21.1 "Unauthorized Stop (no loading or unloading at an unauthorized stop)," the operator actions were within policy. However, the operator admonishing the patron for his unsafe act was an avoidable and unfortunate event. Because of the 3 encounters between operator and patron during this incident, the operator should have called it in to OCC or completed the minimum requirement of a Miscellaneous report 4.13.1.</p>
For Internal Use Only:

  
\_\_\_\_\_

Hearing Officer

04-15-2019

Date


\_\_\_\_\_





**Muni Neutral Accessibility Hearing Finding**

<b>PSR #:</b>	562937
<b>Hearing Date</b>	2/25/2019 at 11:00am
<b>Hearing Officer:</b>	Ivan Morales (Hearing Officer)
<b>Customer &amp; other attendees:</b>	[REDACTED]
<b>Incident Date and Time:</b>	02/11/2019 at 9:24am
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
<b>Patron states she waited in her wheelchair at the bus stop and when the bus arrived, the operator did not give her priority to board. Patron alleges the operator boarded other passengers and passed her up.</b>	
<b>Operator's Response (Brief Summary)</b>	
Operator stated he saw the Patron in her wheelchair waiting at the bus stop and advised her that the bus was full and that another passenger in a wheelchair was already on the bus. Operator states he apologized to the Patron and offered to have the bus behind to accommodate her. States he continued driving and immediately notified Central Control that he could not board a disabled passenger in a wheelchair and requested that the next bus allow her to board. States that at the end of his shift he filled out a miscellaneous report form to record the incident.	
DVD Evidence: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Video evidence is available.	
Access-Related Muni Rule Violations: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
The complaint is not valid.	
<b>Comments</b>	
Patron did not appear at the in-person hearing. Hearing officer called Patron twice by phone to conduct phone hearing at [REDACTED] Patron did not answer calls. Review of the video corroborates the Operator's testimony. The video shows the bus was full with passengers standing in the aisle, senior citizens seating in the priority seats, and one passenger in a wheelchair. The Operator is heard apologizing to the Patron and explaining the bus was full. The Operator is seen making a call and having a conversation with what appears to be Central Control. There is no evidence of a Muni accessibility or ADA related violation.	
For Internal Use Only:	

  
 \_\_\_\_\_  
 Hearing Officer

\_\_\_\_\_ 2/28/2019 \_\_\_\_\_  
 Date



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	563647
<b>Hearing Date:</b>	03/22/2019 at 9:30am
<b>Hearing Officer:</b>	HO44 E. Hou
<b>Attendees:</b>	[REDACTED] Isheal Martin Jr., Union Representative
<b>Incident Date and Time:</b>	02/22/2019 @ 4:18pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an Access-Related Muni Rule Violation.	
<b>311 Complaint (Check Category)</b>	
Patron states she waited in her wheelchair at the bus stop. She waived her hands at the bus as it was approaching, but the bus did not stop. Patron stated that she takes Line 54 often, and she always waits at the same spot. Although it is approximately 10 feet away from the shelter, it's easier for her to board the bus when the wheelchair ramp is lowered. The bus later stopped at the red light, the Patron states that she was able to catch up with the bus with her wheelchair, and got on the bus.	
<b>Operator's Response (Brief Summary)</b>	
Operator stated he saw the Patron in her wheelchair at approximately 10 feet from the bus shelter. However, he did not see any hand gesture and/or other indications that the Patron intended to get on the bus. As the Patron was not at the bus stop, the operator stated that he would not know whether the Patron intended to board the bus. Operator noticed the Patron was chasing after the bus, he stopped at the corner of the red light to let the Patron get on the bus.	
<b>DVD Evidence: Yes</b>	
Video evidence is available. All parties viewed the video in the hearing.	
<b>Access-Related Muni Rule Violations: Yes</b>	
The video indicates that when the bus made the sharp left turn from Newhall Street to Third Street, the Patron was in her wheelchair slightly over 10 feet from the bus shelter, and the bus shelter was empty of any other passengers. Both parties in the hearing agreed that the patron was in her wheelchair at about 10 feet away from the shelter (toward the Innes Street side).	
According to Muni Rules 4.15.2 and 4.17.1, operator [REDACTED] should stop at the designated stop(s), whether there were patrons waiting. If the bus made the stop, the front of the bus should be near where the patron was waiting, given the length of the bus. As there was no clear marking boundary of the bus zone/stop such as curb paint, the operator should nevertheless try to accommodate a (disabled) Patron in wheelchair, whether or not a Patron has the intention to get on the bus.	




My review supports a finding of Access Related MUNI Rule Violation. However, the Patron eventually board the bus at the stop light.

**Comments**

Based on the evidence presented, it is advised that the operator be counseled on the grounds of not Passing Up Passengers.

For Internal Use Only:

  
Hearing Officer

Date 05/03/2019



London Breed, Mayor

**Cheryl Brinkman**, Chairman  
**Malcolm Heinicke**, Vice Chairman  
**Gwyneth Borden**, Director  
**Amanda Eaken**, Director

**Lee Hsu**, Director  
**Cristina Rubke**, Director  
**Art Torres**, Director

**Edward D. Reiskin**, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	564059
<b>Hearing Date:</b>	03/27/2019 at 1:00 pm
<b>Hearing Officer:</b>	Rudy Sebastian HO41 James Doyle HO36
<b>Attendees:</b>	Patron: [REDACTED] Operator: [REDACTED] Union Rep: King
<b>Incident Date and Time:</b>	
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
301 Discourtesy Patron contends that Operator acted rude, yelled at Patron, and rushed Patron off lift by pushing walker out of Patron's control.	
<b>Operator's Response (Brief Summary)</b>	
Operator contends that she waited to deploy lift for approaching Patron. Operator contends that during lift operations Patron was moving slowly because she was on her cell phone. Operator denies pushing walker out of Patron's control and yelling at Patron. Operator and Union Rep noted the rigors and time constraint of the line route 19 Polk.	
<b>DVD Evidence: Yes <input checked="" type="checkbox"/> No</b>	
Operator placed her hand on Patron's walker but did not push walker out of Patron's control. Operator's voice level escalated to an argumentative loud "yelling" talk back match with Patron to board faster. A transit patron made a remark to Patron but it did not arise to offensive language and no further conversation occurred.	
<b>Access-Related Muni Rule Violations: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Insufficient Evidence</b>	
No Violation.	
<b>Comments</b>	
There is no evidence of a MUNI accessibility or ADA violation(s). The Patron was not denied access to the coach and completed her trip to destination. However, applying 2.8.1 "Polite, respectful behavior is required of all employees in their dealings with the public, their subordinates and each other" and Applying 2.8.3 "Avoid disputes with any person, no matter what the provocation", after viewing the video incident, the hearing officer finds the operator in violation of 306 general unprofessional conduct. Both Operator and Union Rep apologized to Patron. Hearing Officer notes the challenges with the line route 19 Polk.	
For Internal Use Only:	

Hearing Officer

Date

04-04-2019



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	564140
<b>Hearing Date:</b>	04/08/2019 @ 10:00am
<b>Hearing Officer:</b>	HO44 E. Hou
<b>Attendees:</b>	[REDACTED] Isheal Martin Jr., Union Representative
<b>Incident Date and Time:</b>	
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Patron stated the bus stopped at approximately two feet away from the curbing. She asked the operator to lower the wheelchair ramp for her to get off the bus. The operator said "No." The Patron stated that she was 75 years old and her disability was not a visible one, and the wheelchair ramp should not be used solely for wheelchairs.	
<b>Operator's Response (Brief Summary)</b>	
Operator stated that she understood the Patron's request, but found it can be accommodated by another routine. Upon the agreement of the Patron, she repositioned the bus a few feet forward and lowered the kneeler to the level of the curbing. The Patron was able to get off the bus safely without further assistance.	
<b>DVD Evidence: Yes</b>	
DVD evidence is available.	
<b>Access-Related Muni Rule Violations: No</b>	
The video indicates that when the bus stopped and the door opened, the Patron asked the operator to lower the wheelchair ramp. The operator replied "No." However, the operator informed the Patron that she was going to make an accommodation by repositioning the bus. The Patron agreed to this accommodation, and was observed to get off the bus safely.	
My review supports a finding that there was no Access Related MUNI Rule violation. The Patron did eventually get off the bus safely by the repositioning of the bus.	
<b>Comments</b>	
According to Muni Rules 4.20.5, operator should accommodate a Patron's request to lower the wheelchair ramp, whether or not the Patron is in a wheelchair. It is therefore recommended that operator [REDACTED] be counseled on the grounds of accommodating Patron's request to deploy the wheelchair ramp.	



For Internal Use Only:

*[Handwritten Signature]*  
Hearing Officer

05/09/2019  
Date



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#564563
<b>Hearing Date:</b>	05/28/2019 at 12:00noon
<b>Hearing Officer:</b>	Eugene Chin
<b>Attendees:</b>	Eugene Chin, [REDACTED] Union Representative.
<b>Incident Date and Time:</b>	03/10/2019 at 9:58pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Incident occurred on the 27 line beginning at Washington and Hyde Streets continuing on board to California and Hyde Streets. The claimant states that the operator questioned her need for a service dog. The operator took the bus out of service and required all passengers to vacate the bus at California and Hyde Streets.	
<b>Operator's Response (Brief Summary)</b>	
The operator states that he asked if claimant's dog was a service dog. He denies inquiring as to a disability basis for the service dog. The operator stated the claimant continued to verbally engage the operator and he did not feel safe in the operation of the vehicle. He took the bus out of service.	
<b>DVD Evidence:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Video evidence is available. The video shows the claimant boarding and their conversation for several minutes was audible. The operator is heard to ask if the dog is a service dog. The claimant is heard to assert the operator is not to inquire if the dog is a service animal. She continues to repeat her recitation and states the operator is questioning her truthfulness (as to disability). There is no operator inquiry into disability and the operator particularly states in the video he is not questioning her "cause". There is no indication that the operator inquired as to an underlying disability requiring a service animal.</p> <p>The video shows that the claimant continued to verbally engage the operator at the stop for ~1 min 30 secs. During the next 2 minutes while the bus travelled to California and Hyde Sts. the video shows the claimant to continue to talk (unheard) while she texted. At this time to operator is seen to use the handset to call Central and take to bus out of service. However the CCO log shows no entry for this date. After the claimant departed the other passengers were re-boarding and the bus continued its route.</p>	
<b>Access-Related Muni Rule Violations:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
Based on the video evidence, the testimony of the claimant, the testimony of the operator, there is no evidence of an improper inquire into the nature of the claimant's disability. The operator properly inquired if this was a service animal as is permitted in order to determine a possible fare requirement of the animal. The operator appears to have been subject to continuing verbal distraction by the	



claimant such that a hazard may have been created. However it is open question whether the operator had the opportunity to defuse or terminate the encounter or whether SFMTA procedures were followed to take the bus out of service and return the bus to service.

**Comments**

**There is no evidence of an accessibility violation. It is undetermined whether there is a SFMTA policy or procedure violation.**

For Internal Use Only:

*Angela Chiu*  
Hearing Officer

7/30/19  
Date





London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#564931
<b>Hearing Date:</b>	04/17/2019 at 12:30pm
<b>Hearing Officer:</b>	Ivan Morales
<b>Attendees:</b>	[REDACTED]
<b>Incident Date and Time:</b>	03/15/2019 at 3:45PM
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Patron contends the Operator intentionally slammed the front door of the Muni vehicle on his arm out of meanness. Patron contends his hand was injured.	
<b>Operator's Response (Brief Summary)</b>	
Operator opened front doors to allow passengers to exit bus, but closed the doors to prevent boarding passengers from standing in front of the yellow standing line. Operator contends that Muni operators are prohibited from moving a bus when passengers are standing in front of the yellow line. Operator contends his actions are in compliance with Muni safety rules.	
<b>DVD Evidence:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Video evidence is available.	
<b>Access-Related Muni Rule Violations:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
The complaint is not valid. Review of the video indicates the Operator abruptly closed the front door on the Patron and signaled with his hand to enter the bus through the rear door. There is no evidence to support the Patron's claim of injury to his hand, arm, or body. The video shows the front of the bus is crowded with four standing passengers standing behind the yellow line, including an open stroller.	
<b>Comments</b>	
The video indicates the front of the bus was crowded with standing passengers and a stroller. Any additional passengers boarding through the front doors would have stood in front of the yellow standing load line. Pursuant to Muni Rules and Instructions Handbook section 4.18.1, an operator is prohibited from moving a coach or electric car when passengers are standing in front of the designated standing load line. The Patron boarded safely through the rear door and completed his ride. Muni rule section 2.8.1 requires that an operator's conduct be polite, and that respectful behavior is required of all employees in their dealings with the public. My review supports a finding there is no accessibility rules violation; however, the Operator's action to close the door abruptly was discourteous.	
For Internal Use Only:	

  
 Hearing Officer

Date 6/7/19



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	566320
<b>Hearing Date:</b>	06/13/2019 @ 1:00pm
<b>Hearing Officer:</b>	HO44 E. Hou
<b>Attendees:</b>	[REDACTED] Alex Huang, Union Representative
<b>Incident Date and Time:</b>	
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Patron stated he saw the train moving and waved at direction of the train twice, and believed that the operator had seen him. However, the operator did not stop the train at the ADA ramp for him because he did not have an apparent/visible disability. The train later stopped at the general boarding location (approximately 50 feet away) to let everyone else get on the bus. A man was holding the train's rear door for him, and he was able to get on the train.	
<b>Operator's Response (Brief Summary)</b>	
The operator stated that from the angle(s) where the train was turning (left) toward, he was not able to see the right side, the location where the Patron was at. The operator explained that when he noticed the Patron, the train has already passed the ADA loading area, and the train cannot be pulled backward for safety reasons. The operator apologized that he would definitely stop the train at the ADA ramp if he had seen the Patron.	
<b>DVD Evidence: Yes</b>	
DVD evidence is available.	
<b>Access-Related Muni Rule Violations: No</b>	
Video recording was viewed by all parties in the hearing. The footage indicates that the Patron waved twice at the direction of the train from the sidewalk of La Playa Street. However, the footage from the operator's view indicates that when the train was turning at the roundabout from La Playa Street to Judah Street, the operator was attending the safety on the left/operator side. As the train reached the ADA ramp, the Patron was half way on the ramp. The train was then waiting at the general boarding area for the Patron.	
My review supports a finding that there was no Access Related MUNI Rule violation. The Patron did eventually get on the train safely at the general boarding location.	




**Comments**

The Patron stated in the hearing that this "pass up" had happened for a few times already. The SFMTA should investigate the cause, and perhaps install some device(s) on the right/boarding side of the train to alert the operator that there are ADA Patron(s) needing to board the train.

We also discussed in the hearing that this area (Ocean Beach) has a lot of tourists from time to time. Most of them do not know the ADA boarding area is separated from the general boarding area. The ADA ramp were sometimes packed and the ADA Patrons were not able to get onto the ramp. It is therefore recommended that the ADA boarding location be clearly posted for "ADA boarding only", and other signages indicating the direction/location of the general boarding area.

For Internal Use Only:

  
\_\_\_\_\_

Hearing Officer

Date 06/28/2019



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

### Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#567122
<b>Hearing Date:</b>	06/07/2019 at 10:00am
<b>Hearing Officer:</b>	Ivan Morales
<b>Attendees:</b>	[Redacted] Ramon Galdamez (Shop Steward) [Redacted]
<b>Incident Date and Time:</b>	04/20/2019 at 10:55am
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Patron contends waiting for the Muni F streetcar at the wheelchair elevator area of the 5 <sup>th</sup> and Market stop. Patron alleges the Operator passed up the wheelchair platform preventing the Patron from boarding the vehicle.	
<b>Operator's Response (Brief Summary)</b>	
Operator states he did not see any passenger waiting in the wheelchair elevator area at the time the streetcar approached the stop. Operator states that by the time the streetcar came to a stop it was too late to service the wheelchair elevator are. Operator states he is prohibited from reposition the rail vehicle in reverse.	
<b>DVD Evidence:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Video confirms there were no passengers waiting in the wheelchair elevator area as the streetcar approached the 5 <sup>th</sup> and Market stop. The video shows the Patron in a wheelchair waiting on the street level platform of the stop.	
<b>Access-Related Muni Rule Violations:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
The complaint is not valid. The Patron was not waiting in the wheelchair elevator area in order to be visible to the Operator. The video confirms the Patron was not visible as the streetcar approached the stop. By the time the vehicle came to a stop it was too late to service the wheelchair elevator area. Per the Rail Rule Book section 4.18.7, are prohibited from repositioning rail vehicle while in reverse without authorization.	
<b>Comments</b>	
For Internal Use Only:	

Hearing Officer

8/6/19  
Date



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

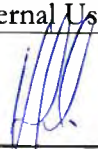
## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	568653
<b>Hearing Date:</b>	Friday, June 14, 2019
<b>Hearing Officer:</b>	H. Ibrahim
<b>Attendees:</b>	██████████ Patron ██████████ Operator ██████████ Alex Huang, Union Representative
<b>Incident Date and Time:</b>	May 12, 2019 @ 1825 hours
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Mr. ██████████ testified they were standing at the top of the access ramp as the Light Rail Vehicle (LRV) was approaching the stop at Judah and La Playa Sts. Mr. ██████████ stated the operator waived at Mr. ██████████ to proceed to street level stop and the operator failed to stop at the access ramp. Mr. ██████████ stated he was forced to walk down the ramp and board at street level.	
<b>Operator's Response (Brief Summary)</b>	
Operator ██████████ testified that they saw Mr. ██████████ and acknowledged it was a mistake not to stop the LRV at the access ramp. Operator ██████████ testified that they recently had graduated LRV training and it was only their second week operating a LRV on their own. Operator ██████████ stated that since they knew it was inappropriate not stop at the access ramp they made sure to wait for Mr. ██████████ at the street level stop and allow Mr. ██████████ to board.	
<b>DVD Evidence: Yes</b>	
DVD evidence is available.	
<b>Access-Related Muni Rule Violations: No</b>	
After reviewing the evidence including the patron's testimony, the operator's testimony, and the video evidence I found no access-related Muni rule violations.	
<b>Comments:</b>	
Operator ██████████ and Mr. ██████████'s testimony was confirmed by video evidence that Mr. ██████████ was waiting at the top of the access ramp when Operator ██████████ ushered to have Mr. ██████████ proceed to the street level stop. Although Operator ██████████ passed up Mr. ██████████ at the access	



ramp, the operator made every effort to allow Mr. [REDACTED] to board at street level. While watching the video, it was revealed that Mr. [REDACTED] had phoned the operator from the LRV after boarding. Operator [REDACTED] testified that during the interaction with Mr. [REDACTED], they apologized profusely and told Mr. [REDACTED] that the operator did not depart until Mr. [REDACTED] was able to board. Mr. [REDACTED] did recall the conversation and Operator [REDACTED] apologized once again during the hearing. Despite Operator [REDACTED] passing up Mr. [REDACTED] at the access ramp, their action rectified the situation and did not result in a refusal of service.

For Internal Use Only:

  
\_\_\_\_\_  
H. Ibrahim  
Hearing Officer

  
\_\_\_\_\_  
Date



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	568024
<b>Hearing Date:</b>	Friday, June 14, 2019
<b>Hearing Officer:</b>	H. Ibrahim
<b>Attendees:</b>	[REDACTED] Alex Huang, Union Representative
<b>Incident Date and Time:</b>	May 2, 2019 @ 1240 hours
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
[REDACTED] testified they were approaching access ramp as the Light Rail Vehicle (LRV) was approaching the stop at Judah and La Playa Sts. [REDACTED] stated they waived at Operator to gain Operator's attention, however, Operator did not wait for [REDACTED]. Patron stated there was a woman waiting at the top of the access ramp who boarded and when [REDACTED] made it to the top of the access ramp the LRV door closed and the train departed.	
<b>Operator's Response (Brief Summary)</b>	
Operator [REDACTED] testified that they never saw [REDACTED] approaching the ramp. Operator [REDACTED] stated that they only saw patron at the top of ramp waiting with a stroller. After woman boarded Operator [REDACTED] stated they proceeded to next stop.	
<b>DVD Evidence: Yes</b>	
DVD evidence is available.	
<b>Access-Related Muni Rule Violations: No</b>	
After reviewing the evidence including the patron's testimony, the operator's testimony, and the video evidence I found no access-related Muni rule violations.	
<b>Comments:</b>	
Operator [REDACTED]'s testimony was confirmed by video evidence that Operator [REDACTED] did not see [REDACTED] as Operator [REDACTED] was looking left for oncoming traffic as they approached the access ramp. Operator [REDACTED] and their union representative both testified that the side view mirrors on the Breda model LRV are obstructed while the front door is open, preventing Operator [REDACTED] from seeing [REDACTED].	



██████████ walking up the access ramp. ██████████ was able to board at the street level stop at 48<sup>th</sup> Avenue and Judah Street. I reiterated to ██████████ that Muni rule 4.12.1 states:

*Employees shall stop at all designated stops where passengers are waiting.*

Unfortunately, ██████████ was not waiting at the stop when the LRV arrived. In an ideal scenario, Operator ██████████ could have waited for ██████████ to board the LRV before departing. However, in addition to the mirror obstruction, the patron waiting for the LRV asked Operator ██████████ a question as soon as they boarded further preventing Operator ██████████ from noticing ██████████

For Internal Use Only:

H. Ibrahim  
Hearing Officer

7/11/2019

Date





London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Steve Heminger, Director  
Cristina Rubke, Director  
Art Torres, Director

Tom Maguire, Interim Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	569288
<b>Hearing Date:</b>	Friday, September 13, 2019
<b>Hearing Officer:</b>	H. Ibrahim
<b>Attendees:</b>	<p>██████████ Patron</p> <p>██████████ Advocate for ██████████</p> <p>Anthony Ballester, Union Representative</p> <p>James Doyle, Hearing Officer Supervisor</p>
<b>Incident Date and Time:</b>	May 22, 2019 @ 1650 hours
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
<p>██████████ stated in their complaint that the Operator violated MUNI conduct by:</p> <ol style="list-style-type: none"> <li>1) Not asking other patrons to vacate seats to make space and allow ██████████ to board.</li> <li>2) Mocking and blaming ██████████ for simply wanting to get on the bus.</li> <li>3) Not pulling to the curb and requiring ██████████ to go into the street and attempt to board.</li> <li>4) Allowing other patrons to yell obscenities at ██████████ while doing nothing to stop the patrons.</li> <li>5) Stopped the bus at the bus stop for a prolonged period of time because ██████████ wanted to board angering other patrons.</li> <li>6) Blocked the bus stop by stopping the bus at the bus stop for a prolonged period of time not allowing trailing buses to pick up ██████████</li> </ol>	
<b>Operator's Response (Brief Summary)</b>	
<p>During the hearing I questioned Operator ██████████ regarding the issues ██████████ raised above. Below are Operator ██████████'s responses:</p> <ol style="list-style-type: none"> <li>1) Operator ██████████ stated that although the audio was not clear the Operator turned to the patrons and did ask if anyone would be willing to vacate their seats for a wheelchair bound patron.</li> <li>2) Operator ██████████ stated that he was not mocking the patron but would not take responsibility for another bus passing the stop while Operator ██████████ had stopped at the bus stop.</li> <li>3) Operator ██████████ stated that the location had a temporary stop due to construction and there was fencing in the roadway to allow pedestrian access that blocked Operator ██████████ from pulling closer to the curb.</li> </ol>	



- 4) Operator █████ stated that he is not a police officer and █████ did not mention irate passengers at the time of incident. Operator █████ also stated that it was noisy and he was not aware of the other patron's actions. Operator █████ offered an apology during the hearing for the way other patrons had treated █████.
- 5) Operator █████ stated that he did not take the bus out of service but made a call to Operations Control Center (OCC) to seek advice in regard to the situation.
- 6) Operator █████ stated that he did not prevent █████ from boarding an alternate bus. Both Operator █████ and Mr. Ballester stated that although operators are allowed to drive while speaking to OCC, in the interest of safety they are advised to stop the bus while speaking to OCC.

Operator █████ stated that he did not recall the exact instructions from OCC but did depart the bus stop after speaking to OCC.

**DVD Evidence: Yes**

DVD evidence is available.

**Access-Related Muni Rule Violations: Yes**

After reviewing the evidence including the patron's testimony, the operator's testimony, and the video evidence I found there was an access-related violation of MUNI rule 4.15.5.

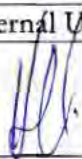
**Comments:**

There were many issues raised by █████ in his complaint that I felt necessitated a response by Operator █████. Watching the video evidence elicited a response by Operator █████ to issues raised by █████, however, the following comments only include issues raised regarding accessibility issues.

Operator █████'s testimony was confirmed by video evidence that Operator █████ did request that patrons vacate the front seats. Operator █████ could have been more assertive in his request of patrons to vacate the front seats by standing and addressing patrons.

None of the partons initially complied with Operator █████'s request, however, the video evidence shows that from the time Operator █████ made the request until three minutes and 19 seconds later when Operator █████ closed the doors, some passengers exited the bus from the rear doors. Prior to departing, Operator █████ could have observed if any patrons reconsidered Operator █████'s initial request, but it is unclear if Operator █████ was instructed by OCC to pass up █████ based on MUNI rule 4.17.1G.

For Internal Use Only:

  
 H. Ibrahim  
 Hearing Officer

  
 Date



London Breed, Mayor

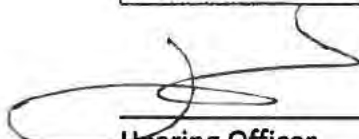
Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

### Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#569452
<b>Hearing Date:</b>	07/02/2019 at 2:30pm
<b>Hearing Officer:</b>	Ivan Morales
<b>Attendees:</b>	██████████ (Operator) ██████████ (Patron) by phone
<b>Incident Date and Time:</b>	05/20/2019 at 5:45pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Patron states the Operator refused to kneel the bus to lessen the incline on the wheelchair ramp and did not offer help with the wheelchair securements. Patron states the Operator was argumentative uncooperative and used profanities.	
<b>Operator's Response (Brief Summary)</b>	
Operator states he always kneels the bus as a courtesy to board passengers. States he recalls this specific encounter with this Patron and confirms he kneeled the bus and lowered the wheelchair ramp without a request from the Patron. States the Patron boarded without incident and did not request any assistance with the vehicle's securements.	
<b>DVD Evidence:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
No Video evidence is available.	
<b>Access-Related Muni Rule Violations:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Insufficient Evidence	
Insufficient evidence. Video evidence is not available.	
<b>Comments</b>	
There is insufficient evidence to determine whether any accessibility or Muni rule violation occurred.	
For Internal Use Only:	

 \_\_\_\_\_ Date 8/6/19



London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Steve Heminger, Director  
Cristina Rubke, Director  
Art Torres, Director

Tom Maguire, Interim Director of Transportation


## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	569526
<b>Hearing Date:</b>	Monday, July 15, 2019
<b>Hearing Officer:</b>	H. Ibrahim
<b>Attendees:</b>	██████████ Patron ██████████ Operator ██████████ Alex Huang, Union Representative Mike Hawkins, Hearing Officer
<b>Incident Date and Time:</b>	May 28, 2019 @ 1035 hours
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
██████████ stated that she had been waiting for 45 minutes for a bus. She stated the operator told her that they had a wheelchair bound passenger already. ██████████ stated that she insisted that she get on the bus and once she boarded there was a second operator on board who did not assist her by requesting other patrons move to accommodate a second wheelchair bound passenger.	
<b>Operator's Response (Brief Summary)</b>	
Operator ██████████ confirmed that he initially told ██████████ that the bus was full and he already had a wheelchair bound passenger. Operator ██████████ was confused about the need for a hearing as he testified that despite his comments, he did pick up ██████████. Operator ██████████ stated that he made every effort to get ██████████ aboard including asking other patrons to vacate seats for a wheelchair bound passenger. Operator ██████████ stated that the other operators on board assisted him in accommodating ██████████ and he reiterated he had no intention of leaving her.	
<b>DVD Evidence: Yes</b>	
DVD evidence is available.	
<b>Access-Related Muni Rule Violations: No</b>	
After reviewing the evidence including the patron's testimony and the operator's testimony, I found no access-related Muni rule violations.	
<b>Comments:</b>	
After hearing testimony from both the patron and the operator I found that there were no access-related Muni rule violations. The video showed that Operator ██████████ did make every effort to get	



██████████ on board. ██████████ was also incorrect in her assessment of the off-duty operators' conduct. ██████████ stated there was only one off-duty operator on board which is incorrect. Operator ██████████ had two off-duty operators on board. Both off duty operators assisted Operator ██████████ in getting ██████████ aboard. One operator assisted Operator ██████████ in repositioning the bus while the second operator assisted by requesting that patrons vacate seats in the securement area for wheelchairs users. The teamwork on display by Operator ██████████ and the off-duty operators was exemplary.

For Internal Use Only:

  
\_\_\_\_\_  
H. Ibrahim  
Hearing Officer

  
\_\_\_\_\_  
Date



London Breed, Mayor

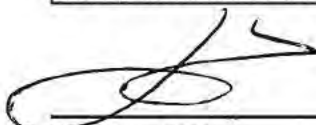
Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

### Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#569673
<b>Hearing Date:</b>	07/12/2019 at 3:00pm
<b>Hearing Officer:</b>	Ivan Morales
<b>Attendees:</b>	[REDACTED]
<b>Incident Date and Time:</b>	05/30/2019 at 8:20am
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Patron states the Operator ignored the "stop request" signal and failed to make a stop at her intended destination.	
<b>Operator's Response (Brief Summary)</b>	
States he was unable to hear the "stop request" signal because the bus was very crowded and noisy. States that he did not stop at the bus stop because his bus was at capacity and there were other buses behind him. Operator apologized for causing the Patron any inconvenience or discomfort.	
<b>DVD Evidence:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Video confirms the bus is crowded. The "stop request" signal is heard as the bus approaches the bus stop in question. The video confirms the Operator did not stop at a Muni designated stop where passengers were waiting to board.	
<b>Access-Related Muni Rule Violations:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
The complaint is valid. Operator is in violation of Muni Rules and Instruction Handbook section 4.16.1 –Cars and coaches will stop at all designated stops where passengers are waiting to board or alight between the hours of 6:30AM and 8:30PM.	
<b>Comments</b>	
For Internal Use Only:	

  
Hearing Officer

8/6/19  
Date



London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Steve Heminger, Director  
Cristina Rubke, Director  
Art Torres, Director

Tom Maguire, Interim Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	570429
<b>Hearing Date:</b>	Friday, August 9, 2019
<b>Hearing Officer:</b>	H. Ibrahim
<b>Attendees:</b>	[REDACTED] Patron
<b>Incident Date and Time:</b>	June 11, 2019 @ 1102 hours
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
[REDACTED] stated that she attempted to board the 9-San Bruno bus near Bayshore Boulevard. [REDACTED] stated that she requested the ramp lowered since she had was transporting an item in a rolling cart. [REDACTED] stated that the operator questioned what the item was and refused to allow [REDACTED] on board. An altercation ensued with another patron and police responded to the scene. [REDACTED] stated that the operator would not come to her aide and ultimately refused to allow her to board. The item [REDACTED] was transporting was a portable air conditioning (AC) unit.	
<b>Operator's Response (Brief Summary)</b>	
Operator [REDACTED] did not appear before me however, Operator [REDACTED]'s statement to the San Francisco Police Department (SFPD) was captured in incident report [REDACTED]. Operator [REDACTED] stated to SFPD that Ms. [REDACTED] initially refused to state what the item was [REDACTED] was transporting. Operator [REDACTED] in an attempt to not allow what was perceived to be an unsafe item onto the bus, refused to lower the ramp. Operator [REDACTED] stated that [REDACTED] blocked the door open for approximately 15 minutes.	
<b>DVD Evidence: No</b>	
DVD evidence was not available.	
<b>Access-Related Muni Rule Violations: No</b>	
After reviewing the evidence including the patron's testimony and the operator's testimony to SFPD, I found no access-related Muni rule violations.	
<b>Comments:</b>	
After hearing testimony from the patron and reviewing the SFPD incident report I found that there were no access-related Muni rule violations. I cannot comment on the altercation and police action that ensued as it does not fall under the purview of this hearing.	



██████████ was refused service based on the AC unit she was attempting to carry on the bus. Muni rule 6.7.1 states:

*Articles which, in the discretion of the employee, are improperly protected or which are likely to cause accidents, soil clothing or injure passengers must not be carried on cars or coaches.*

Operator ██████████ has the discretion not to allow certain articles on the bus and appears to have exercised that right.

For Internal Use Only:

A handwritten signature in blue ink, appearing to be 'H. Ibrahim', is written over a horizontal line.

H. Ibrahim  
Hearing Officer

A handwritten date '11/7/2019' is written in blue ink over a horizontal line.

Date





London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
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 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#570544
<b>Hearing Date:</b>	07/17/2019 at 2:30pm
<b>Hearing Officer:</b>	Eugene Chin
<b>Attendees:</b>	Eugene Chin [REDACTED] (phone conference)
<b>Incident Date and Time:</b>	06/12/2019 at 11:25am
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Incident occurred on the outbound 45 Muni bus line at the intersection of Columbus Ave. and Stockton St. Operator refused allow the patron to board with two children riding in a double-wide stroller described as equivalent in width to a wheel chair. The patron stated it was hot and she was having ankle and back discomfort and she wanted to ride several blocks up a steep hill. The patron did not ask for deployment of the ramp and intended to lever the stroller onto the low-floor bus.	
<b>Operator's Response (Brief Summary)</b>	
The operator did not appear for the hearing.	
<b>DVD Evidence:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Video evidence is available. The video shows the Patron ready to board with a side-by-side stroller occupied by 2 children. The operator informed the patron with an apology that she could not board the stroller. The operator offered to board if the stroller were folded. The patron stated she wanted to go a few blocks. The video showed all seats to be occupied by at least one person. The patron asserted a need for a ride in warm weather. She admits that she did not verbally raise physical ailments only a need based on heat/hill climb. She did not present obvious disability or indicia such as a lift request.	
<b>Access-Related Muni Rule Violations:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
Based on the video evidence and the patron's testimony there is no basis for a denial of accessibility based on ADA requirements. The patron did not invoke a disability-based need either directly or indirectly. The unfolded stroller represents a hazard in the aisle regardless of the length of the anticipated travel by the patron. The video showed there was no readily available space for the stroller in a wheelchair bay. The operator is required to request vacating the wheelchair bay for a wheelchair bound patron. The operator is not required to request priority seated passengers to vacate the wheelchair bay for other materials/conveyances.	
<b>Comments</b>	



There is no evidence of an accessibility or Muni rule/procedure violation.

For Internal Use Only:

Angene Chin  
Hearing Officer

7/31/19  
Date



London Breed, Mayor

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 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	572533
<b>Hearing Date:</b>	08/13/2019 @ 2:15PM
<b>Hearing Officer:</b>	HO41 Rudy Sebastian
<b>Attendees:</b>	Patron [REDACTED] Operator [REDACTED] Shop Steward : Loree Woods-Bowman
<b>Incident Date and Time:</b>	07/12/2019 @ 2:05PM
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
205 Off Route/Didn't Complete. The Patron complained that the operator went off route and missed her requested stop. Patron described her "stop" on Williams Ave in front of Food Co. Supermarket; an unauthorized stop.	
<b>Operator's Response (Brief Summary)</b>	
The Operator stated that prior to the Patron boarding, he made an announcement that the coach was not "going up the hill" due to other coaches occupying the 54 Fulton route on narrow residential streets. Operator stated that Patron boarded voluntarily and requested to be alighted on Williams Ave at or by the Food Co.; an unauthorized stop. The Operator stated that due to safety concerns of heavily parked vehicles on Williams Ave and Phelps St., he located the safest area to drop off or alight the patron: Phelps St between Vesta St and Bancroft Ave.; an unauthorized stop. The Operator stated that the next MUNI designated authorized stop would have been Phelps St. and Carroll Ave.	
<b>DVD Evidence: Yes x No</b>	
Per the video, the Operator went off the 54 Fulton route, did not turn on Reddy St, and continued on Williams Ave. Prior to the Patron boarding, the Operator made an announcement that "he was not going up the hill" with the Patron asking the Operator to drop her off at a requested location. Audio was garbled regarding the exact location but there is an apparent agreement or understanding between the Operator and the Patron. Because the coach was off route on Williams Ave, the approaching stop of Vesta St. and Phelps St. was unattainable. Patron was dropped off on Phelps between Vesta and Bancroft; an unauthorized stop. Parked vehicles were present on Williams Ave and Phelps St. The next MUNI designated authorized stop would have been Phelps and Carroll Ave.	
<b>Access-Related Muni Rule Violations: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Insufficient Evidence</b>	
Inconclusive or Insufficient Evidence.	



**Comments**

The evidence is inconclusive or insufficient of a MUNI accessibility or ADA violation(s). Collaboration was established when the Patron knowingly boarded the off route 54 Fulton coach after the Operator made a prior boarding off route announcement notification and the Patron requested alighting at an unauthorized stop. Per the Patron hearing testimony, the requested disembarking or alighting location by the Patron was an unauthorized stop: Williams Ave in front of Food Co. Operator cited safety reasons factored by auto traffic, pedestrians and Patron's mobility equipment of his choice of the disembarking or alighting location: an unauthorized stop on Phelps St between Vesta St and Bancroft Ave. According to Muni Rules 4.12.1, Operator failed to immediately notify OCC of the disruption of schedule/off route due to other coaches occupying the 54 Fulton route on narrow San Francisco residential streets. Regarding the Operator's choice of the alighting location, 4.21.1 "Unauthorized Stop (no loading or unloading at an unauthorized stop) is noted along with 4.15.3 "if unable to comply with Rule 4.15.1 (designated authorized stops) operator is to stop at safe boarding location for boarding or alighting."

When off route on Williams Ave, the rejoining of the 54 Fulton route would occur on Phelps St. From Phelps St and Williams Ave, the next designated stop would have been Phelps St and Carroll Ave. The Phelps St and Carroll Ave designated stop would have been an additional block of distance that the Patron would have to travel.

For Internal Use Only:

Hearing Officer

Date

A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be a cursive name.

08/27/2019



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

### Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	572837
<b>Hearing Date:</b>	08/13/2019 @ 3:15PM
<b>Hearing Officer:</b>	HO41 Rudy Sebastian
<b>Attendees:</b>	Patron [REDACTED] Operator [REDACTED] Shop Steward : Loree Woods-Bowman
<b>Incident Date and Time:</b>	07/18/2019 @ 7:04PM
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
202 Ignored Stop Request. Patron complained that Operator missed her requested stop: Maddox Ave and Scotia Ave. An unauthorized stop.	
<b>Operator's Response (Brief Summary)</b>	
Operator contended that an oncoming 54 Fulton coach was traveling on route on Bridgeview Drive, a narrow San Francisco residential street. Per policy, procedure and protocol, when the oncoming 54 Fulton coach was occupying Bridgeview Drive, the Operator made a turn on Maddox Ave. The Patron requested next stop alighting. Operator alighted Patron at the next designated authorized stop: Thornton Ave and Scotia Ave.	
<b>DVD Evidence:</b> Yes x No	
<b>Access-Related Muni Rule Violations:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Insufficient Evidence	
No violation.	
<b>Comments</b>	
There is no evidence of a MUNI accessibility or ADA violation(s). The Patron requested the next alighting stop. Operator alighted Patron at the designated authorized MUNI stop: Thornton Ave. and Scotia Ave.	
For Internal Use Only:	

Hearing Officer

Date 08/27/2019



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	572952
<b>Hearing Date:</b>	08/13/2019 @ 11:15am
<b>Hearing Officer:</b>	HO44 E. Hou
<b>Attendees:</b>	<p>██████████ Patron          ██████████ Operator # ██████████          Andrew Simmons, Union Representative</p>
<b>Incident Date and Time:</b>	
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
The Patron stated that she fell and injured her back when she boarded the bus, and the Operator did not take necessary actions to report this incident. The Patron also stated she was denied service because the operator did not adhere to her requested stop.	
<b>Operator's Response (Brief Summary)</b>	
The Operator apologized in the hearing, and stated that she did not acknowledge the fall as the noise level was high at the Operator's area when the bus was running. The Operator also stated that she can only stop the bus at the designated bus stops, which she adhered to.	
<b>DVD Evidence: Yes</b>	
DVD evidence is available.	
<b>Access-Related Muni Rule Violations: No</b>	
Video recording was viewed by all parties in the hearing. The footage indicates that the Patron got on the bus from the back door behind a man. She fell on her back as the bus started moving, and the man assisted her to get up and sat on a chair. The Patron rang the bell to request a stop approximately 5 minutes later. However, the requested stop/location was not a designated stop on this bus route. The Operator eventually stopped the bus at the next designated stop, and the Patron was observed getting off the bus safely. Accordingly, my review supports a finding that there was no Access Related MUNI Rule violation.	
<b>Comments</b>	
In the matter of denying service, the Operator adhered to stop the bus at only the designated stops (with the exception of a few after hour routes), which was in accordance with Muni Rule 4.16.2. The ADA rules do not apply under this circumstance.	



It is clear that the Patron fall on the bus and may have been injured. The Patron was advised in the hearing that she has the right to file a Claim against the City and County of San Francisco within six months from this incident.

According to Muni Rule 7.5.1, MUNI perators must report all accidents and injuries immediately to the designated authorities. It is therefore recommended that Operator [REDACTED] be counseled on the grounds of noting and reporting accidents.

For Internal Use Only:

  
\_\_\_\_\_

Hearing Officer

\_\_\_\_\_ 09/06/2019

Date



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	573073
<b>Hearing Date:</b>	Monday, August 26, 2019
<b>Hearing Officer:</b>	H. Ibrahim
<b>Attendees:</b>	<p>██████████ (Interviewed via telephone on September 4, 2019)          Operator ██████████          Patricia Deleon, Union Representative</p>
<b>Incident Date and Time:</b>	July 23, 2019 @ 1740 hours
<p><b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.</p>	
<p><b>311 Complaint (Check Category)</b></p>	
<p>██████████ stated in their complaint that they were in an electric wheelchair when they boarded the 8AX-Bayshore A Express bus. ██████████ notified the operator that the accessible seats were not available. ██████████ stated that the operator did not speak to her and simply took off leaving ██████████ in the middle of aisle. ██████████ stated that other patrons came to her aide and assisted her in getting her wheelchair in position.</p>	
<p><b>Operator's Response (Brief Summary)</b></p>	
<p>During the hearing I questioned Operator ██████████ regarding the issues ██████████ raised above. Operator ██████████ stated that he only began driving alone in June. Operator ██████████ stated that he estimates over 80% of wheelchair bound patrons do not request assistance since they know how to operate the folding seats in the accessible area of the bus. Operator ██████████ insisted that he did not hear the request made by ██████████ since he had his protective shield closed. Operator ██████████ stated that he noticed ██████████ in the aisle only after departing but he was not aware that he could stop the bus and assist ██████████. Operator ██████████ stated that he informed ██████████ that he would assist at the next stop. Operator ██████████ stated that he noticed other patrons coming to ██████████'s aide and that ultimately ██████████ did not require his assistance at the next stop.</p>	
<p><b>DVD Evidence: Yes</b></p>	
<p>DVD evidence is available.</p>	
<p><b>Access-Related Muni Rule Violations: Yes</b></p>	
<p>After reviewing the evidence including the patron's testimony, the operator's testimony, and the video evidence I found there was an access-related violation of MUNI rule 4.20.6.</p>	





**Comments:**

Operator [REDACTED] and [REDACTED] testimony was confirmed by video evidence. The video evidence shows [REDACTED] boarding the bus and being left in the aisle and not properly secured in the accessibility seating section of the bus. [REDACTED] did request assistance but Operator [REDACTED] did not have his protective shield engaged and possibly did not hear [REDACTED] request. I did hear Operator [REDACTED] state "next stop" when he noticed [REDACTED] was in the aisle. Operator [REDACTED] and his union steward, Ms. Deleon both apologized profusely for the misunderstanding. Ms. Deleon stated that Operator [REDACTED] has received additional training on assisting disabled patrons and overall communication with patrons. Ms. Deleon stated that Operator [REDACTED] currently understands that he can stop the bus at any time in any location to assist a disabled patron. Operator [REDACTED] acknowledged that he understands the Agency's expectations.

For Internal Use Only:

\_\_\_\_\_  
H. Ibrahim  
Hearing Officer

\_\_\_\_\_  
Date



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

### Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#575439
<b>Hearing Date:</b>	09/20/2019 at 2:15pm
<b>Hearing Officer:</b>	Ivan Morales
<b>Attendees:</b>	[REDACTED]
<b>Incident Date and Time:</b>	08/28/2019 at 5:53pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Patron contends the operator ignored her request to stop the bus at her intended bus stop.	
<b>Operator's Response (Brief Summary)</b>	
Operator states heavy traffic did not permit the bus to traverse a lane of traffic to reach the curbside at the patron's requested bus stop, and instead advanced forward to the next bus stop for the passenger to safely alight the bus. Operator stressed he did not stop at the requested bus stop to ensure the safety of the passengers.	
<b>DVD Evidence:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Video evidence is available showing that heavy traffic exiting from the freeway off-ramp at Ocean Avenue/Howth Street impeded the bus from reaching the curbside at the patron's intended bus stop. Video shows the patron signaled and made verbal requests for the bus to stop at her intended bus stop; however, the operator did not communicate or explain to the patron why the requested bus stop was passed. Video confirms the operator did not stop, but rather continued to drive to the next bus stop, where the patron exited the bus.	
<b>Access-Related Muni Rule Violations:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
The complaint is valid.	
<b>Comments</b>	
The patron and the operator agreed that Muni service at the outbound bus stop, located at Ocean Avenue and Howth Street, should be reconsidered or altered when heavy traffic is present.	
For Internal Use Only:	

Hearing Officer

Date

11-14-19



London Breed, Mayor

Cheryl Brinkman, Chairman  
 Malcolm Heinicke, Vice Chairman  
 Gwyneth Borden, Director  
 Amanda Eaken, Director

Lee Hsu, Director  
 Cristina Rubke, Director  
 Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Muni Neutral Accessibility Hearing Finding

<b>PSR #:</b>	#572350
<b>Hearing Date:</b>	08/16/2019 at 3:15pm
<b>Hearing Officer:</b>	Eugene Chin
<b>Attendees:</b>	[REDACTED], Juan Coleman
<b>Incident Date and Time:</b>	07/11/2019 at 8:45pm
<b>Burden of Proof:</b> The customer has the burden of proving that the operator committed an access-related Muni rule violation.	
<b>311 Complaint (Check Category)</b>	
Incident occurred on the outbound 33 Muni bus line at and after the intersection of 16 <sup>th</sup> St and Mission St. Upon a request to be dropped off at her residence, claimant states operator told the claimant we will see when we get there. Operator refused to stop at claimant's address saying it was unsafe.	
<b>Operator's Response (Brief Summary)</b>	
<b>DVD Evidence:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Video evidence is available. The claimant states she repeated her request while still on 17<sup>th</sup> Street. The claimant left the bus at the stop before her residence. She acknowledges her residence is not visible from this stop.</p> <p>Per SFMTA's Rules and Instructions Handbook Rule 4.16.3 the operator stops will be make for requesting passenger to alight at the nearside of the street. This discharge of a passenger at a nondesignated stop obligates the operator to determine in his/her discretion whether this accommodation can be accomplished safely.</p> <p>The operator's response does not constitute a refusal to accommodate the passenger but is most reasonably interpreted to be a deferral of the determination of the safety of the nearside location until the location can be examined. This determination is reasonably made on each occasion as conditions may vary or change.</p> <p>On this occasion the claimant left the coach before the safety of the requested accommodation could be determined.</p>	
<b>Access-Related Muni Rule Violations:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Insufficient Evidence	
Based on the video evidence and testimony of the operator and claimant, no violation of an Access-related Muni rule violation is established.	
<b>Comments</b>	



Based on the video evidence and testimony of the operator and claimant, no denial of a requested accommodation was found as the claimant was no longer on the coach.

For Internal Use Only:

*E. J. Chan*  
Hearing Officer

9-13-19  
Date