

BEFORE THE BOARD OF DIRECTORS OF THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

In the Matter of Authorizing
the General Manager to
to reinstitute within the BART
Customer Code of Conduct
facial masking requirements
within the paid areas of the
transit system during the duration
of specified public health occurrences

Resolution No. _____

WHEREAS, new variants of life-threatening airborne diseases, such as COVID-19, may arise very quickly; and

WHEREAS, transit systems may cause the rapid spread of such variants in the absence of adequate preventative measures, and

WHEREAS, the ability to rapidly respond to such threats requires that good public policies be set in place to address such threats of disease with all deliberate speed, and

WHEREAS, the Board of Directors believes that the best science should be applied to the decision to deploy appropriate safety measures in order to promote the safety of riders throughout the BART system.

NOW, THEREFORE, BE IT RESOLVED that:

1. The General Manager is, by this resolution, authorized to amend the Customer Code of Conduct to impose a mandate that every natural person within the paid areas (areas within the fare gates of the train stations) of the BART system wear a face mask over their nose and mouth upon the occurrence of any of the following:
 - a) A local health officer reinstating indoor masking by any one of the five counties (Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara), or
 - b) The California Department of Public Health reinstating an indoor masking requirement, or
 - c) The Centers for Disease Control and Prevention (CDC) / TSA reinstating a public transportation mask mandate, or

- d) Any United States metropolitan area outside of the Bay Area experiences a COVID-19 surge as defined by the CDC. A surge is defined as any spike in case reports that may overwhelm the local points of care responsible for managing them.
2. Children ages 2 and under, as well as people who suffer medical conditions that prevent them from wearing facial masks, are exempt.
3. The Customer Code of Conduct shall be amended to reflect this requirement throughout the duration of any of the above-listed occurrences.
4. Failure to abide by this Customer Code of Conduct requirement will result in the immediate removal of the rider from the paid areas of the BART system.

PASSED AND ADOPTED this _____ day of _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

PRESIDENT

ATTEST:

DISTRICT SECRETARY