

## GENERAL CONDITIONS OF USE

### 1. Purpose

The purpose of these General Conditions of Use is to establish the general conditions of use with regard to the Diagonal - Baix Llobregat and Sant Martí - Besòs tram systems and their corresponding extensions.

### 2. Regulatory Framework

These General Conditions of Use have been drafted in accordance with the provisions of Law 4/2006, of 31 March, on railways, and the provisions of Law 7/2004, of 16 July, on fiscal and administrative measures, amended by Law 26/2009, of 23 December, on fiscal, financial and administrative measures.

### 3. Stops

All the stops of the tram networks are accessible to the general public, who must wait for the trams to arrive on the platforms provided for this purpose, without entering the tram platform.

### 4. Boarding and Alighting

With regard to boarding and alighting from the trams, the following rules must be respected:

1. Boarding and alighting are only permitted when the door button is lit. Passengers must not board or alight if the door button is off or when the signs indicate the immediate closure of the doors.
2. Passengers must board and alight as quickly as possible but without rushing.
3. Passengers must wait until all passengers wishing to alight have done so before boarding.
4. In the event of an incident during boarding or alighting, passengers may activate the alarm and inform the tram operation company staff.
5. Once boarded, passengers may occupy any empty seats, but they must give up seats reserved for the elderly and the disabled, if necessary. Standing passengers must make use of the grab handles installed for this purpose.
6. People in wheelchairs and people with prams/push chairs or bicycles must use the doors provided for this use to board and alight. Once boarded, they must use the space reserved for them and immobilise their wheelchairs, bicycles and prams/push chairs, and make use of the safety belts provided to increase the safety of the other passengers.

## 5. Transport Ticket Types

Tickets authorised by the Autoritat del Transport Metropolità (Metropolitan Transport Authority or ATM) are valid for the tram networks with the rights and obligations established by said Authority.

Moreover, the tram operator may establish specific tickets or tickets in collaboration with other companies, which will be valid subject to ATM approval.

Single tickets issued by the tram operator are valid in the tram network where they have been purchased, in accordance with the indicated conditions. They also have the validity established by the ATM for the rest of the integrated public transport network.

## 6. Ticket Obligations

1. Before accessing the interior enclosure and the trams, it is necessary to purchase a ticket for the journey. Children under the age of four are exempt from this obligation. For safety reasons, tickets are not issued or sold inside the trams.
2. Upon access to the tram, the ticket must be immediately validated using the validators provided in the tram. Subsequent ticket validations are not accepted. It is also necessary to validate the ticket again at each change or connection.
3. Passengers must keep their tickets and produce them for inspection when so requested by the operator's agents or agents duly authorised by the operator until they have left the platform. It is the responsibility of the passengers to keep their tickets in good condition.
4. It is possible for more than one person to travel with the same ticket, provided that the ticket is not solely for personal use, the number of validations is equal to the number of passengers and all the passengers make the same journey.
5. Passengers will be considered to be making undue use of the tram service in any of the following cases:
  - a) Travelling without a ticket or without a validated ticket.
  - b) Travelling with a ticket that is not valid for the characteristics of the journey or of the user. Personalised tickets are not considered valid without a national identification card or any other official document that accredits that the ticket corresponds to the user.
  - c) Travelling with an integrated transport ticket validated at the start of the journey but not validated at the connection points.
  - d) Using a manipulated or falsified ticket.
  - e) Using an expired, used or defective ticket.
  - f) Not validating the ticket according to what has been previously exposed on part 2.

6. In the event of passengers travelling without tickets, with tickets that have not been validated or with tickets not valid for the characteristics of the journey or the user, the following measures will be taken:

- a) The staff of the operator must require the user to pay the minimum amount established by law. To this end, the staff must issue a document corresponding to the minimum payment. This amount must be paid within a period of thirty days from the date of the intervention. If the minimum payment is paid immediately, when the corresponding ticket is issued, the amount to pay will be reduced by 50%.

In the event that the fine has been imposed for travelling with a discounted transport ticket, or a special ticket for single-parent or large families, without carrying the certifying documents (single parent/large family card), the fine will remain ineffective providing that the user brings the certifying documents within 48 hours.

If the fine has been imposed on an underage, the operator company must officially notify to the child's custodian and give them the opportunity to make the fine payment with a reduction of 50% within thirty days.

- b) If the user does not immediately pay the minimum amount, the staff of the operator must request identification in order to process the collection of the minimum amount. If payment is not made within the thirty days following the intervention, the Administration of the service must process the corresponding fine procedure, provided that the user's actions constitute an administrative infraction in accordance with the applicable transport regulation.
- c) If the user refuses to make the minimum payment or to provide suitable identification, the staff of the operator may request the help of the security personnel or of law enforcement agents, without prejudice to the power to require the user to leave the means of transport or the facilities.
- d) In the event that, having obtained the user's identification, it is discovered that the ticket is not valid because of the user's characteristics, or when the person refuses to provide identification and, therefore, this aspect cannot be verified, the staff must retain the ticket and deposit it in the location specified for this purpose to enable the user to recover it upon production of the required identification document.

7. In the event of a person travelling with an integrated transport ticket validated at the start of the journey but not validated at each connection point, the staff of the operator must require the user to pay an amount equivalent to the price of a single ticket of one tariff area.

8. In the event that the ticket shows signs of having been manipulated or falsified, the staff of the operator must retain the ticket and require the user to provide identification in order to process the corresponding legal action. Subsequently, the user must be ordered to leave the vehicle or the facilities. If the user refuses to provide identification, the staff of the operator must request the help of the security personnel or of law enforcement agents, without prejudice to the power to require the user to leave the means of transport or the facilities.

9. In accordance with the provisions of article 38 of Law 4/2006, of 31 March, on railways, employees of the tram operator company are, in acts of service or acts motivated by them, considered to be authority agents in the exercising of their functions, especially with regard to the observation of whether users and third parties in general comply with the rules established in laws and regulations. These employees are considered to be authority agents with respect to demands, where applicable, for liability corresponding to any person offering resistance or committing criminal attempt or contempt either in deed or in action against them.

## **7. Ticket Conservation Rules**

1. Upon purchase of the ticket, before boarding the tram, the user must check that the ticket and the price correspond to the user's request. In the case of a ticket issued by an automatic machine, if the user considers that there has been a mistake in the price or in the change returned by the machine, or if the user is not satisfied with the operation, the user must inform the staff of the operator, who will carry out the relevant checks and act in accordance with the results of these checks.
2. Passengers who purchase a ticket after being informed of the existence of a suspension or incident in the service do not have the right to exchange their tickets.
3. The tram operator will exchange integrated transport tickets or single tram tickets that cannot be duly used for reasons not attributable to the user or in the case of service interruptions attributable to the company, with the following conditions:
  - a) The operator will provide the user with a new ticket in the same class and with the same number of journeys remaining as the original ticket.
  - b) The ticket must be claimed immediately after the interruption and must be directly requested from the Citizen Information Office of the operator or from the inspectors in the area.
  - c) Users do not have the right to such a claim when there is another means of public transport with a similar route providing a change or connection without any additional payment, or when the company offers an alternative on the same route within a period of no more than thirty minutes after the service interruption.
  - d) Tickets that enable an unlimited number of journeys do not give the right to returns.
  - e) Non-integrated tickets must be exchanged by the issuing entity.
4. Users must keep their tickets in good condition during their period of validity. A ticket in poor condition does not give the right to any returns or claims, and this must be indicated on the tickets.

Tickets that have been altered or manipulated are not considered to be valid.

## 8. Passengers' Rights

Passengers have the right to:

1. Be informed of the service characteristics, of the operation of the transport services, of service incidents and of the various transport tickets they can choose in accordance with the applicable tariffs and the established conditions of use. The tram operator must install in the network the information elements that the corresponding administration determines to provide information for passengers.
2. Be transported with a valid ticket with the objects and packages they are carrying, provided that they do not disturb or endanger other passengers and that they respect the provisions established in these General Conditions.
3. In the event of an incident or suspension due to causes not attributable to the company, refuse to continue the journey and be issued with a replacement ticket for use at any time, within the terms of validity of the ticket, in accordance with point 3 of condition 7 of these General Conditions.
4. Receive polite customer service from the agents of the company and be duly attended when asking them for help or information.
5. Submit any claims they consider appropriate in relation to the provision of the service, by means of the forms available in the Citizen Information Office of the tram operator, by fax or via the company's website.
6. Be informed of the procedures established to resolve any disputes that might arise in relation to compliance with the transport contract before transport arbitration boards or ordinary courts.
7. Receive from the operator, within a maximum period of 20 days, a response to claims or complaints.
8. Have preferential use seats duly indicated in the case of people with reduced mobility, pregnant women and other groups determined by the operator.
9. Have tram entrances duly indicated and spaces inside the tram with safety elements in the case of people with reduced mobility.
10. Transport accessories such as bicycles and prams/push chairs. Bicycle access is permitted provided that it does not disturb other passengers due to a lack of space in the vehicle as determined by the company personnel. Once inside, they must remain in the space reserved for these vehicles and the bicycles must be correctly arranged and supported. Any harm caused to other passengers resulting from these accessories is the exclusive responsibility of the owner.

### 11. Travelling with dogs

11.1 Passengers may access the TRAM with guide dogs (in case of blind) or assistance dogs. These should have the distinctive identification and corresponding certification. Additionally, dogs transported in rigid carriers covering its body are also allowed.

11.2 Dogs wearing ID chips and entered on the municipal register are allowed in the tram, in compliance with the following conditions:

- a) They can access during the following time slots:
  - On weekdays from 11 September to 24 June, dogs are not allowed on the tram between 7.00 and 9.30 am, nor between 5.00 and 7.00 pm.
  - At weekends and on public holidays, dogs are allowed with no time restriction.
  - From 24 June to 11 September, dogs are allowed at any time.
- b) Only one dog per person is admitted.
- c) Dogs must be muzzled and kept on a non-extending lead, always remaining within 50 cm of the owner, from the time they enter the TRAM premises (railway platforms) until they leave.
- d) According to the current legislation, underage are not allowed to be in charge of potentially dangerous breed dogs. People travelling with such dogs must bring with them the dog license and the proof of registration on the municipal register.
- e) Dogs are not allowed on seats.
- f) Anyone travelling with a dog is responsible for its behavior. Consequently, owners must ensure that the dog causes no risk nor inconvenience to the other passengers. They must also avoid blocking the passing areas or doors in the tram.
- g) The dog's handler will be responsible for any damage or harm caused to passengers or the company. The dog's owner will be obliquely liable.
- h) When the tram is crowded and the safety of passengers and animals so requires, the operator company may restrain the access with dogs.

11.3 In the event that the conditions established for travelling with dogs on the tram are not obeyed, the handler at the time will be committing a minor or serious offence, depending on the circumstances, pursuant to articles 64.s) or 65.p) of Law 4/2006, 31 March, on rail transport.

## **9. Passengers' Obligations**

1. Passengers must respect the following obligations:
  - a) Have the corresponding, correctly validated ticket immediately upon the access, and conserve it as long as they are in the tram facilities and show it to or place it at the disposal of the company's accredited personnel when so requested.

- b) Heed the indications of the operator's agents for correct provision of the service, in addition to the indications on posters and accessories placed on display or issued by the public address system. They may inform the company of any anomalies observed.
- c) Behave correctly and respectfully towards the rest of the passengers and the personnel of the operator and avoid any actions that might result in the deterioration or misuse of the vehicles or facilities. Especially, not use any sound reproduction equipment, unless with earphones.
- d) Cede, where applicable, spaces and seats for the passengers mentioned in point 8 of these General Conditions.

2. It is prohibited for passengers to:

- a) Distract the driver while he is driving.
- b) Smoke in the tram.
- c) Consume alcoholic drinks inside the vehicles or on the platforms.
- d) Dirty the tram or leave rubbish or other materials in it.
- e) Prevent the tram doors from opening or closing or force the mechanisms, whether the doors of the vehicle, or those for exclusive use of the tram personnel.
- f) Try to board or alight after the warning sound has indicated that the doors are about to close or when the tram is in motion.
- g) Use any of the emergency stop systems in the trams, escalators or lifts without due cause or or use them inappropriately.
- h) Move to or remain in places other than those established for users or in conditions considered to be unsuitable due to the danger they may present to personal safety and to the safety of all the passengers. This prohibition includes:
  - Boarding the tram when it is in motion and forcing the doors when they have closed.
  - Standing on the entrance step or any other external elements of the tram and trying to hold on with the tram either stationary or in motion.
  - Entering the driver's cabin.
  - Crossing the tracks outside of the authorised places.
  - Hanging out of the windows of the trams.
- i) Remain in the tram facilities outside of the operating hours.
- j) Access the premises and facilities reserved for authorised personnel without authorisation.
- k) Carry out actions that result in the deterioration or misuse of the material of the trams or the facilities.
- l) Manipulate, deteriorate or destroy any service element directly related to the normal and safe operation of the trams.
- m) Manipulate, deteriorate or destroy directly or indirectly any fixed or mobile work or installation or any functional element of the service.



- n) Throw or deposit objects of any kind on the tracks, their surroundings or the facilities.
- o) Excluding what has been previously decreed in the art.8, it is not allowed to access with animals, in exception to those domestic animals that may be transported on specially designed carriers not to cause dirt or disturb other passengers. Anyone travelling with dogs must supervise them.
- p) Introduce objects or materials that might be dangerous to or that might disturb other users, especially if their volume is greater than 100 x 60 x 25 cm or if they exceed the dimensions established in the regulations. Users are required to be vigilant with regard to any objects they are carrying with them.
- q) Travel standing while wearing skates. If there are no seats free, they are obliged to remove the skates and hold them, making sure they do not harm any of the other passengers. Any harm caused to the user of the skates or to other passengers in the tram is the exclusive responsibility of the person wearing them.
- r) Do anything that might disturb the users, affect public order or affect the services. Behave in such a way as to physically endanger themselves, other passengers or company personnel.
- s) Distribute publicity, stick posters up, beg, organise raffles or other gambling activities, or sell goods or services in the trams or the stops without the express authorisation of the operator.
- t) Carry out work or installations without authorisation in the public or protected area.
- u) Obstruct the work of the operator personnel while performing their functions.

## 10. Inspection Function

1. In accordance with the provisions of articles 38 and 60 of Law 4/2006, of 31 March, on railways, the inspectors and drivers of the operators of tram services are expressly authorised to carry out inspections in relation to:
  - a) Tram traffic.
  - b) The use and defence of the infrastructure, with the objective of guaranteeing the safety of the traffic and the conservation of the infrastructure and the tram facilities in any way required for operation.
  - c) The control of compliance with obligations to prevent all types of damage to and deterioration of the tracks and facilities, and risks or dangers for people.
  - d) The control of the limits imposed in relation to the areas surrounding the tram.
  - e) Immediate vigilance of the observance of users and third parties in general of the rules established by laws and regulations.



2. In the exercising of the inspection functions, the inspectors and drivers of the operators of the trams can request users and third party infringers to provide identification in order to process the corresponding fines and if they refuse to provide identification they may request the help of law enforcement agents or security staff and retain the offenders until their arrival for identification, without prejudice to the power to require users to leave the means of transport or the facilities.

## **11. Infractions and Fines**

Non-compliance with the prohibitions and obligations established in these General Conditions constitutes a fineable infraction in accordance with the provisions of Law 4/2006, of 31 March, on railways, without prejudice to any civil and penal liability that might arise from these infractions.

Fines arising from infractions must be processed in accordance with the provisions of article 70 of law 4/2006, of 31 March, on railways. Infractions and fines expire in accordance with the provisions of article 71 of the aforementioned law and in regards to the minimum amount on art.53.3 of Law 7/2004, of 16 July, on fiscal and administrative measures.

## **12. Publication of the General Conditions of Use**

The operator is responsible for placing all or an extract of these General Conditions at the stops, in a visible location and on its website.