

**Subject** Transit safety and enforcement

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## Overview

This bill modifies enforcement and support activities as well as penalties related to public transit. Among its provisions, the bill:

- directs the Metropolitan Council to create a transit rider investment program (TRIP) for transit services, fare enforcement, and administrative citations;
- authorizes administrative citations as an alternative to a judicial penalty for various transit-related violations (such as nonpayment of fares and some rider conduct acts);
- modifies the penalties for various rider conduct acts in transit facilities, including to (1) reduce the penalty for fare-related violations as well as littering to a petty misdemeanor (instead of a misdemeanor), (2) eliminate the criminal penalty for some activities, and (3) set a misdemeanor penalty for smoking and alcohol consumption;
- creates a temporary transit service intervention project for the light rail transit system; and
- appropriates funds for TRIP and the intervention project.

Under some of the penalty changes, the bill creates two separate options to enforce some violations in transit facilities: (1) as a misdemeanor, which is currently a payable offense that could potentially follow a judicial process in the courts with a fine and court surcharge totaling \$175 (with other fees potentially applying); or (2) through an administrative citation administered by the Metropolitan Council, with a fine amount that ranges from \$35 to \$100. Each violation could only be enforced through one or the other of these options. Similarly, the bill also provides for petty misdemeanor offenses that could be enforced through the judicial process or an administrative citation.

## Summary

| Section | Description  |
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| 1       | <p><b>Administration of opiate antagonists for drug overdose.</b></p> <p>Authorizes personnel under the transit rider investment program (being established in the bill) to administer opiate antagonists, e.g., NARCAN Nasal Spray, for emergency treatment of an opioid overdose, if the medical provider and training prerequisites are met.</p>  |
| 2       | <p><b>Surcharges on criminal and traffic offenders.</b></p> <p>Reduces the court surcharge, from \$75 to \$25, for various transit rider conduct violations including fare-related violations (e.g., nonpayment of fares, falsified fares, or failure to show proof of payment), littering, smoking, and other acts that carry a misdemeanor penalty. Effective July 1, 2023.</p>  |
| 3       | <p><b>Disbursement of surcharges by commissioner of management and budget.</b></p> <p>Directs the entirety of the court surcharge on some transit rider conduct violations to go to the general fund.</p>  |
| 4       | <p><b>[Adds § 473.4065] Transit rider activity.</b></p> <p>Sets rider conduct and safety monitoring requirements related to transit service. Effective the day after enactment.</p> <p><b>Subd. 1. Code of conduct; establishment.</b> Directs the Metropolitan Council to adopt a rider code of conduct and post copies at LRT stations as well as park-and-ride lots.</p> <p><b>Subd. 2. Code of conduct; violations.</b> Explicitly authorizes peace officers to order a transit passenger to depart transit facilities after a warning followed by continued violation of the code of conduct.</p> <p><b>Subd. 3. Paid fare zones.</b> Requires the council to establish and clearly mark paid fare zones at LRT and other stations that use barrier-free self-service fare collection.</p> <p><b>Subd. 4. Light rail transit facility monitoring.</b> Directs the council to perform public safety monitoring at LRT stations and on the trains, including placement of live-feed security cameras, active monitoring of the cameras, and installation of public address systems.</p> |
| 5       | <p><b>[Adds § 473.4075] Transit rider investment program.</b></p> <p>Establishes a Metropolitan Council program for transit passenger support, fare compliance inspection, and administrative citations. Generally effective July 1, 2023.</p>   |

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**Subd. 1. Definitions.** Defines terms.

**Subd. 2. Program established.** Directs the Metropolitan Council to implement the transit rider improvement program (TRIP). Sets requirements governing a council resolution, development of policies and procedures for the program, stakeholder consultation, and personnel recruitment and deployment.

**Subd. 3. TRIP manager.** Requires appointment of a manager for the program.

**Subd. 4. TRIP personnel; duties; requirements.** Identifies duties for personnel under the program, including passenger monitoring and assistance, fare payment inspections, and issuance of administrative citations.

**Subd. 5. TRIP personnel; training.** Identifies topic areas for training the personnel under the program.

**Subd. 6. Administrative citations; authority; issuance.** Authorizes transit officials (i.e., TRIP personnel, licensed peace officers, and community service officers) to issue administrative citations for some violations in transit facilities (including nonpayment of fares, littering, smoking, consuming alcohol, and other specified nuisances). Requires process notifications as part of citation issuance. Prohibits administrative citation quotas. Prevents both an administrative citation and a criminal conviction (under the statute governing fare payment and rider conduct requirements) for the same act.

**Subd. 7. Administrative citations; disposition.** Outlines requirements for disposition of an administrative citation, including to (1) set a 90-day window for a person to contest the citation, (2) direct the council to set up a process for contesting citations, and (3) provide authority for the council to undertake collections.

**Subd. 6. Administrative citations; penalties.** Requires the fine for an administrative citation to be between \$35 and \$100, which can be imposed under a graduated fine structure. Authorizes the council to use alternative resolution processes under some circumstances.

**6 [Adds § 473.4077] Legislative report; transit safety and rider experience.**

Mandates an annual legislative report on transit safety and the transit rider investment program. Specifies report contents.

| Section | Description  |
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| 7       | <p><b>Unlawfully obtaining services; petty misdemeanor.</b></p> <p>Reduces the penalty for evading or falsifying fare payment for transit service, or for failure to provide proof of fare payment, to be a petty misdemeanor instead of a misdemeanor. Caps the base fine amount at \$10. Effective July 1, 2023.</p>   |
| 8       | <p><b>Prohibited activities; petty misdemeanor.</b></p> <p>Eliminates various transit rider conduct activities from being a misdemeanor, including playing amplified music, consuming food or beverages without authorization, and bringing an animal without authorization. Makes littering a petty misdemeanor instead of misdemeanor, after a warning followed by continued violation. (Note, smoking is removed in this section but remains a misdemeanor under the changes made in section 9.) Effective July 1, 2023.</p>  |
| 9       | <p><b>Prohibited activities; misdemeanor.</b></p> <p>Establishes a misdemeanor penalty for various transit rider conduct activities, including urination or defecation, consuming alcoholic beverages, and some types of disorderly conduct. Explicitly authorizes peace officers to order a transit passenger to depart transit facilities for a violation. Effective July 1, 2023.</p>   |
| 10      | <p><b>Definitions.</b></p> <p>Includes personnel under the transit rider investment program among transit representatives who have authority related to requiring proof of fare payment as well as issuing warnings on interference and littering. Makes a technical change.</p>   |
| 11      | <p><b>Transit service intervention project.</b></p> <p>Establishes a temporary project to perform interventions on light rail transit lines that involves coordinated efforts between law enforcement and social service entities.</p> <p><b>Subd. 1. Definitions.</b> Defines terms.</p> <p><b>Subd. 2. Establishment.</b> Creates the intervention project.</p> <p><b>Subd. 3. Project manager.</b> Directs the manager of the transit rider investment program (being established in this bill) to handle project implementation.</p> <p><b>Subd. 4. Participating organizations.</b> Directs the project manager to arrange for project coordinating through participation by a number of listed state and local entities.</p> <p><b>Subd. 5. Duties.</b> Specifies the duties of the project manager in coordination with participating entities, which include (1) establishing intervention teams of social</p> |

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services personnel, and (2) creating two intervention phases (the first for only social services, and the second for social services along with law enforcement).

**Subd. 6. Administration.** Directs the Metropolitan Council to provide staff support.

**Subd. 7. Reports.** Sets monthly status reporting requirements.

**Subd. 8. Expiration.** Makes the intervention project expire June 30, 2024.

**12**      **Appropriation; transit rider investment program.**

Appropriates amounts to be specified in fiscal years 2023-2025 from the general fund to the Metropolitan Council for the Transit Rider Investment Program and the legislative report on transit safety and the program. Sets an annual base.

**13**      **Appropriation; transit service intervention project.**

Appropriates \$2,000,000 from the general fund to the Metropolitan Council for the transit service intervention project.



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