

HF1322 - 4A - Transit Safety

Chief Author: **Brad Tabke**
 Committee: **Transportation Finance**
 Date Completed: **3/23/2023 3:51:34 PM**
 Lead Agency: **Metropolitan Council**
 Other Agencies:
 Minn Management and Budget Supreme Court

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Metropolitan Council						
General Fund		2,000	-	-	4,652	4,913
Minn Management and Budget						
General Fund		-	1	1	1	1
Supreme Court						
General Fund		-	2	3	3	3
State Total						
General Fund		2,000	3	4	4,656	4,917
		Total	2,000	3	4	4,656
				7		9,573
				Biennial Total		

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	FY2023	FY2024	FY2025	FY2026	FY2027	
Metropolitan Council						
General Fund	.1	30.67	67.5	75	75	
Minn Management and Budget						
General Fund	-	-	-	-	-	
Supreme Court						
General Fund	-	-	-	-	-	
		Total	.1	30.67	67.5	75

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Christian Larson **Date:** 3/23/2023 3:51:34 PM
Phone: 651-284-6436 **Email:** christian.larson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Metropolitan Council						
General Fund		2,000	-	-	4,652	4,913
Minn Management and Budget						
General Fund		-	1	1	1	1
Supreme Court						
General Fund		-	2	3	3	3
Total		2,000	3	4	4,656	4,917
Biennial Total				7		9,573
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Metropolitan Council						
General Fund						
Expenditures		2,000	3,859	5,540	4,876	5,137
Absorbed Costs		-	(3,859)	(5,540)	(224)	(224)
Minn Management and Budget						
General Fund		-	-	-	-	-
Supreme Court						
General Fund		-	-	-	-	-
Total		2,000	-	-	4,652	4,913
Biennial Total				-		9,565
2 - Revenues, Transfers In*						
Metropolitan Council						
General Fund		-	-	-	-	-
Minn Management and Budget						
General Fund		-	(1)	(1)	(1)	(1)
Supreme Court						
General Fund		-	(2)	(3)	(3)	(3)
Total		-	(3)	(4)	(4)	(4)
Biennial Total				(7)		(8)

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 Agency: **Metropolitan Council**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	2,000	-	-	4,652	4,913	
Total	2,000	-	-	4,652	4,913	
Biennial Total						9,565

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	.1	30.67	67.5	75	75
Total	.1	30.67	67.5	75	75

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Christian Larson **Date:** 3/23/2023 3:51:21 PM
Phone: 651-284-6436 **Email:** christian.larson@lbo.mn.gov

State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
General Fund	2,000	-	-	4,652	4,913	
Total	2,000	-	-	4,652	4,913	
	Biennial Total		-		9,565	
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund						
Expenditures	2,000	3,859	5,540	4,876	5,137	
Absorbed Costs	-	(3,859)	(5,540)	(224)	(224)	
Total	2,000	-	-	4,652	4,913	
	Biennial Total		-		9,565	
2 - Revenues, Transfers In*						
General Fund						
	-	-	-	-	-	
Total	-	-	-	-	-	
	Biennial Total		-		-	

Bill Description

Section 1 Administration of opiate antagonists for drug overdose. This section authorizes Transit Rider Investment Program (TRIP) personnel to administer opiate antagonists, like NARCAN, to treat overdoses.

Section 2 Surcharges on criminal and traffic offenders. Reduces court surcharges for various violations.

Section 3 Disbursement of surcharges by commissioner of Management and Budget. Directs that the court surcharge on certain violations go to the state General Fund.

Section 4 Transit rider activity requires a Code of Conduct, paid fare zones, and light rail facility monitoring.

Section 5 Transit Rider Investment Program established that includes transit customer service, fare inspection, and fare compliance activities. This section also establishes administrative citations for certain offenses on transit.

Section 6 Legislative report on transit safety and rider experience required.

Section 7 Unlawfully obtaining services reduces the penalty for fare non-compliance to a petty misdemeanor and caps the base fine amount at \$10.

Section 8 Eliminates some violations on transit from the list of prohibited acts that are misdemeanor and makes littering a petty misdemeanor.

Section 9 Establishes a misdemeanor penalty for certain prohibited acts and authorizes peace officers to order a rider off transit if they engage in this prohibited activity.

Section 10 Includes TRIP personnel in the list of authorized transit representatives who can require proof of fare payment.

Section 11 Establishes the Transit Service Intervention Project, a temporary project to coordinate law enforcement 1312 Provides an appropriation for 2023-2025

Section 12 Appropriates \$2 million in General Fund dollars to the Metropolitan Council for the intervention project.

Assumptions

TRANSIT RIDER INVESTMENT PROGRAM:

For the purposes of this fiscal note, TRIP Personnel are assumed to be paid the same as existing Community Service Officers (CSOs). The number of TRIP personnel is estimated based on the personnel needed to inspect approximately 5 percent of proof of payment rides.

The administrative personnel would develop and maintain the administrative citations program. Since administrative citations be handled and adjudicated within the Metropolitan Council, we anticipate needing staff to establish the system for issuing citations, tracking citations, ensuring there is due process in place, and other duties to administer the program. Metro Transit estimated the number of staff needed for this work and are assuming their job classification will be comparable to existing data analyst positions we have in place.

Building the TRIP program and hiring staff is assumed to take approximately 6 months, so this fiscal note assumes they will start 1/1/2024. Administrative Personnel: Transit Safety Program Manager will be hired effective 8/1/2023 with the start of the program. Supervisors and administrative personnel will be hired effective 10/1/2023.

The Total FTE's in SFY 2024 (partial year of operation) is 29.42 FTE's and is comprised of 24 TRIPs and 5.42 Administrative Staff, Total FTE's in SFY 2025 (full year of operation) is 67.5 FTE's and is comprised of 59.5 TRIPs and 8 Administrative Staff, SFY 2026 is 75.0 FTE's and is comprised of 67.0 TRIPs and 8 Administrative Staff, and SFY 2027 is 75.0 FTE's and is comprised of 67.0 TRIPs and 8 Administrative Staff. The Transit Rider Investment Program assumes staffing levels necessary to achieve a target fare inspection rate of 5% of proof of payment (off-board payment) rides and includes administrative staff to support the program.

CSO TRIP Personnel Salary cost in 2024 (Salary and Benefits) is \$68,920 per FTE

Administrative Staff Supervisor Salary Cost in 2024 (Salary and Benefits) is \$127,094 per FTE.

Senior Administrative Staff Manager Salary Cost in 2024 (Salary and Benefits) is \$131,250 per FTE.

Administrative Staff Support Staff Salary Cost in 2024 (Salary and Benefits) is \$134,008 per FTE.

Per Minnesota Statue 473.4051, Subdivision 2, state general fund appropriations are requested to cover 50% of those costs attributable to light rail (METRO Green and Blue Line) operations. The remaining 50% of light rail operations costs are assumed to be paid by the counties where services are located. The distribution of costs attributable to Northstar Commuter Rail and Orange Line are assumed to be the same as for light rail with the state general fund contributing 50% of those costs and the remainder paid by the counties hosting the service. The Counties Contributions would require re-negotiating of the Multi-year Master Funding Agreements and Annual Grant Agreements. General Fund appropriations are assumed to cover 100% of the costs attributable to bus operations.

Training Costs for TRIP Personnel will include HAT Training and Nalozone Training.

TRANSIT SERVICE INTERVENTION PROJECT:

The Council will only spend funds and implement the program for one year, or 12 months.

There may be a small amount of additional administrative expenses to implement the pilot, which the Council will absorb by assigning activities required by this bill to current agency staff given the timelines in the bill.

The general fund appropriation of \$2,000,000 to the Metropolitan Council to implement the Transit Service Intervention Project will support the Transit Service Intervention Project with no additional appropriation above the \$2,000,000 necessary.

Assume there will be no reimbursement of working group members or meeting costs as all meetings will be onsite and/or virtual meetings. All working group members time will be part of their normal work duties and costs will be absorbed by their home agency.

Assume there will be no additional administrative costs of staff supporting the Transit Service Intervention Project. All administrative duties will be assumed by existing Council staff as part of their current duties.

Will establish social service intervention teams consisting of county-based social services and non-profit organizations having mental health services or support capacity to perform on-site social services engagement. We will use the \$2.0M to reimburse the County Based Social Services and Non-Profit Organizations. The Project Manager will establish agreements with the partnering agencies that will detail the applicable terms in the agreements of the work expectations under the respective grants. The grant agreements will establish the partnering agencies responsibility for reporting to the project manager on a monthly basis (1) a summary of activities under the intervention project; (2) a fiscal detail of their monthly expenditures; (3) analysis of impacts and outcomes related to social services outreach, violations under Minnesota Statutes section 473.4065 and 609.855 and rider experience. The respective grants will detail the applicable terms in the agreements for the partnering agency work expectations and it will be decided by each agency how they administer their work using existing or new staff support.

The monthly reporting requirements by the project manager will use existing staff and report writing resources to compile the monthly reports. Each respective grant agreement will detail the reporting needs to be documented and submitted monthly by each partnering agency to the project manager.

The Assumption is the proposed legislative will be effective starting 6/1/2023.

Senior Project Manager Support and Grant Analyst Support will be for the period of 6/1//2023 to 6/30/2024 for a total of 13 months. The Project Manager and Grant Analyst will work together to Develop the Grant Agreement, Administer the Grant Agreements, and Coordinate accumulation of monthly reporting.

The Assumption is the grants will be developed and implemented by July 1, 2023 for a total of 12 months, or a monthly total of grants of \$166,666.

Project Manager Support assumes a 1.0 FTE. Total Annual cost (Salaries and Benefits) of a full time FTE is \$136,777 or \$11,398 per month. The Total Cost of the Project Manager will be \$148,175 and will use existing resources.

Grant Analyst Support assumes a 0.25 FTE. Total Annual cost (Salaries and Benefits) of a full time FTE is \$128,608 and a 0.25 FTE is \$32,152 or \$2,679 per month. The Total Cost of the Grant Analyst Support will be \$34,831 and will use existing staff.

The information required in section 11 on ridership and criminal activity is already gathered by the Council, and the cost to add it to the Council's web site each month and quarter is nominal and will be absorbed by the Council.

Expenditure and/or Revenue Formula

TRANSIT RIDER INVESTMENT PROGRAM:

TRIP Personnel have been costed using similar positions currently in place today using salaries and benefits.

Manager, Supervisor and Administrative Personnel have been costed using similar positions currently in place today using salaries and benefits.

TRIP personnel need 3 months of training prior to starting their duties and require a 6 month lead time for hire.

Transit Safety Program Manager will be hired effective 8/1/2023 with the start of the program.

Supervisors and Administrative Personnel will be hired effective 10/1/2023.

Total Program Costs include purchase of Fare Validator Equipment and E Citation Validators for CSOs.

The Local County Contributions would be from the counties of Hennepin, Ramsey, Anoka and Sherburne and will begin in SFY 2026. These amounts, consistent with budget structures in the current agreements, are \$1,271,915 in FY26 and \$1,366,245 in FY27.

Metro Transit has calculated an estimate of the \$35 Administrative Citations to be collected and is reflected in the Total

Program Cost Recap. The Administrative Citations Revenues collected will be maintained by the Council in a separate Account that is only used to cover the costs of the program.

Training Costs for TRIP Personnel will include HAT Training at \$350 per person and Nalozone Training at \$50 per person for a total of \$400 per Trip Personnel. Cost in SFY 2024 is \$9,600 for 24 staff, ' SFY 2025 \$14,200 for 35.5 additional FTEs, and SFY 2026 is \$3,000 for 7.5 additional FTEs, as indicated in the table..

Federal Relief Funds will be used to cover the cost of the program in SFY 2024 and SFY 2025.

TRANSIT SERVICE INTERVENTION PROJECT:

Project Manager Support and Grant Analyst Support will be for the period of 6/1//2023 to 6/30/2024 for a total of 13 months. The Project Manager and Grant Analyst will work together to Develop the Grant Agreement, Administer the Grant Agreements, and Coordinate accumulation of monthly reporting.

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The information required in section 11 on ridership and criminal activity is already gathered by the Council, and the cost to add it to the Council's web site each month and quarter is nominal and will be absorbed by the Council.

FTE Calculation:

Transit Rider Investment Program:	CY2023 Jan-Jun	CY2023 Jul-Dec	CY2024 Jan-Jun	CY2024 Jul-Dec	CY2025 Jan-Jun	CY2025 Jul-Dec	CY2026 Jan-Jun	CY2026 Jul-Dec	CY2027 Jan-Jun	CY2027 Jul-Dec
TRIP Personnel CSO:										
Blue Line	-	-	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00
Green Line	-	-	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Northstar	-	-	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Rapid Bus A line	-	-	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Rapid Bus C line	-	-	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00
Rapid Bus Red Line	-	-	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Rapid Bus Orange line	-	-	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
Rapid Bus Gold line	-	-	-	3.00	6.00	6.00	6.00	6.00	6.00	6.00
Start 3/25 hire 10/24										
Rapid Bus D line	-	-	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Rapid Bus B line	-	-	-	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Start 1/25 hire 7/24										
Rapid Bus E line	-	-	-	-	-	6.00	6.00	6.00	6.00	6.00
Start 12/25 hire 7/25										
Green Line Extension 7/27	-	-	-	-	-	-	-	-	-	6.00
			48.00	58.00	61.00	67.00	67.00	67.00	67.00	73.00
Administrative Staff:										
Supervisors hired		1.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00

10/1/2023										
Managers hired 8/1/2023		0.83	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Admin Staff hired 10/1/2023		1.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
TOTAL Transit Rider Investment Program		2.83	56.00	66.00	69.00	75.00	75.00	75.00	75.00	81.00

FTEs by SFY:

By SFY	SFY2024	SFY2025	SFY2026	SFY2027
CSO TRIP Personnel	24.00	59.50	67.00	67.00
Supervisors	1.5	2.00	2.00	2.00
Manager	1.42	2.00	2.00	2.00
Admin Staff	2.5	4.00	4.00	4.00
Total	29.42	67.50	75.00	75.00

Transit Service Intervention Program:

Transit Service Intervention Program	CY2023	CY2023	CY2024	CY2024
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec
Project Manager Hire 6/1/2023		0.084	1.000	1.000
Grant Analyst Hire 6/1/2023		0.020	0.250	0.250
Total Transit Service Intervention Program		0.104	1.250	1.250

	SFY2023	SFY2024	SFY2025	SFY2026	SFY2027
Total Transit Service Intervention Program			0.104		1.250
GRAND TOTAL FTEs	0.104	30.67	67.50	75.00	75.00

Training Costs:

HAT "Homeless Action Team" Training is 48 hours.

Naloxone Training per person is 4 hours.

	SFY2024	SFY2025	SFY2026	SFY2027
TRIP Personnel	24.00	59.50	67.00	67.00
Incremental SFY FTE Increase	24.00	35.50	7.50	-
HAT Training Cost	\$350	\$350	\$350	\$350
Naloxone Training Cost	\$50	\$50	\$50	\$50
Total Training Cost	\$400	\$400	\$400	\$400
Total SFY Cost of Training	\$9,600	\$14,200	\$3,000	-

Training Costs for TRIP Personnel will include HAT Training at \$350 per person and Naloxone Training at \$50 per person for a total of \$400 per Trip Personnel. Cost in SFY 2024 is \$9,600 for 24 staff, SFY 2025 \$14,160 for 35.5 additional FTE's

, and SFY 2026 is \$3,000 for 7.5 additional FTE's, as indicated in the table.

CITATION REVENUE CALCULATION

CITATION REVENUE	FY24	FY25	FY26	FY27
Total CSOs	24	60	67	67
Productive hours per CSO	1700	1700	1700	1700
Total productive hours	40,800	102,000	113,900	113,900
Total productive 8 hour shifts	5,100	12,750	14,238	14,238
Total citations per 8 hour shift	4	3	3	3
Total citations	20,400	38,250	42,713	42,713
% collected	15%	15%	15%	15%
Total citations collected	3,060	5,738	6,407	6,407
Citation cost	\$35	\$35	\$35	\$35
Citation Revenue	\$107,100	\$200,613	\$224,241	\$224,221

Transit Rider Investment Program Federal Relief Funds will come from the CRRSAA Program or the American Rescue Plan Program.

	SFY204	SFY2025
Total Program Cost	\$3,849,018	\$5,540,486
Total Citations Revenue	\$(107,100)	\$(199,139)
Total Federal Relief Funds	\$(3,752,309)	\$5,341,347
Total State Contribution	-	-

Transit Rider Investment Program: = Total Labor Cost + Total Equipment Cost - Local Contribution

Transit Rider Investment Program:	CY2023	CY2023	CY2024	CY2024	CY2025	CY2025	CY2026	CY2026	CY2027	CY2027
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec
TRIP Personnel:	-	-	48.00	58.00	61.00	67.00	67.00	67.00	67.00	73.00
Rate			\$34,460	\$34,460	\$35,546	\$35,546	\$36,666	\$36,666	\$37,821	\$37,821
Total TRIP Personnel Cost			\$1,654,080	\$1,998,680	\$2,168,306	\$2,381,582	\$2,456,622	\$2,456,622	\$2,534,007	\$2,760,933
Administration Staff:										
Supervisors hired 10/1/2023		1.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Rate		\$61,606	\$63,547	\$63,547	\$65,549	\$65,549	\$67,614	\$67,614	\$69,743	\$69,743
Total Cost		\$61,606	\$127,094	\$127,094	\$131,098	\$131,098	\$135,228	\$135,228	\$139,486	\$139,486
Manager hired 8/1/2023		0.83	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Rate		\$63,621	\$65,625	\$65,625	\$67,693	\$67,693	\$69,825	\$69,825	\$72,024	\$72,024
Total Cost		\$52,805	\$131,250	\$131,250	\$135,386	\$135,386	\$139,650	\$139,650	\$144,048	\$144,048
Data Analysts hired 10/1/223		1.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
Rate		\$64,958	\$67,004	\$67,004	\$69,114	\$69,114	\$71,292	\$71,292	\$73,537	\$73,537
Total Cost		\$64,958	\$268,016	\$268,016	\$276,456	\$276,456	\$285,168	\$285,168	\$294,148	\$294,148
Total Labor		\$179,369	\$2,180,440	\$2,525,040	\$2,711,246	\$2,924,522	\$3,016,668	\$3,016,668	\$3,111,689	\$3,338,615
	CY2023	CY2023	CY2024	CY2024	CY2025	CY2025	CY2026	Cy2026	Cy2027	CY2027
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec

Total Transit Rider FTEs	-	2.67	56.00	66.00	69.00	75.00	75.00	75.00	75.00	81.00
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Equipment for TRIP Personnel:

	CY2023	CY2023	CY2024	CY2024	CY2025	CY2025	CY2026	Cy2026	Cy2027	CY2027
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec
Fare Validators	-	\$1,000,000	-	-	-	-	-	-	-	-
Additional Validators - \$5,000 each	-	-	\$40,000	\$60,000	\$30,000	-	0	0	\$35,000	-
E-Citation Validators	-	\$400,000	-	-	-	-	-	-	-	-
Maintenance Contract	-	-	\$50,000	\$100,000	\$100,000	\$100,000	\$100,000	\$170,000	\$170,000	\$170,000
Total Equipment and Maint		\$1,400,000	\$90,000	\$160,000	\$130,000	\$100,000	\$100,000	\$170,000	\$205,000	\$170,000
Total Labor Equip and Maint	-	\$1,579,369	\$2,270,440	\$2,685,040	\$2,841,246	\$3,028,522	\$3,116,668	\$3,186,668	\$3,316,689	\$3,508,615

	SFY2024 7/23-6/24	SFY2025 7/24-6/25	SFY2026 7/25-6/26	SFY2027 7/26-6/27
Transit Rider Investment Program	\$3,839,418	\$5,256,286	\$6,145,190	\$6,503,357
Transit Rider Training Costs	\$9,600	\$14,200	\$3,000	0
Total Transit Rider Investment Program	\$3,849,018	\$5,540,486	\$6,148,190	\$6,503,357

Administrative Staff Support Staff Salary Cost in 2024 (Salary and Benefits) is \$134,008 per FTE.

CSO TRIP Personnel Salary cost in 2024 (Salary and Benefits) is \$68,920 per FTE

Administrative Staff Supervisor Salary Cost in 2024 (Salary and Benefits) is \$127,094 per FTE.

Administrative Staff Manager Salary Cost in 2024 (Salary and Benefits) is \$131,250 per FTE.

All Costs in the Above Schedule are Detailed in 6 Month Increments and are Totaled in 6 Month Increments and by SFY.

The Rate Costs in the Above Schedule include Salary and Benefits and are broken down in 6 month increments.

Total Costs using Existing Funds: \$183,006

TRANSIT RIDER INVESTMENT PROGRAM:

FY 2024

Total Program Cost: \$3,859,409

Total Local County Contribution: \$0

Total Administrative Citations: \$107,100

Total Federal Relief Funds: \$3,752,309

Total State Contribution: \$0

Total Metro Transit FTE's: 29.42

FY 2025

Total Program Cost: \$5,540,486
Total Local County Contribution: \$0
Total Administrative Citations: \$199,139
Total Federal Relief Funds: 5,341,347
Total State Contribution: \$0
Total Metro Transit FTE's: 67.50

FY 2026

Total Program Cost: \$6,148,190
Total Local County Contribution: \$1,271,915
Total Administrative Citations: \$224,241
Total State Contribution: \$4,652,034
Total Metro Transit FTE's: 75.00

FY 2027

Total Program Cost: \$6,503,357
Total Local County Contribution: \$1,366,245
Total Administrative Citations: \$224,241
Total State Contribution: \$4,912,871
Total Metro Transit FTE's: 75.00

TRANSIT SERVICE INTERVENTION PROJECT

SFY 2023

Total Cost of Senior Project Manager: \$11,398
Total Cost of Grant Analyst: \$2,679
Total Cost of Grants Administered: \$000
Less General Fund Appropriation for Grants Administered: (\$000)
Total Costs using Existing Funds: \$14,077

SFY 2024

Total Cost of Senior Project Manager: \$136,777
Total Cost of Grant Analyst: \$32,152
Total Cost of Grants Administered: \$2,000,000
Less General Fund Appropriation for Grants Administered: (\$2,000,000)
Total Costs using Existing Funds: \$168,929

TOTAL

Total Cost of Senior Project Manager: \$148,175
Total Cost of Grant Analyst: \$34,831
Total Cost of Grants Administered: \$2,000,000
Less General Fund Appropriation for Grants Administered: (\$2,000,000)

Long-Term Fiscal Considerations

The program will continue to ramp up beyond the horizon of this fiscal note as additional Rail Lines are added with incremental resources needed from both State and County Local Sources.

Local Fiscal Impact

Assumption is 50% of Light Rail (METRO Blue and METRO Green), Northstar and Orange Line operations costs are to be paid by the Counties where the service is located. The Counties Contributions would require re-negotiating the Multi-Year Master Funding Agreements and Annual Grant Agreements. The Counties will include Hennepin, Ramsey, Anoka and Sherburne.

References/Sources

Agency Contact: Ed Petrie MT Finance Director 612 349 7624

Agency Fiscal Note Coordinator Signature: Stewart McMullan

Phone: 651-602-1374

Date: 3/22/2023 11:58:55 AM

Email: stewart.mcmullan@metc.state.mn.us

HF1322 - 4A - Transit Safety

Chief Author: **Brad Tabke**
 Committee: **Transportation Finance**
 Date Completed: **3/23/2023 3:51:34 PM**
 Agency: **Minn Management and Budget**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	1	1	1	1	1
Total	-	1	1	1	1	1
Biennial Total			2		2	2

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 3/23/2023 8:17:28 AM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	1	1	1	1	1
Total	-	1	1	1	1	1
	Biennial Total		2	2		2
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
	Biennial Total		-	-		-
2 - Revenues, Transfers In*						
General Fund	-	(1)	(1)	(1)	(1)	(1)
Total	-	(1)	(1)	(1)	(1)	(1)
	Biennial Total		(2)	(2)		(2)

Bill Description

This bill establishes a Transit Rider Investment Program [TRIP]. The TRIP authorizes the issuance of an administrative citation for violations of section 609.855, subd. 1, 3 and 3a, and prevents the imposition of a citation under section 609.855, subd. 1, 3, and 3a or any criminal citation arising from the same conduct. Effective July 1, 2023 and applies in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties.

This bill amends section 609.855, subd. 1, reducing the offense level from misdemeanor to petty misdemeanor; amends subdivision 3, repealing all offenses except throwing or depositing litter and reducing the offense level for that offense from misdemeanor to petty misdemeanor; and adds subdivision 3a. All offenses in subdivision 3a are misdemeanor offenses prohibiting the following conduct in transit vehicles and at a transit facility: 1) smoke; urinates or defecates, consumes an alcoholic beverage, criminal damage to property; and engages in disorderly conduct. Effective July 1, 2023, and applies to violations committed on and after that date.

This bill also amends sections 357.021, subd. 6 and 7 from a \$75 surcharge for those convicted to a \$25 surcharge for violation of sections 609.855, subd. 1, 3 and 3a and distributes the surcharge to the state general fund. Effective July 1, 2023 and applies to all violations committed on and after that date. Fine and surcharge revenue for violations of section 609.855, subd. 1 and 3 committed on and after July 1, 2023, will decrease.

Assumptions

In the past 3 calendar years, there were 654 cases filed with a violation of section 609.855, subdivision 1 or 3: 654 in 2020, 35 in 2021, and 93 in 2022. It is unknown why the filings dropped so significantly in 2021 and 2022. For purposes of estimating filings, a two-year average for 2021 and 2022 will be used. On average 64 cases were filed per year. Of these cases, 29 were convicted in 2022 (based on revenue collected divided by \$75). All cases were filed in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott or Washington County.

MMB has receipted \$50 of the \$75 fee to the GEN. This bill reduces this to \$25.

Expenditure and/or Revenue Formula

29 convictions x -\$25 surcharge = -\$725

Long-Term Fiscal Considerations

Decrease of \$725 to general fund.

Local Fiscal Impact

References/Sources

Agency Contact: Ronika Rampadarat 651-201-8115

Agency Fiscal Note Coordinator Signature: Ronika Rampadarat

Phone: 612-659-6873

Date: 3/23/2023 8:09:47 AM

Email: ronika.rampadarat@state.mn.us

HF1322 - 4A - Transit Safety

Chief Author: **Brad Tabke**
 Committee: **Transportation Finance**
 Date Completed: **3/23/2023 3:51:34 PM**
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	2	3	3	3	3
Total	-	2	3	3	3	3
Biennial Total			5			6

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karen McKey **Date:** 3/22/2023 11:30:01 AM
Phone: 651-284-6429 **Email:** karen.mckey@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	2	3	3	3	3
Total	-	2	3	3	3	3
Biennial Total			5			6
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
General Fund	-	(2)	(3)	(3)	(3)	(3)
Total	-	(2)	(3)	(3)	(3)	(3)
Biennial Total		(2)	(5)			(6)

Bill Description

This bill establishes a Transit Rider Investment Program [TRIP]. The TRIP authorizes the issuance of an administrative citation for violations of section 609.855, subd. 1 and 3, and prevents the imposition of a citation under section 609.855, subd. 1 and 3 or any criminal citation arising from the same conduct. Effective July 1, 2023 and applies in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties.

This bill amends section 609.855, subd. 1, reducing the offense level from misdemeanor to petty misdemeanor; amends subdivision 3, repealing all offenses except throwing or depositing litter and reducing the offense level for that offense from misdemeanor to petty misdemeanor; and adds subdivision 3a. All offenses in subdivision 3a are misdemeanor offenses prohibiting the following conduct in transit vehicles and at a transit facility: 1) smoke; urinates or defecates, consumes an alcoholic beverage, criminal damage to property; and engages in disorderly conduct. Effective July 1, 2023, and applies to violations committed on and after that date.

This bill also amends sections 357.021, subd. 6 and 7 to add a new \$25 surcharge for violation of sections 609.855, subd. 1, 3 and 3a and distributes the surcharge to the state general fund. Effective July 1, 2023 and applies to all violations committed on and after that date.

Assumptions

Administration citations will be issued for fare payment violations instead of for violation of section 609.855, subd. 1 and 3.

For violation of section 609.855, subd. 3a(4) (damage to transit vehicle or facility), it is unknown whether TRIP will file a cause of action under section 617.90 to recover damages caused by graffiti (3x the cost of restoring property, attorney fees and cost) or if the violation will be charged by citation filed in district court in order to recover restitution.

Currently, transit riders can be charged for smoking or carrying lighted smoking paraphernalia while riding on a transit vehicle; for consuming beverages, which could include alcoholic beverages; 4th degree criminal damage to property (value up to \$500) under section 609.595, subd. 3; and disorderly conduct under section 609.72, subd. 1(3). It is unknown and cannot be determined how many transit riders on average may have been charged with 4th degree criminal damage to property or disorderly conduct, or under section 609.855, subd. 3(3) for consuming an alcoholic beverage on a transit vehicle.

The number of violations of sections 144.413, subd. 4, 340A.101, subd. 2, 609.595, subd. 3 and 609.72, subd. 1(3) that have been charged for offenses that occurred while in a transit vehicle or at a transit facility is unknown.

It is assumed that there will not be any increase in charges for violation of 609.855, subd 3a. Violations that currently would be charged under sections 144.413, subd. 4, 340A.101, subd. 2, 609.595, subd. 3 and 609.72, subd. 1(3) will be charged by a peace officer under section 609.855, subd. 3a when committed while in a transit vehicle or at a transit facility on and after July 1, 2023.

Currently, violations of section 609.855, subd. 1 and 3 are payable misdemeanor offenses with a fine amount of \$100.

In the past 3 calendar years, there were 654 cases filed with a violation of section 609.855, subdivision 1 or 3: 654 in 2020, 35 in 2021, and 93 in 2022. It is unknown why the filings dropped so significantly in 2021 and 2022. For purposes of estimating filings, a two-year average for 2021 and 2022 will be used. On average 64 cases were filed per year. All cases were filed in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott or Washington County.

The decrease in cases filed in court will not result in a change in judge need. The case weight for the non-mandatory (payable) offenses in this bill is 2.2 minutes per case. The decrease in the number of cases needed to result in a savings of 1 judge FTE is 35,455 cases. The Assessed Judge Need is calculated by multiplying filings by case weight and dividing by the Judge Year Value of 78,000.

The decrease in cases filed in court will not result in a change in staff need. The decrease in the number of cases needed to result in a savings of 1 staff FTE is 34,014 cases. The Implied Total Need for court staff is calculated by multiplying filings by case weight and dividing by 74,830 minutes per year.

Fine and surcharge revenue for violations of section 609.855, subd. 1 and 3 committed on and after July 1, 2023, will decrease.

In Hennepin County offenses that occur within a municipality the fine will distribute 80% to the municipality that has prosecutorial authority and 20% to the state general fund. In Ramsey County offenses that occur with a municipality other than the City of St. Paul will distribute 50% to the municipality that has prosecutorial authority and 50% to the state general fund. In all other counties included in this bill, offenses that occur within a municipality will distribute two thirds to the municipality with prosecutorial authority and one third to the state general fund. In all counties when prosecuted by the county attorney, all of the fines will distribute to the state general fund. It is assumed that section 299D.03, subd. 5(a) does not apply as citations for these violations are not issued by the State Patrol.

The current surcharge applicable upon conviction of section 609.855 is \$75 and it is distributed 99% to the state general fund and 1% to the Department of Natural Resources peace officer training account in the game and fish fund. For violations of section 609.885, subd. 1 and 3 there will be a reduction of \$75. For violations of section 609.885, subd. 3a there will be a reduction of \$50 per case, assuming only section 609.855, subd. 1, 3, and 3a charges in the case.

In addition to fine revenue, some municipalities also received prosecution costs.

Law library fee revenue to the county law libraries will be reduced for offenses committed on and after July 1, 2023.

The case management system will need to be updated to add a \$25 surcharge for violations of section 609.885, subd. 1, 3, and 3a for any violations that may be charged and filed in district court.

Expenditure and/or Revenue Formula

Fine

Fine revenue collected for violations of section 609.855, subd. 1 and 3 was \$8,203 in FY2020, \$4,463 in FY2021, and \$2,563 in FY2022. The decrease in revenue is reflective of the decrease in number of cases filed. Given the significant decrease in cases filed, the fine revenue for FY2022 will be used to estimate the loss of fine revenue.

Of this fine revenue of \$2,563, approximately \$603 was credited to the state general fund and \$1,960 was distributed to municipalities.

The estimated loss to the general fund per fiscal year is \$603.

Lost fine revenue to the general fund in FY2025, FY2026 and each year thereafter is estimated at \$603.

Lost fine revenue to the general fund in FY2024 is estimated at \$452 (\$603 divided by 12 months times 9 months) after discounting by three months.

Surcharge

Surcharge revenue for violations of section 609.855, subd. 1 and 3 was \$6,716 in FY2020, 4,031 in FY2021, and \$2,227 in 2022. Given the significant decrease in cases filed and resulting convictions, the surcharge revenue for FY2022 will be used to estimate the loss of surcharge revenue. Of the \$2,227 surcharge revenue, \$4 was for the \$1 Ramsey County surcharge and \$2,223 was for the \$75 surcharge.

Of the surcharge revenue, 1% or \$22 was paid to the Department of Natural Resources peace officer training account in the game and fish fund; and 99% or \$2,201 to the general fund.

The reduction of surcharge revenue for convictions under section 609.855, subd. 3a from \$75 to \$25 cannot be estimated.

Lost surcharge revenue to the general fund in FY2025, FY2025 and each year thereafter is estimated at \$2,201. Loss of surcharge revenue to the Department of Natural Resources is \$22. Lost to Ramsey County district court is \$4.

Loss of surcharge revenue to the general fund in FY2024 is estimated at \$1,647 (\$2,201 divided by 12 months times 9 months) after discounting by three months. The lost of surcharge revenue to the Department of Natural resources is \$17. Loss to Ramsey County district court is insignificant.

Collective Loss of Revenue to the General Fund is

General Fund	FY2024	FY2025	FY2026
Fine Revenue	-\$ 452	-\$ 603	-\$ 603
Surcharge	-\$1,647	-\$ 2,201	-\$ 2201
Total	-\$2,099	-\$2,804	-\$2,804

Updates to the case management system can be done in the normal course of business without significant cost.

Long-Term Fiscal Considerations

The loss of revenue is permanent.

Local Fiscal Impact

Loss of fine revenue to municipalities in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties.

Loss of county law library fee revenue in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties.

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Janet Marshall

Phone: 651-297-7579

Date: 3/22/2023 9:28:02 AM

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