

Subject Transit safety, assistance, and enforcement

Authors Tabke and Hornstein

Analyst Matt Burress, Legislative Analyst (matt.burress@house.mn)

Date April 29, 2020

Overview

This bill, as proposed to be amended by the H3085DE2 delete-everything amendment, would modify enforcement activities and penalties related to public transit. Among its provisions, the bill:

- directs the Metropolitan Council to create a program for transit fare enforcement and administrative citations;
- authorizes administrative citations as an alternative to a judicial penalty for violations related to nonpayment of fares;
- sets light rail transit (LRT) facility monitoring requirements; and
- prohibits access to Metropolitan Council transit service for specified periods following (1) repeat administrative citations, or (2) gross misdemeanor and felony convictions for violations committed in the council's transit facilities.

The bill creates two separate options to enforce fare-related violations: (1) as a misdemeanor, which is currently treated as a payable offense that could potentially follow a judicial process in the courts and that carries 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 depending on whether it is a repeat offense. Each violation could only be enforced through one or the other of these options.

Summary

Section	Description
---------	-------------

1	Administration of opiate antagonists for drug overdose.
---	--

	Authorizes agents under the Metropolitan Council program for transit enforcement and administrative citations (being established in the bill) to administer opiate
--	--

Section	Description
	antagonists (e.g., NARCAN Nasal Spray) for emergency treatment of an opioid overdose, if the medical provider and training prerequisites are met.
2	<p>[473.4065] Transit safety. Sets rider conduct and safety requirements related to transit service.</p> <p>Subd. 1. Code of conduct. 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>Subd. 2. Paid fare zones. 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>Subd. 3. Light rail transit facility monitoring. Requires 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>
3	<p>Staffing complement. Sets a minimum Metro Transit Police staffing level, so that it must not drop below the average staffing over the preceding three years.</p>
4	<p>[473.4075] Transit enforcement and administrative citations program. Establishes a Metropolitan Council program for transit passenger monitoring, fare compliance inspection, and administrative citations.</p> <p>Subd. 1. Definitions. Defines terms.</p> <p>Subd. 2. Program established. Directs the Metropolitan Council to implement the program for transit enforcement and administrative citations by January 1, 2021. Requires a council resolution and development of policies and procedures for the program.</p> <p>Subd. 3. Transit service monitor duties. Specifies duties of transit service monitors, which include performing inspections to verify fare payment, issuing administrative citations, and obtaining assistance from peace officers.</p> <p>Subd. 4. Administrative citations; authority; issuance. Authorizes transit agents (i.e., transit service monitors, licensed peace officers, and community service officers) to issue administrative citations for nonpayment of fares. Requires process notifications as part of citation issuance. Prohibits administrative citation quotas. Prevents issuance of both an administrative citation and a citation under</p>

Section **Description**

the statute governing fare payment and rider conduct requirements for the same act.

Subd. 5. 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. Sets the fine for an administrative citation to be \$35 for the first violation, \$50 for a second violation, and \$100 for a third or subsequent violation. Prohibits accessing the council's transit service for 60 days following a second or subsequent administrative citation. Authorizes the council to use alternative resolution processes under some circumstances.

Subd. 7. Use of funds. Mandates that revenue collected from administrative citations must be separately tracked and used only for (1) fare inspection and enforcement, and (2) transit safety monitoring measures.

Subd. 8. Fare inspection goal. Sets an inspection rate goal for the council to inspect at least ten percent of rides on LRT and other transit routes that use self-service fare collection, beginning January 1, 2023.

Subd. 9. Legislative report. Requires legislative reports on the program and its impacts, which is due by January 15 in each even-numbered year starting in 2022.

5 **Mandatory ban.**

Prohibits accessing transit service and facilities for specified periods following conviction for some higher level criminal violations committed while in a transit vehicle or facility. The prohibition periods are:

- six months for a gross misdemeanor violation; and
- one year for a felony violation.

Makes it a misdemeanor to violate this transit access prohibition.



Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn/hrd | 651-296-6753 | 600 State Office Building | St. Paul, MN 55155