

Subject Transit ambassadors and administrative citations

Authors Tabke and Hornstein

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

Date February 11, 2020

Overview

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

- directs the Metropolitan Council to create a program for transit ambassadors;
- authorizes administrative citations for violations related to nonpayment of fares, falsified fares, or failure to show proof of payment, as an alternative to the judicial penalty; and
- reduces the judicial penalty for fare-related violations, lowering it from a misdemeanor to a petty misdemeanor and decreasing the fine amount.

Under current law, fare-related violations carry a misdemeanor penalty with a \$100 base fine and a \$75 court surcharge (totaling \$175). The bill reduces the penalty and creates two separate options for penalty enforcement, so that a violation could be enforced: (1) as a petty misdemeanor following a judicial process in the courts, with a base fine of \$10 and court surcharge of \$25 (totaling \$35); or (2) through an administrative citation administered by the Metropolitan Council, with a fine amount that can range from \$35 to \$100 as set by the council. A fare-related violation could only be enforced through one or the other of the options.

Summary

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

- | | |
|---|---|
| 1 | Surcharges on criminal and traffic offenders.
Reduces the court surcharge imposed for fare-related violations (e.g., nonpayment of fares, falsified fares, or failure to show proof of payment), from \$75 to \$25. Effective July 1, 2020. |
|---|---|

Section	Description
2	<p>Disbursement of surcharges by commissioner of management and budget.</p> <p>Directs the entirety of the court surcharge on fare-related violations to go to the general fund.</p>
3	<p>Transit rider experience program.</p> <p>Directs the Metropolitan Council to implement a program for transit ambassadors and administrative citations. Sets authority and requirements for the administrative citations.</p> <p>Subd. 1. Definitions. Defines terms.</p> <p>Subd. 2. Program established. Directs the Metropolitan Council to implement the program by January 1, 2022. Sets requirements on determining fine amounts, establishing policies and procedures for the program, stakeholder consultation, and a recruitment plan for hiring transit ambassadors.</p> <p>Subd. 3. Administrative citations; authority, issuance. Authorizes transit ambassadors as well as peace officers to issue administrative citations. Requires notifications as part of citation issuance. Prohibits administrative citation quotas.</p> <p>Subd. 4. Administrative citations; disposition. Outlines requirements for disposition of administrative citation, including (1) setting a 90-day window to contest the citation, (2) directing the council to set up a process for contesting citations, and (3) providing authority to undertake collections.</p> <p>Subd. 5. Administrative citations; penalties. Requires the fine amount for an administrative citation to be in the range of \$35 to \$100, as determined by the council. Authorizes the council to (1) adopt a graduated fine structure that increases the fine amount with subsequent violations, and (2) use alternative resolution processes under some circumstances.</p> <p>Subd. 6. Fare inspection goal. Requires the council to set a target goal of inspecting ten percent of off-board payment riders beginning in 2024.</p> <p>Subd. 7. Legislative report. Requires a legislative report on the program and its impacts, due by January 15 every other year starting in 2023.</p>
4	<p>Unlawfully obtaining services; petty misdemeanor.</p> <p>Modifies 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.</p> <p>Sets the base fine amount at \$10, which is reduced from \$100 as currently established by the judicial branch in its statewide schedule of payable offenses (i.e.,</p>

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

	offenses that can be addressed through payment of a fine without a court appearance).
--	---

	Effective July 1, 2020.
--	-------------------------



**MN HOUSE
RESEARCH**

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