

Resolution No. R2022-07

Updating Sound Transit's Fare Enforcement Policy

Meeting:	Date:	Type of action:	Staff contact:
Executive Committee	04/07/2022	Recommend to Board	Russ Arnold, Chief Passenger Experience & Innovation Officer
Board	04/28/2022	Final action	Sandee Ditt, Manager – Fare Engagement

Proposed action

Adopts an updated Fare Compliance Policy and supersedes Resolution No. R2009-02.

Key features summary

- The policy responds to Motion No. M2020-74 directing the development of an updated Fare Compliance Policy to supersede Resolution No. R2009-02, the Fare Enforcement Policy.
- The policy is consistent with the agency's goals to provide high-quality public transportation that is accessible to all, and to create a welcoming, respectful, and compassionate customer service approach to fare compliance that prioritizes passenger education and improved access to public transit. Specifically, the policy:
 - Increases the number of warnings to two in a 12-month period;
 - Updates the agency's policy on passenger interactions without proof of payment to include \$50 and \$75 fines as resolution options on the third and fourth interactions without proof of payment as well as non-monetary options for a passenger to dispute or resolve the fine;
 - Authorizes the CEO establish alternative resolution and dispute processes, which may include signing up for a reduced fare program or completing an engagement activity;
 - Authorizes Sound Transit to refer unresolved fines to a collection agency if a person does not complete an alternative resolution option or pay the fine after the fourth interaction.*
 - Removes suspensions – Passengers without proof of payment may continue to ride the system;
 - Removes law enforcement from having a role in fare compliance – law enforcement officers will not be called to fare-evasion only situations;
 - Maintains the ability to refer cases of repeat non-payment to district court – but only for those without proof of payment five or more times within a 12-month period;
- The policy includes an implementation date of September 17, 2022 to allow time for internal resolution program development, additional hiring and training of staff and to align with future T-Link opening.
- Under the policy, fare compliance personnel will monitor fare payment on Sound Transit vehicles and in the fare paid zone of Sound Transit facilities.

*Board Administrator's Note 4/29/22: The policy was amended by the Board on 4/28/22 to not allow Sound Transit to refer unresolved fines to a collection agency.

Background

In 2019, Sound Transit began reviewing the agency's fare collection system based on community concerns. The agency evaluated fare collection policies and historic enforcement data and gathered community feedback to identify where improvements should be made.

The agency's extensive survey of passenger activity and review of existing Sound Transit policy, revealed that people of color were found to be disproportionately without fare and persons of color were disproportionately more likely to be fined or referred to the court system than white or Caucasian passengers. As a result, the staff has recommended a suite of policy changes, budget actions, and fare changes to address the inequitable results comprehensively.

Informed by this analysis and community input, the Board approved a new fare engagement pilot project with the goal of preventing the inequitable effects that often result from unpaid fines and contact with the court system.

The Board adopted Motion No. M2020-74 directing staff to seek diverse voices in communities most impacted by fare compliance policies and complete further analysis to recommend to the Board an updated policy on fare compliance to supersede Resolution No. R2009-02 on fare enforcement. The agency has moved away from using the term fare enforcement towards fare compliance to better reflect the pilot project and updated policy considerations.

This updated policy responds to the community and Board and sets updated policy consistent with the agency's goals to provide high-quality public transportation that is accessible to all and create a welcoming, respectful, and compassionate customer service approach to fare compliance that prioritizes passenger education and improved access to public transit.

This policy designates fare compliance personnel to monitor fare pursuant to RCW 81.112.210(2)(a) and establishes requirements for alternative resolution options for passenger interactions without proof of payment. It also commits the agency to establishing an alternative fare enforcement system pursuant to RCW 81.112.210(1)(b), which was amended by the legislature.

Under the current policy, on the first and second interactions without proof of payment, Sound Transit fare enforcement officers will provide a warning and/or assistance and information and connect the person with additional resources as appropriate. A third interaction includes a notification with multiple resolution options including a \$50 fine and a fourth interaction includes a notification with multiple resolution options including a \$75 fine. If no action taken after 90 days on the 4th interaction, Sound Transit may seek to collect the unresolved fine by sending to collections.*

On the fifth interaction within 12 months without proof of payment and beyond, Sound Transit would maintain ability to refer to district court for resolution and or dispute. This would be a civil infraction, similar to a speed camera or parking ticket.

Additional program implementation details:

If this action is approved, Sound Transit will hire a Fare Resolution Policy Manager that will report to the Deputy Director of Passenger Success and will be responsible for implementation of the in-house adjudication program for violations issued by Sound Transit Fare Ambassadors. This internal resolution program will then provide service to riders for resolution of warnings, fines and civil infractions issued for non-payment of fare on Sound Transit proof-of-payment modes.

The Board will consider a separate action, Resolution No. R2022-08 to establish a permanent Fare Ambassador Program based on the pilot program initiated in August 2021.

The Fare engagement program will begin the process of hiring and training current and additional fare ambassador staff on the process of issuing fines and citations in order to have a permanent program

start date of September 1, 2022. This work will include finalizing operating procedures and processes developed during the fare ambassador pilot for program adoption.

Fiscal information

This resolution is part of the implementation of the Fare Ambassador program. Additionally, a program manager and non-labor costs for an internal resolution program is needed to implement the proposed fare compliance policy with new internal resolution options for passengers during this period.

The requested budget amendment to the 2022 Budget for these programs is \$1.3M, which if this proposed updated policy is adopted will be proposed under a separate action. Assuming that this program continues into the future, the impact on the long-term financial plan is estimated as \$443M. These actions are being taken to recover revenues lost through fare non-compliance and prevent growing levels of non-compliance.

Small business participation and apprenticeship utilization

Not applicable to this action.

Public involvement

Sound Transit completed extensive public engagement to inform development of this policy, including:

- Six “Listening Session” focus groups in partnership with community based organizations (CBOs) in King and Pierce Counties (Fall, 2019)
- 1,100 completed on-board rider surveys (Fall, 2019)
- 8,435 completed on-line surveys (Fall, 2019)
- Thirteen “Community Conversations” workshops in partnership with CBOs, for communities most impacted by fare compliance policies (Spring/Summer 2021)
- Two feedback sessions in partnership with two CBOs (Fall, 2021)

Time constraints

If Board committee delays action at this meeting, it may result in the ability to retain our current fare ambassadors which are direct hire temporary employees that can only stay at this employment status until August 2022. It can also delay the time for the fare engagement program to begin the process of issuing fines and or citations that could affect fare compliance rate.

Prior Board/Committee actions

Motion No. M2020-74: (1) Directed the chief executive officer to provide the Board with (a) a fare enforcement and engagement report (b) a recommendation for a new fare enforcement/engagement program and an accompanying implementation plan, and (c) draft language updating the Board’s Fare Enforcement Policy, all for consideration by January 2022, and (2) suspended issuance of civil infractions for fare evasion for the entire length of the Fare Engagement Ambassador Pilot Program and until the Board can vote on an updated fare enforcement policy.

Resolution No. R2009-02: Adopted an updated Sound Transit rail fare enforcement policy that would provide for fare enforcement by Sound Transit police, Sound Transit fare enforcement officers, and commuter train conductors. Policies contained in this action supersede the proof-of-payment system in Sound Transit’s Fare Policy as adopted in Resolution No. R99-2-2.

Environmental review – KH 3/17/22

Legal review – AJP 4/1/22



Resolution No. R2022-07

Fare Compliance Policy

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority adopting a Fare Compliance Policy and superseding Resolution No. R2009-02.

WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under chapters 81.104 and 81.112 of the Revised Code of Washington (RCW) for the Pierce, King and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, Sound Transit is authorized to plan, construct and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and

WHEREAS, in general elections held within the Sound Transit district on November 5, 1996, November 4, 2008 and November 8, 2016, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, RCW 81.112.090 grants a regional transit authority the authority to establish fares for the use of commuter rail and light rail facilities; and

WHEREAS, RCW 81.112.210 provides regional transit authorities with the power to require proof of payment; and

WHEREAS, Sound Transit operates barrier-free entryways to facilitate ease of boarding commuter and light rail; and

WHEREAS, the agency's financial plan relies on fare revenue for system expansion and operating costs; and

WHEREAS, the Board adopted a fare enforcement policy in 2009 for Sound Transit commuter rail and light rail facilities that provided guidance and procedures to ensure that all passengers riding the system pay the required fares established under the agency's fare policy and as provided by state law; and

WHEREAS, the agency acknowledges that public transportation plays a critical role in increasing mobility, especially for individuals and families who lack a private means of transportation, are low-income, live-in communities without essential goods and services and/or must travel for school, work and other opportunities; and

WHEREAS, Sound Transit is committed to ensuring that the agency's fare compliance policies and procedures do not adversely affect historically disadvantaged and marginalized communities, including people of color, people with limited English proficiency, people experiencing homelessness, people with little or no income and people with disabilities; and

WHEREAS, the Board adopted Motion No. M2020-74 directing the development of draft language to update Resolution No. R2009-02; and

WHEREAS, the chief executive officer (CEO) submitted recommendations to the Board on revisions to Resolution No. R2009-02 and measures to improve the agency's reduced fare services; and

WHEREAS, RCW 81.112.210 was amended by the legislature to allow a regional transit authority to establish an alternative fare enforcement system; and

WHEREAS, the agency seeks to provide high-quality public transportation that is accessible to all and create a welcoming, respectful and compassionate customer service approach to fare compliance that prioritizes passenger education and improved access to public transit.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that Resolution No. R2009-02 is hereby superseded with a Fare Compliance Policy, which is hereby adopted as follows:

1.0 Scope

- 1.1 This policy addresses the monitoring of fare payment on Sound Transit vehicles and in fare paid zones at Sound Transit commuter rail, light rail and bus rapid transit facilities.

2.0 Policy

- 2.1 All passengers must produce proof of required fare payment or personal identification when requested by the agency's designated fare compliance personnel.
- 2.2 **Fare compliance process.** Fare compliance personnel are designated to monitor fare pursuant to RCW 81.112.210(2)(a). Fare compliance personnel operate in accordance with the law and the fare compliance procedures authorized by the CEO. Law enforcement officers will not be called to fare-evasion only situations. Fare compliance personnel may:
 - 2.2.1 Request proof of payment from any person on a Sound Transit vehicle or in a fare paid zone of a Sound Transit facility.
 - 2.2.2 Request personal identification from any person who does not produce proof of payment when requested.
 - 2.2.3 Provide assistance and information to a person who has not produced proof of payment and connect the person with additional resources when appropriate.
 - 2.2.4 Issue verbal warnings, fines and notices of civil infraction.
 - 2.2.5 Request that a person leave a Sound Transit vehicle or a fare paid zone of a Sound Transit facility when the person has not produced personal identification after being asked to do so.

2.3 Passenger interactions without proof of payment

- 2.3.1 **Adults.** The agency issues two warnings in a 12-month period for adult passengers without proof of payment. On the third or fourth interaction without proof of payment within a 12-month period, the agency issues a notice of a \$50 fine or \$75 fine, respectively, which must include non-monetary options for a passenger to dispute or resolve the fine. On any further interactions without proof of payment in a 12-month period, the agency may issue a \$124 civil infraction. A passenger may continue to ride the system after receiving a warning, fine or notice of civil infraction. A passenger may be asked to leave the system if they fail to, or are unwilling to, provide valid personal identification for purposes of documenting and tracking non-payment activity.
- 2.3.2 **Youth.** For passengers under 19 years of age, the agency issues educational warnings and does not retain personally identifying information.

2.4 Resolution options

- 2.4.1 Pursuant to RCW 81.112.210(1)(b), Sound Transit establishes an alternative fare enforcement system to resolve notices of fines.
- 2.4.2 Persons may resolve fines by paying the fine to Sound Transit, successfully disputing the fine or completing an alternative resolution option, as established by the CEO, which may include signing up for a reduced fare program or completing an engagement activity.

2.4.3 Sound Transit refers civil infractions to district court for resolution.

2.5 **Delegation of authority.** The CEO is authorized to establish appropriate methods for demonstrating proof of payment and must regularly publish a list of valid fare media. The CEO may designate fare compliance personnel to ensure compliance with this policy and must develop procedures and appropriate training to implement this policy and take all other action as may be necessary to provide for fare compliance and issuance and resolution of warnings, fines and civil infractions, including establishing alternative resolution and dispute processes. Notices of fines and civil infractions must be issued on forms approved by legal counsel. The CEO takes actions to continually measure, analyze and improve fare compliance processes and must report to the Board or appropriate Board committee at least quarterly regarding implementation of this policy.

3.0 References

3.1 Resolution Nos. R2010-10 and R2014-27 Fare Policy

3.2 R2018-29 Expulsion and Suspension Policy

3.3 Resolution No. R2017-13 Safety Policy

3.4 Resolution No. R2017-14 Security, Law Enforcement and Emergency Management Policy

3.5 Resolution No. R2018-41 Board Committee Responsibilities

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 28, 2022, to be effective as soon as possible but no later than September 17, 2022.



Kent Keel
Board Chair

Attest:



Kathryn Flores
Board Administrator



Resolution No. R2022-07

Policy Crosswalk: Proposed Revisions to Resolution No. R2009-02

Existing Policy (Resolution No. R2009-02)	Proposed Policy (Resolution No. R2022-07)	Justification
<p>A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority adopting a Fare Enforcement Policy for Sound Transit commuter rail and light rail facilities (Attachment A of this Resolution) and superseding the proof-of-payment section of Sound Transit’s Fare Policy as adopted in Resolution No. R99-2-2.</p>	<p>A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority adopting a Fare Compliance Policy and superseding Resolution No. R2009-02.</p>	
<p>WHEREAS, the Central Puget Sound Regional Transit Authority, hereinafter referred to as Sound Transit, has been created for the Pierce, King, and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and</p> <p>WHEREAS, Sound Transit is authorized to plan, construct, and operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and</p> <p>WHEREAS, in general elections held within the Central Puget Sound Regional Transit Authority district on November 5, 1996 and November 4, 2008, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and</p> <p>WHEREAS, RCW 81.112.080 grants a regional transit authority to establish fares for the use of commuter rail and light rail facilities; and</p>	<p>WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under chapters 81.104 and 81.112 of the Revised Code of Washington (RCW) for the Pierce, King and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and</p> <p>WHEREAS, Sound Transit is authorized to plan, construct and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and</p> <p>WHEREAS, in general elections held within the Sound Transit district on November 5, 1996, November 4, 2008 and November 8, 2016, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and</p> <p>WHEREAS, RCW 81.112.090 grants a regional transit authority the authority to establish fares for</p>	<p>Updates recitals to:</p> <ul style="list-style-type: none"> • Include references to RCW language related to this ST policy change; • Explicitly recognize ST’s role in providing mobility to transit-dependent and low-income communities; • Cite ST’s commitment to addressing systemic inequities for historically disadvantaged and marginalized communities as a driver for this policy change; and • Expand expectations for fare collection processes to account for passenger care and customer service as well as revenue generation.

<p>WHEREAS, RCW 81.112.210 provides regional transit authorities with the power to require proof of payment.</p>	<p>the use of commuter rail and light rail facilities; and</p> <p>WHEREAS, RCW 81.112.210 provides regional transit authorities with the power to require proof of payment; and</p> <p>WHEREAS, Sound Transit operates barrier-free entryways to facilitate ease of boarding commuter and light rail; and</p> <p>WHEREAS, the agency's financial plan relies on fare revenue for system expansion and operating costs; and</p> <p>WHEREAS, the Board adopted a fare enforcement policy in 2009 for Sound Transit commuter rail and light rail facilities that provided guidance and procedures to ensure that all passengers riding the system pay the required fares established under the agency's fare policy and as provided by state law; and</p> <p>WHEREAS, the agency acknowledges that public transportation plays a critical role in increasing mobility, especially for individuals and families who lack a private means of transportation, are low-income, live-in communities without essential goods and services and/or must travel for school, work and other opportunities; and</p> <p>WHEREAS, Sound Transit is committed to ensuring that the agency's fare compliance policies and procedures do not adversely affect historically disadvantaged and marginalized communities, including people of color, people with limited English proficiency, people experiencing homelessness, people with little or no income and people with disabilities; and</p>	
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	<p>WHEREAS, the Board adopted Motion No. M2020-74 directing the development of draft language to update Resolution No. R2009-02; and</p> <p>WHEREAS, the chief executive officer (CEO) submitted recommendations to the Board on revisions to Resolution No. R2009-02 and measures to improve the agency's reduced fare services; and</p> <p>WHEREAS, RCW 81.112.210 was amended by the legislature to allow a regional transit authority to establish an alternative fare enforcement system; and</p> <p>WHEREAS, the agency seeks to provide high-quality public transportation that is accessible to all and create a welcoming, respectful and compassionate customer service approach to fare compliance that prioritizes passenger education and improved access to public transit.</p> <p>NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that Resolution No. R2009-02 is hereby superseded with a Fare Compliance Policy, which is hereby adopted as follows:</p>	
<p>1.0 <u>PURPOSE</u></p> <p>To facilitate the ease of boarding commuter rail and light rail facilities, Sound Transit will operate barrier free entry ways. This Fare Enforcement Policy therefore will:</p> <p>1.1 Provide guidance and procedures to assure that all passengers riding the system pay the required fares established under the Fare Policy and as provided by state law.</p>		

<p>1.2 Designate persons to monitor and enforce fare payment.</p> <p>1.3 Establish a standard civil infraction form to be used by the designated enforcement officers.</p> <p>1.4 Establish a schedule for fines and penalties for civil infractions.</p> <p>1.5 Authorize the chief executive officer to establish, monitor and keep current such procedures as may be necessary to implement the Fare Policy and Fare Enforcement Policy.</p>		
<p>2.0 <u>POLICY</u></p> <p>It is the policy of Sound Transit that all persons traveling on commuter rail and light rail facilities shall pay the established fare and that such persons shall produce proof of payment when requested by designated fare enforcement officers.</p>	<p>1.0 Policy</p> <p>1.1 All passengers must produce proof of required fare payment or personal identification when requested by the agency's designated fare compliance personnel.</p>	<p>Simplifies language; updates naming convention for fare compliance personnel.</p>
<p>3.0 <u>REFERENCES</u></p> <p>Resolution Nos. R99-2-2 and R2009-01 establish Sound Transit's policy regarding fare payments for the commuter rail and Link light rail facilities of the regional high capacity transit system and are referred to herein as the "Fare Policy."</p>	<p>3.0 References</p> <p>3.1 Resolution Nos. R2010-10 and R2014-27 Fare Policy</p> <p>3.2 R2018-29 Expulsion and Suspension Policy</p> <p>3.3 Resolution No. R2017-13 Safety Policy</p> <p>3.4 Resolution No. R2017-14 Security, Law Enforcement and Emergency Management Policy</p>	<p>Adds references to security and safety policies as well as fare policies, as proposed changes relate to both policy areas.</p>

	3.5 Resolution No. R2018-41 Board Committee Responsibilities	
<p>4.0 SCOPE</p> <p>4.1 This Fare Enforcement Policy applies to all commuter rail and light rail facilities, which may include trains, stations, station platforms, and designated passenger waiting areas.</p>	<p>1.0 Scope</p> <p>1.1 This policy addresses the monitoring of fare payment on Sound Transit vehicles and in fare paid zones at Sound Transit commuter rail, light rail and bus rapid transit facilities.</p>	<p>Adds bus rapid transit to list of proof-of-payment modes.</p>
<p>5.0 FARE ENFORCEMENT OFFICER</p> <p>5.1 For the purposes identified in and consistent with RCW 7.80 and 81.112, Sound Transit may designate persons as Sound Transit Enforcement Officers to monitor and enforce its Fare Policy on commuter rail or light rail facilities. Under state law, Sound Transit may employ personnel for this purpose or contract for such services, or both. Persons designated as Fare Enforcement Officers are authorized to exercise all the powers of an enforcement officer as provided in state law and under this Fare Enforcement Policy.</p> <p>5.2 The following persons are hereby designated Enforcement Officers:</p> <ul style="list-style-type: none"> a) Commissioned Sound Transit police officers, b) Other commissioned law enforcement officers within their jurisdictions, and c) Those persons so designated by the chief executive officer after successful completion of the comprehensive training program 	<p>2.5 Delegation of authority. The CEO is authorized to establish appropriate methods for demonstrating proof of payment and must regularly publish a list of valid fare media. The CEO may designate fare compliance personnel to ensure compliance with this policy and must develop procedures and appropriate training to implement this policy and take all other action as may be necessary to provide for fare compliance and issuance and resolution of warnings, fines and civil infractions, including establishing alternative resolution and dispute processes. Notices of fines and civil infractions must be issued on forms approved by legal counsel. The CEO takes actions to continually measure, analyze and improve fare compliance processes and must report to the Board or appropriate Board committee at least quarterly regarding implementation of this policy.</p>	<p>Updates naming convention for fare compliance personnel.</p> <p>Delegates authority to the CEO to ensure the function is carried out, but removes specificity in direction as to how to staff the program.</p> <p>Adds language for ongoing program performance monitoring, reporting, and process improvement.</p>

<p>referenced in Section 11 of this Policy.</p>		
<p>6.0 <u>PROOF OF PAYMENT</u></p> <p>6.1 Sound Transit shall use a proof-of-payment system on commuter rail and light rail facilities. Valid fare media may for example, include a properly validated ticket, a valid transit pass or ORCA card, or special event trip tickets. The chief executive officer is authorized to establish appropriate methods for demonstrating proof of payment and shall on a regular basis publish a listing of valid fare media in the agency's schedules and fares publications, the Sound Transit website or other similar publications.</p>		
<p>7.0 <u>FARE ENFORCEMENT</u></p> <p>7.1 All persons traveling on Sound Transit commuter rail or light -rail facilities shall pay the fare established in the Fare Policy. All such persons shall produce a valid proof of payment when requested to do so by an Enforcement Officer.</p> <p>7.2 Enforcement Officers are authorized to monitor and enforce this Fare Enforcement Policy consistent with federal, state and local law and the enforcement procedures adopted by the chief executive officer consistent with this Fare Enforcement Policy, including but not limited to, the following actions:</p>	<p>2.2 Fare compliance process. Fare compliance personnel are designated to monitor fare pursuant to RCW 81.112.210(2)(a). Fare compliance personnel operate in accordance with the law and the fare compliance procedures authorized by the CEO. Law enforcement officers will not be called to fare-evasion only situations. Fare compliance personnel may:</p> <p>2.2.1 Request proof of payment from any person in a fare paid zone of a Sound Transit facility.</p> <p>2.2.2 Request personal identification from any person who does not produce proof of payment when requested.</p>	<p>Updates naming convention for fare compliance personnel.</p> <p>Focuses language on describing actions/responsibilities of ST staff, not on requirements of passengers.</p> <p>Specifies that ST staff will not call law enforcement for failure to pay fare by itself.</p> <p>Removes procedure of removing a passenger from service over fare disputes.</p> <p>Adds customer service and resource referral responsibilities to fare compliance staff.</p> <p>Allows for fare compliance personnel to issue civil infractions but removes Board policy</p>

<p>a) Request proof of payment from any person on the facility;</p> <p>b) Request personal identification from any person who does not produce proof of payment when requested;</p> <p>c) Request that a person leave a facility when the person has not produced proof of payment after being asked to do so; and</p> <p>d) Issue verbal warnings or a notice of civil infraction.</p> <p>7.3 The following shall constitute civil infractions punishable according to the fines and penalties established under this Fare Enforcement Policy and state law:</p> <p>a) Failure to pay the required fare;</p> <p>b) Failure to display proof of payment when requested to do so by an Enforcement Officer;</p> <p>c) Failure to depart a facility when requested to do so by a fare Enforcement Officer.</p>	<p>2.2.3 Provide assistance and information to a person who has not produced proof of payment and connect the person with additional resources when appropriate.</p> <p>2.2.4 Issue verbal warnings, fines and notices of civil infraction.</p>	<p>direction as to circumstances, delegating procedure development to CEO.</p>
<p>8.0 <u>NOTICE OF CIVIL INFRACTION</u></p> <p>8.1 Consistent with state law, Enforcement Officers may issue a notice of civil infraction when the civil infraction occurs in the officer's presence or the Enforcement Officer has reasonable cause to believe that a civil infraction has been committed.</p>	<p>2.3 Passenger interactions without proof of payment</p> <p>2.3.1 Adults. The agency issues two warnings in a 12-month period for adult passengers without proof of payment. On the third or fourth interaction without proof of payment within a 12-month period, the agency issues a notice of a \$50 fine</p>	<p>Replaces civil infraction as the only consequence of repeated non-payment with a series of escalating consequences which concludes with civil infraction.</p> <p>Provides for ST-administered fines in place of court-enforced civil infractions for most repeat offenses. Provides for alternative resolution options in lieu of fine payment.</p>

<p>8.2 Notices of civil infraction shall be issued on forms approved by the appropriate court.</p> <p>8.3 Enforcement Officers shall monitor fare evasion and issue notices of civil infraction at all times consistent with this Fare Enforcement Policy, the procedures adopted pursuant to this Fare Enforcement Policy, and in strict accordance with state law.</p> <p>8.4 All notices of infraction shall be filed with the shift supervisor at the end of the Enforcement Officer's shift.</p> <p>8.5 Notices of infraction shall be logged daily in accordance with established record keeping procedures adopted pursuant to this Policy and filed with the appropriate court within forty-eight (48) hours of issuance, excluding Saturdays, Sundays, and holidays.</p>	<p>or \$75 fine, respectively, which must include non-monetary options for a passenger to dispute or resolve the fine. On any further interactions without proof of payment in a 12-month period, the agency may issue a \$124 civil infraction. A passenger may continue to ride the system after receiving a warning, fine or notice of civil infraction.</p> <p>2.3.2 Youth. For passengers under 19 years of age, the agency issues educational warnings and does not retain personally identifying information.</p>	<p>Differentiates between Youth and Adult passengers in fare compliance policy and procedures.</p>
<p>9.0 <u>FINES AND PENALTIES</u></p> <p>9.1 Any person who is guilty of committing a civil infraction under this Fare Enforcement Policy shall be subject to a monetary fine of not more than \$124.00. This amount includes a base amount plus 105% of the base amount for court assessments as required by state law.</p> <p>9.2 In addition to other remedies and sanctions available under applicable federal, state and local law, a person who engages in any of the following may be suspended from the privilege of using the trains:</p> <p>a) Receives three or more notices of infraction within a twelve month period;</p>	<p>2.4 Resolution options</p> <p>2.4.1 Pursuant to RCW 81.112.210(1)(b), Sound Transit establishes an alternative fare enforcement system to resolve notices of fines.</p> <p>2.4.2 Persons may resolve fines by paying the fine to Sound Transit, successfully disputing the fine or completing an alternative resolution option, as established by the CEO and which may include signing up for a reduced fare program or completing an engagement activity.</p> <p>2.4.3 If person does not complete an alternative resolution option or pay</p>	<p>Removes suspension from service as a consequence for non-payment of fare.</p> <p>Provides for alternative resolution options in lieu of fine payment.</p> <p>Provides for non-suspension consequences for failure to resolve fines and civil infractions.</p>

<p>b) Fails to pay the required monetary fine on more than one occasion within a twelve-month period;</p> <p>c) Fails to timely select one of the options identified on the infraction for responding to the notice of civil infraction;</p> <p>d) Fails to depart a facility when requested to do so by an Enforcement Officer.</p> <p>9.3 Suspensions from the privilege to use the facilities may be ordered by an Enforcement Officer or other personnel authorized by the chief executive officer for a period of up to ninety (90) days. Notice of such suspension shall be in writing and shall inform the person suspended of the cause, the period of the suspension, and that failure to comply shall be grounds for criminal prosecution. Service of the suspension notice may be accomplished by personal delivery or by mailing a copy, addressed to the person's last known address, by certified U.S. mail. Unless otherwise specified on the notice, the suspension shall take effect immediately upon actual or constructive receipt of the notice. A person may not defeat the effectiveness of a suspension by refusing to accept the notice. Receipt of the notice is construed to have been accomplished if the person knew or reasonably should have known from the circumstances that his/her privileges to enter upon the train had been suspended. Receipt of the notice is also construed to have been accomplished two (2) days after a suspension notice is placed in the U.S. mail.</p>	<p>the fine after the fourth interaction, Sound Transit may submit the unresolved fine to a collection agency.</p> <p>2.4.4 Sound Transit refers civil infractions to district court for resolution.</p>	
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<p>9.4 A person whose use privileges have been suspended may submit a written request for a review of the suspension. The request for review must be received by the chief executive officer within ten (10) calendar days after the effective date of the suspension. Upon receiving a timely request, the chief executive officer shall designate a person(s) to review the suspension. The suspended person may orally present his/her reasons why the suspension should not be served, by phone or in person at a time and location mutually agreed upon with the reviewer. Within ten (10) calendar days after the suspended person presents his/her reasons, the reviewer shall make a decision affirming, modifying or terminating the suspension. The reviewer's decision shall be final.</p> <p>9.4.1 Any person who fails to comply with a request to leave a facility or a suspension ordered issued under this Fare Enforcement Policy may be subject to prosecution for criminal trespass or other criminal charges.</p>		
<p>10.0 <u>ENFORCEMENT PROCEDURES</u></p> <p>10.1 The chief executive officer is directed and authorized to develop procedures to implement this Fare Enforcement Policy and to take all other action as may be necessary to provide for enforcement and issuance of notices of civil infractions consistent with this Fare Enforcement Policy and applicable state, federal and local law. These procedures shall be developed to reduce fare evasion to the maximum extent possible, while at the same time, respecting the rights and dignity of all persons who travel on Sound Transit</p>	<p>(See 2.2 above)</p>	<p>Removes language authorizing/directing enforcement procedures such as suspension and detention of passengers.</p>

<p>facilities. Procedures authorized by this Fare Enforcement Policy include, but are not limited to: those necessary to identify and detain suspected fare evaders, maintain records of infractions issued, and suspend persons from the privilege of using the trains.</p>		
<p><u>11.0 TRAINING OF FARE ENFORCEMENT OFFICERS</u></p> <p>11.1 The chief executive officer is directed and authorized to develop and implement a comprehensive training program which provides, at a minimum, that all Enforcement Officers be certified as having demonstrated knowledge and understanding of Sound Transit's Fare Policy and Fare Enforcement Policy and procedures and provides minimum qualifications for civilian non-commissioned Enforcement Officers.</p> <p>11.2 The training program shall provide for continuing training to assure that Enforcement Officers maintain current knowledge and understanding as policies and state law are revised from time to time.</p> <p>11.3 The training program may provide that Enforcement Officers who are employees of Sound Transit may be certified in a different manner and under different criteria than non-employees.</p>		-
<p><u>12.0 ADMINISTRATIVE REVIEW</u></p> <p>12.1 The chief executive officer is directed to conduct regular reviews of the fare enforcement policies and procedures and effectiveness in</p>	(See 2.2 above)	Regular CEO review of program effectiveness is replaced by regular program performance monitoring and reporting to the Board.

<p>ensuring that the agency is responsibly enforcing this policy and report the findings to the Board.</p>		
<p>NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that Sound Transit's Fare Enforcement Policy for commuter rail and light rail facilities (Attachment A of this Resolution) is hereby adopted and the proof-of-payment section of Sound Transit's Fare Policy as adopted in Resolution No. R99-2-2 is hereby superseded.</p> <p>ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 14, 2009.</p>	<p>ADOPTED by the of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on _____, to be effective as soon as possible but no later than September 17, 2022.</p>	