

Equitable Fare Compliance Policy

Staff & CEO recommendations

Citizen Oversight Panel
April 2022



Why we are here:

Review actions that will be taken to the full Board for adoption on April 28 regarding fare compliance policy and program recommendations

Upcoming fare-related Board actions

Discuss near term decisions on fare compliance

Near term (next 3 months)

- Fare compliance:
 - Policy update,
 - Subsidized annual pass extension,
 - Budget amendments for fare compliance and reduced fare programs.
- Establish T Line fares and set farebox recovery target.

WE
ARE
HERE

Medium term (4-18 months)

- Authorize daily paid parking.
- Increase Link fares and/or change fare structure (distance-based vs. flat fare, etc.).
- Determine approach to youth fares.
- Establish Stride fares and set farebox recovery target.

April full Board actions

- A. Resolution No. 2022-08:** Continuation of a Fare Ambassador program budget amendment for 2022
- B. Motion No. 2022-27:** Regarding, lower ORCA lift fare, Title VI fare equity analysis, and ORCA lift enrollment goals
- C. Resolution No. 2022-09:** Amending the 2022 Budget for Reduced Fare Program Communications and Marketing
- D. Motion No. 2022-28:** Extending Sound Transit's participation in a reduced fare program managed and administered by King County
- E. Resolution No. R2022-07:** Adopting an updated Fare Compliance Policy and supersedes Resolution No. R2009-02

Fare Compliance vision and outcomes

A system where everyone taps — where everyone who has fare media can get to where they want to go, and everyone who needs fare media can get access to it

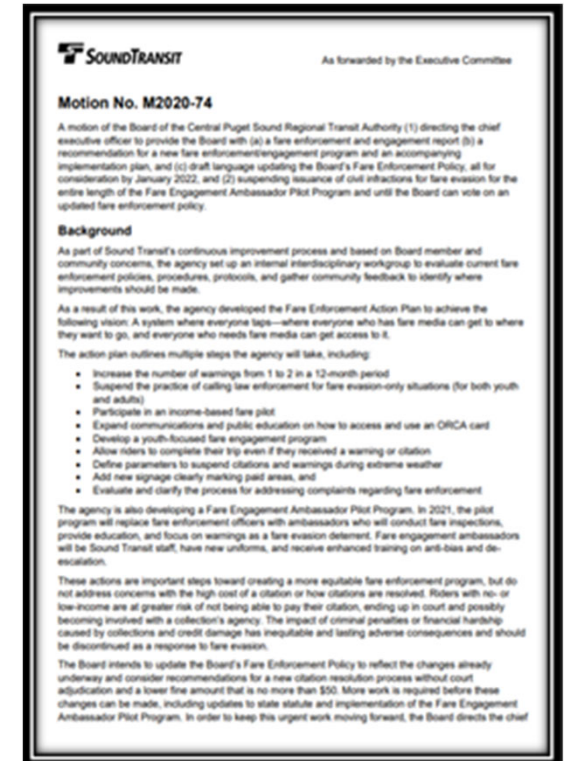
- Equity and fairness to our riders, stakeholders, community members, and taxpayers.
- Sound financial stewardship, as indicated by high fare compliance and meeting farebox recovery targets.
- Uphold Sound Transit's values of Passenger Focus, Integrity, Inclusion and Respect, and Safety.
- Continuous improvement that is measurable and accountable.



Motion No. M2020-74

Staff to analyze:

- Lowering the citation amount to no more than \$50.
- Removing court adjudication for fare evasion-only cases.
- Increasing warnings from one to at least two in a 12-month period.
- Making a recommendation to update, remove, or replace the suspension policy.



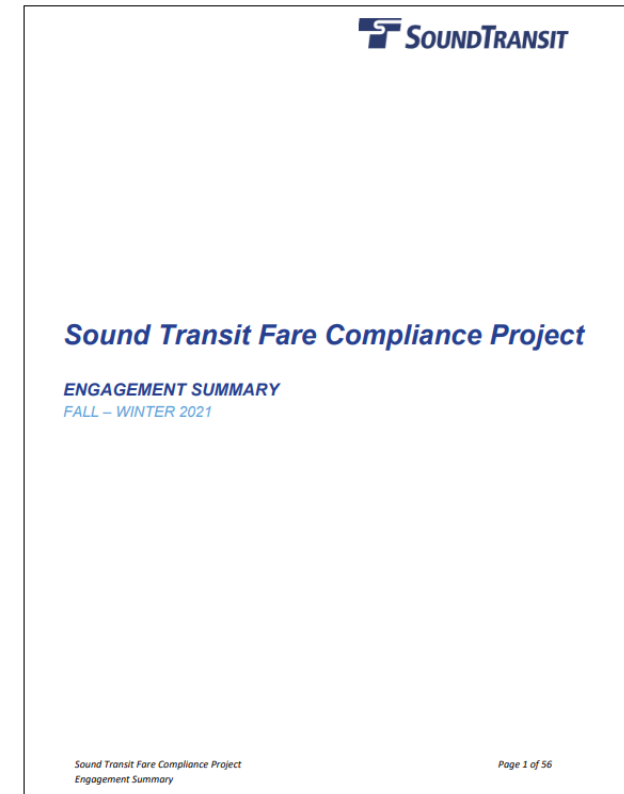
Motion No. M2020-74

Staff directed to:

- Prohibits the agency from issuing civil infractions until the Board votes on an updated policy.
- Removing law enforcement officers as fare enforcement officers.
- CEO & staff recommendations to be submitted by January 2022.
- CEO may also offer alternate approaches.

Draft policy informed by:

- Three years of community engagement
 - Online surveys (8,000 responses)
 - Onboard surveys (1,100)
 - Sounding Board surveys (300)
 - Listening sessions (18)
 - Virtual and in-person Town Halls (3)
 - 2021 Survey (300)
- 2020 Action Plan
- Motion 2020-74
- Learned experience with Fare Ambassador pilot



Equity analysis

- Warning and citation demographic analysis drove proposed program elements.
- All elements in the Action Plan were prioritized per three criteria:
 - What racial equity results are desired?
 - What communities of color will benefit?
 - Are there possible unintended negative consequences if implemented?
- Engagement included (but was not limited to) targeted engagement with those most impacted by fare enforcement- people of color in the Rainier Valley.
- Evans School of Public Policy and Governance completed Racial Equity in Fare Enforcement Policies analysis.

***Staff recommendations to be
discussed in REO***

Resolution No. R2022-08

- Increase Transit Operating budget by \$1,300,000
- Continuation of a Fare Ambassador Program based on the pilot program initiated in August 2022.



Motion No. M2022-27

Lower ORCA LIFT fare to \$1.00

- ORCA LIFT fare will be reduced from \$1.50 to \$1.00.
- Change will be implemented as soon as administratively possible.
- Establish goal for ORCA LIFT to increase reach from current 39% to 80% of eligible riders over a multi-year period.

Slide 12

DS0

[@Davis, Chad] can you update per the latest conversation with Peter
Ditt, Sandee, 2022-03-30T23:09:05.503

DC0 0

updated
Davis, Chad, 2022-03-30T23:19:18.050

Resolution No. R2022-09

Budget Amendment for reduced fare programs

- Fund the communications reduced fare program promotion program to achieve the annual goals.
- Work with community-based organizations (CBO) to develop communication strategies that will be effective with targeted communities to achieve the adopted annual goals.

Motion 2022-28

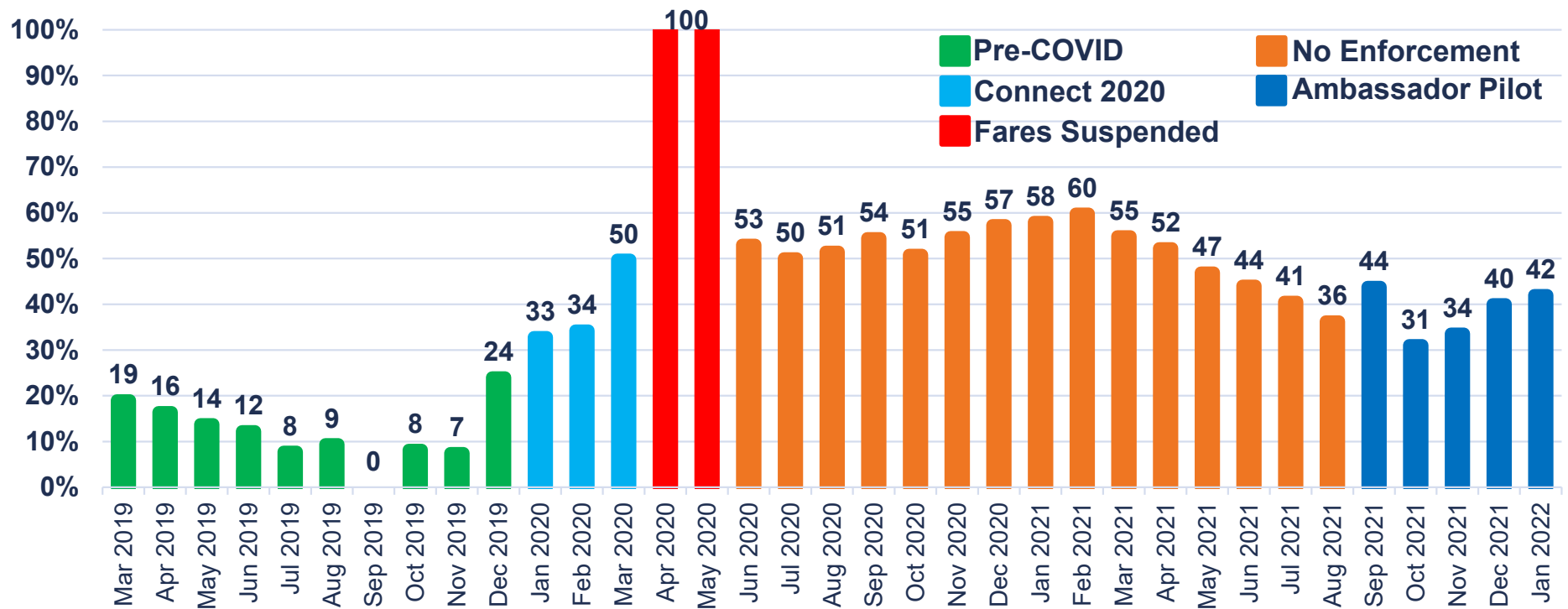
Extending participation in a reduced fare program

- This action extends Sound Transit's participation in the annual subsidized fare program.
- Extends till the end of 2024, or when a permanent program is adopted.
- The pilot program is being managed by King County and covers qualifying riders in King, Snohomish and Pierce County.

Compliance trends

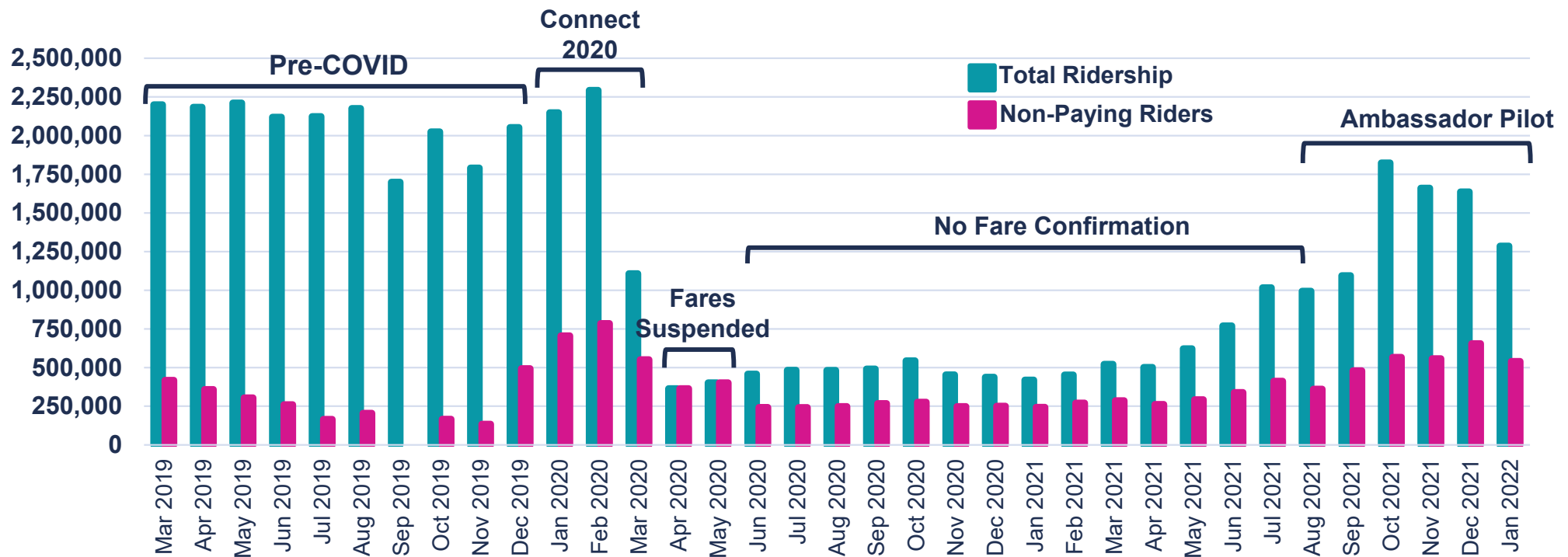
Link non-fare boardings, 2019-2021

Current trends

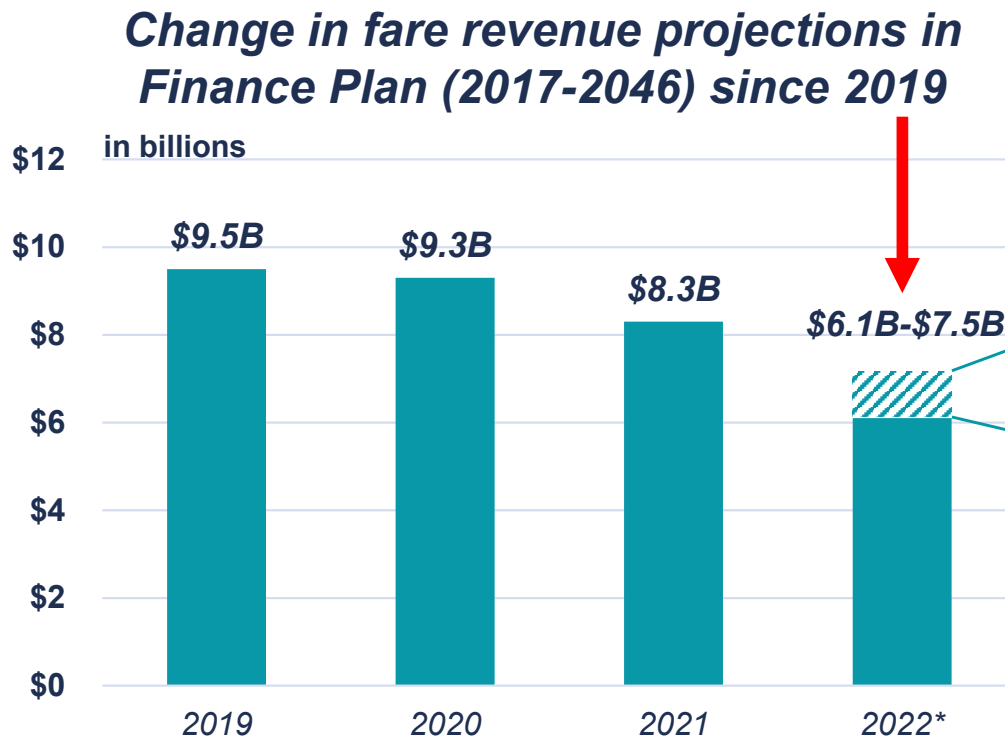


Link non-fare boardings, 2019-2021

Current trends



Summary of potential actions



**2022 is a proposed Finance Plan update figure*

Actions have varying impact on size of the gap

1. Fare compliance
2. Fare rates & timing of increases
3. Ridership recovery
4. Daily paid parking
5. Reduced fare programs

***Staff recommendations to be
discussed today***

Changes between past enforcement policy and current proposal

- Suspension for a period from our system is not included and no law enforcement role in fare compliance.
- Passengers without proof of payment (POP) may continue to ride the system.
- Passengers may appeal any action in the process.

Policy comparison

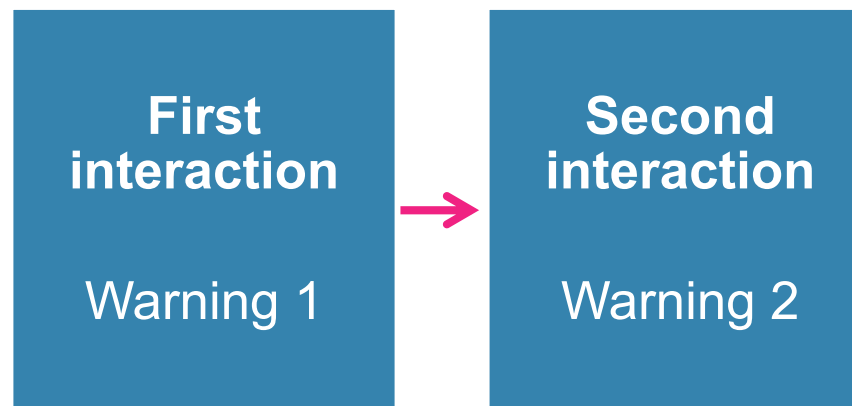
Non-payment interactions within 12 months	Old program	Proposed program
1 st	Warning	Warning
2 nd	**Civil infraction	Warning
3 rd *	**Civil infraction	*Internal Resolution Options
4 th *	**Civil infraction	*Internal Resolution Options
5 th and beyond	**Civil infraction	**Civil infraction

**Also contain monetary resolution options*

***Monetary only resolution of \$124*

Number of warnings

- Passengers without proof of payment would get **two warnings** in a 12-month period without penalty.
- Fare ambassadors will have an option during the warning phase to flag passengers that are unsheltered or experiencing homelessness or other instability, so they will not progress to the action phase.



Resolution options (3rd interaction)

Full-fare passengers

- Participate in a ST engagement or focus group activity
- Participate in a transit education activity
- Sign a commitment to tap in the future (3rd interaction only)
- Load \$50 on an ORCA card for future use
- Pay \$50 fine to Sound Transit's Internal Resolution team
- If no action taken after 90 days, no additional action is taken and the interaction is deemed not resolved

Reduced fare eligible passengers

- All options above plus ability to sign up for ORCA LIFT and add funds to card

Resolution options (4th interaction)

Full-fare passengers

- Participate in a ST engagement or focus group activity
- Participate in a transit education activity
- Load \$75 on an ORCA card for future use
- Pay \$75 fine to Sound Transit's Internal Resolution team
- **If no action taken after 90 days, Sound Transit may seek to collect the unresolved fine by sending to collections**

Reduced fare eligible passengers

- All options above plus ability to sign up for ORCA LIFT and add funds to card

Consequences for 5th interaction

- On 5th 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
- Discretionary action on the part of ST. We reserve the right to not refer it the courts in certain circumstances
- This is not a criminal referral; it is a civil infraction like a red light, speed camera, or parking ticket

Similar agency comparisons

Agency	Warnings	Citations	Agency Resolution	Accountability Measures
DART (Dallas)	Discretion	\$100-150	Yes, 30 days to resolve + \$50 admin fee	Unresolved citations sent to Justice System
TriMet (Portland)	One	\$75 – \$175	Yes, 90 days to resolve	Fine escalates each time, unresolved citations sent to Justice System
RTD (Denver)	One	\$82.50-\$106.50	No	Escalating suspension in addition to fine, all citations are sent to the Justice System, could result in Driver's License suspension
METRO (Houston)	Discretion	\$199	Yes, admin fee only of \$75 if paid within 30 days	Unresolved citations sent to Justice System

Fare Ambassador program initial results

Concerns

- Increasing amount of passengers choosing not to interact
- Reduced staffing levels – able to check approximately 1-3% of ridership
- Safety incidents with Fare Ambassadors and passengers to rise

Deficiency of Current Proposal

- Riders who refuse to provide identification – currently no solution in place.
- Previously, we would call on KC Sheriff to assist but the proposal ceases calling law enforcement for violations solely related to fare enforcement.
- 76% of passengers without proof of payment are not providing full identification to fare ambassadors. 40% of these passengers provide no identification at all

Likelihood to encounter fare ambassadors

- **Current planned system (3%)**, on average you will go 23 trips before seeing a fare ambassador
- **Proposed system (10%)**, on average you would only go 7 trips before seeing a fare ambassador.
- **Aspirational system (20%)**, you would go on average only 3 trips before seeing a fare ambassador.

Policy monitoring, metrics and reporting

Quarterly metric reporting at REO

Some key questions to continuously evaluate

1. Is the program equitable and not harming communities?
2. Who are we not reaching and how can we reach them?
3. Is fare compliance effective without an ID requirement?
4. What is the effect of this policy on fare revenue and our long-range financial plan?
5. Are Fare Ambassadors helping create a positive, safe and passenger focused experience for riders?

Fare Ambassador program initial results

Pilot program September-February 2022*

Ridership	**8,227,250
Inspections	110,170
Warnings	12,861
Warnings with ID	3,008
Persons with 1 warning***	2,867
Persons with 2 warnings	111
Persons with 3 warnings	15
Persons with 4 warnings	5
Persons with 5+ warnings	10
Warnings without full ID	9,853



*Ridership Data is only available through February 2022

**Combined 1 (Link), S and N Lines (Sounder)

***Persons with multiple warnings solely based on those warnings with ID

Next steps

April full Board actions

- A. Resolution No. 2022-08:** Continuation of a Fare Ambassador program budget amendment for 2022
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Thank you.



 *soundtransit.org*



April Board actions

Executive Committee

Resolution No. R2022-07: Adopting an updated Fare Compliance Policy and supersedes Resolution No. R2009-02

Rider Experience and Operations (REO)

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All forwarded actions to be reviewed at full board

Recap on what we're here today to do:

Take action to refer **Resolution No. R2022-07**: Adopting an updated Fare Compliance Policy and supersedes Resolution No. R2009-02 to full Board.

Access to fares & balanced accountability

- Expand the timeline for Sound Transit's participation in the Annual subsidized pass.
- Reduce ORCA LIFT from \$1.50 to \$1.
- Explore free youth fares.
- Goal for 80% reduced fare eligible transit riders.
- **Adopt new fare compliance policy**

Slide 38

AC0

This slide needs to be removed

Avila-Mooney, Carrie, 2022-04-05T17:03:38.398

DS0 0

i think we ended up wanting to keep it but to highlight we are focusing only on the last bullet point out of all that we just went over?

Ditt, Sandee, 2022-04-05T17:37:46.465

DS0 1

the title doesn't match - we can take out too, but the transition is weird from the content slide 19 to slide 21

Ditt, Sandee, 2022-04-05T17:40:59.361

AC0 2

I think it should go. Repetitive from REO section above

Avila-Mooney, Carrie, 2022-04-05T17:47:09.814

Comprehensive fare strategy Board actions

Discuss near term decisions on fare compliance

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Near term (next 3 months)

- Fare compliance:
 - Policy update,
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Medium term (4-18 months)

- Authorize daily paid parking.
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Comprehensive fare strategy Board actions

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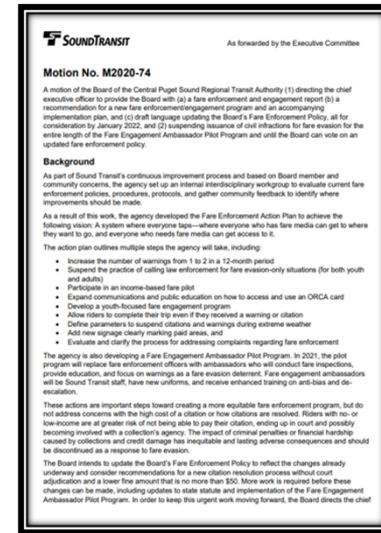
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Motion No. M2020-74

Section 3 asked staff to analyze:

- Lowering the citation amount to no more than \$50.
- Removing court adjudication for fare evasion-only cases.
- Increasing warnings from one to at least two in a 12-month period.
- Making a recommendation to update, remove, or replace the suspension policy.
- Prohibits the agency from issuing civil infractions until the Board votes on an updated policy
- Removing law enforcement officers as fare enforcement officers.
- CEO & staff recommendations to be submitted by January 2022



Additional options for Board consideration

- Expand ORCA LIFT eligibility above 200% federal poverty level.
- Extend ORCA LIFT qualification from 2 to 3 years.
- Work with enrolling agencies to automatically enroll and deliver reduced fare media to those eligible to reduce barriers to entry

Budget amendments and impacts

Reduced fare programs

Implementing staff & CEO recommendations

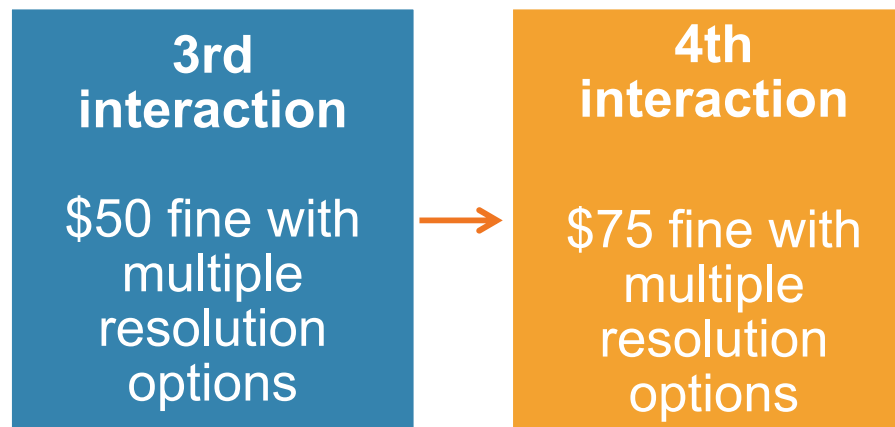
- Establish goal to reach 80 percent reduced fare saturation for likely riders
- Increase communications and community engagement campaigns necessary to achieve the annual goals.
- Recommend increasing fare ambassadors.

Potential impact on fare revenues

- Reduce non-fare boardings rate and increase revenue.

3. *Resolution pathways*

- Third interaction: \$50 fine with multiple resolution options.
- Fourth interaction: \$75 fine with multiple resolution options.
- Suspension not included and no law enforcement role in fare compliance.
- Passengers without proof of payment (POP) may continue to ride the system.



Estimating number of riders receiving warnings and citations

Using 2019 ridership data

30 million riders- 8% of rides inspected

- **1st warning (no penalty): 51,000**
- **2nd warning (no penalty): 3,000**
- ***3rd interaction (\$50 fine): 1,700**
- ***4th interaction (\$75 fine): 200**
- **5th interaction (\$124 fine): 100**

***Includes alternative resolution options**

Similar agency comparisons

Agency	Warnings	Citations	Notes
DART (Dallas)	Discretion	\$100-150	+ \$50 admin fee
TriMet (Portland)	One	\$75 – \$175	Fine escalates each time.
RTD (Denver)	None	\$106.50	Could result in Driver's License suspension
METRO (Houston)	Discretion	\$199	Admin fee only (\$75) if paid within 30 days.

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METRO (Houston)	Discretion	\$199	Admin fee only (\$75) if paid within 30 days

Slide 48

DS0

[@Morgan, John] can you send over what happens with these agencies when the person doesn't pay the citations

Ditt, Sandee, 2022-04-01T21:44:29.577

What an interaction could look like

#	Scenario	Action
1	Fare Ambassador (FA) checks passenger for proof of payment, passenger has valid proof of payment	Continues with checking fares process if no additional questions
2	FA interacts with a passenger with no proof of fare and passenger provides ID.	The FA documents the process and informs passenger of what current options are available for them to resolve riding without proof of payment.
3	FA interacts with a passenger with no proof of fare and requests to provide ID are refused.	Interaction ends after resources are offered and passenger continues onto their destination.

What an interaction could look like

#	Scenario	Action
1	Fare Ambassador (FA) checks passenger for proof of payment, passenger has valid proof of payment	Continues with checking fares process if no additional questions
2	FA interacts with a passenger with no proof of fare and requests to provide ID are refused.	Interaction ends after resources are offered and passenger continues onto their destination.
3	FA interacts with a passenger with no proof of fare and passenger provides ID.	The FA documents the process and informs passenger of what current options are available for them to resolve riding without proof of payment.

Repeat non-payment proposal

- On **5th 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 is not a criminal referral; it is a civil infraction like a red light, speed camera, or parking ticket.**
- This allows the agency a tool for any passengers that continue to not pay that do not fall into previous categories of support.
- Passengers without proof of payment exceeding 5 interactions could be considered as persistent offenders who have ignored prior attempts at alternative resolution

Status of recommended Action Plan items

Completed

Enhanced staff training, stopped calling KCSO, changed uniforms and names, made ambassadors temporary ST employees.

Ongoing

Enhanced Fare Paid Zone, fully subsidized pilot participation, expanding education on ORCA and promotion of reduced fares.

Quarterly metric reporting at REO

What data will help us answer those questions

1. Equity analysis using warning data, rider survey and, census data
2. Spatial analysis of warning data compared to census data
3. Inspection rate trends over all and across modes

Fare Ambassador program initial results

Pilot program through May 2022

- 4 Supervisors
- 15 Fare Ambassadors
- 8 different languages spoken
- 3 weeks of training completed
- On duty 16 hours a day, 7 days a week
- In November 2021:
 - 23,582 fare checks all modes
 - 465 ORCA Lift cards given out on all modes



Fare Ambassador program initial results

Pilot program October - January 2022*

Ridership	6,640,250**	
Inspections	84,755	
Warnings	9869	
Warnings validated with ID	2117	
Persons with 1 warning***	2054	
Persons with 2 warnings	45	
Persons with 3 warnings	13	
Persons with 4 warnings	5	
Persons with 5+ warnings	0	
Warnings not validated with ID	7,752	

*Ridership Data is only available through January 2022
**Combined Link Line 1 and Sounder
***Persons with multiple warnings solely based on those warnings with ID



Fare Ambassador program initial results

Pilot program September-January 2022*

Ridership	6,640,250**
Inspections	84,755
Warnings	9869
Warnings with ID	2117
Persons with 1 warning***	2058
Persons with 2 warnings	41
Persons with 3 warnings	13
Persons with 4 warnings	5
Persons with 5+ warnings	0
Warnings without ID	7,911



*Ridership Data is only available through January 2022

**Combined Link Line 1 and Sounder

***Persons with multiple warnings solely based on those warnings with ID

Fare Ambassador program initial results

Major milestones

- First shifts: September 1, 2021
- Began fare checking and documenting warnings on October 11.
- 80% of surveyed passengers are satisfied or very satisfied after interacting with our Fare Ambassadors.
- Positive feedback for new passenger service approach.

Estimating # of warnings and citations

Using fare ambassador pilot data and trends through Feb. 2022

30 million passengers – 8% of rides inspected with 15% not having valid Proof of Payment

- **1st warning (no penalty): 85,590**
- **2nd warning (no penalty): 3,600**
- ***3rd interaction (Internal Resolution): 450**
- ***4th interaction (Internal Resolution): 180**
- **5th interaction (Civil Infraction): 180**

***Of passengers that provided identification**

Fare Ambassador program initial results

Concerns

- Increasing rate of passengers, currently ~40% are not providing identification at all.
- Current staffing levels – able to check approximately 2% of ridership.
- Agency ability to hire and retain a team of hourly frontline staff this large – current staff retention rate 78%.
- Safety incidents with Fare Ambassadors and passengers to rise.