

FINAL BILL REPORT

ESSB 5513

C 279 L 09

Synopsis as Enacted

Brief Description: Concerning law enforcement authority that relates to civil infractions and unlawful transit conduct.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Jarrett, Swecker, Delvin, Marr, Kilmer and Tom).

Senate Committee on Transportation
House Committee on Transportation

Background: Under current law, unlawful bus conduct includes certain actions conducted while in a municipal transit vehicle or at a municipal transit station. Unlawful bus conduct includes knowingly littering, spitting, obstructing the flow of transit vehicles or passenger traffic, and destroying transit property. Unlawful bus conduct is a misdemeanor.

Regional transit authorities (RTAs) are authorized to set fines and penalties for civil infractions established under the RTA statute. The fines cannot be greater than the fine for a class 1 civil infraction, which is currently \$250. The civil infractions established by the RTA statute are failure to pay the required fare, failure to display proof of payment when requested to do so, and failure to leave the train when requested to do so by a person designated to monitor fare payment.

Summary: The statute pertaining to unlawful bus conduct is changed to a statute pertaining to unlawful transit conduct in a transit vehicle or at a transit station. Definitions for transit vehicle and transit authority are added to the statute. A transit vehicle means any motor vehicle, street car, train, trolley, or ferry boat that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority, for the purpose of carrying passengers on a regular schedule. A transit authority means a city or county public transportation system, a metropolitan municipal corporation public transportation system, or any special purpose district formed to operate a public transportation system, including RTAs and public transportation benefit areas. The definition of a transit station is changed to include all passenger stops, shelters, and bus zones.

The list of conduct that is unlawful is expanded to include, among other additions, unreasonably disturbing others with loud or harassing behavior; possessing or tendering an unissued fare media; falsely claiming to be a transit employee; engaging in gambling; skating

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

on skates, or riding on a skateboard, coaster, or toy vehicle; and engaging in conduct that is inconsistent with the intended use and purpose of the transit facility, transit station, or transit vehicle and refusing to obey the commands of an agent of the transit authority or peace officer to stop the conduct.

The definition of "facilities" in the statute pertaining to RTAs is changed to explicitly include trains, stations, and designated passenger waiting areas. An RTA has the authority to issue civil infractions and ask persons to leave an RTA facility for failure to show proof of payment.

Municipal courts may hear civil infractions that are established by local law or resolution of a transit agency authorized to issue civil infractions. In addition, the statute pertaining to hearings for civil infractions is changed to allow an attorney representing a transit agency that has the authority to issue civil infractions to appear in civil infraction proceedings.

Votes on Final Passage:

Senate	48	0	
House	96	2	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 26, 2009