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**SUBSTITUTE SENATE BILL 5274**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Goings, Horn, Haugen, Costa, Winsley, Heavey, McCaslin, Long and Prentice)

Read first time 02/03/1999.

1 AN ACT Relating to fare payment and enforcement by regional transit  
2 authorities; amending RCW 81.112.020; adding new sections to chapter  
3 81.112 RCW; creating a new section; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The purpose of this act is to facilitate  
6 ease of boarding of commuter trains and light rail trains operated by  
7 regional transit authorities by allowing for barrier free entry ways.  
8 This act provides regional transit authorities with the power to  
9 require proof of payment; to set a schedule of fines and penalties not  
10 to exceed those classified as class 1 infractions under RCW 7.80.120;  
11 to employ individuals to monitor fare payment or contract for such  
12 services; to issue citations for fare nonpayment or related activities;  
13 and to keep records regarding citations issued for the purpose of  
14 tracking violations and issuing citations consistent with established  
15 schedules. This act is intended to be consistent with and implemented  
16 pursuant to chapter 7.80 RCW with regard to civil infractions, the  
17 issuance of citations, and the maintenance of citation records.

1       **Sec. 2.** RCW 81.112.020 and 1992 c 101 s 2 are each amended to read  
2 as follows:

3       Unless the context clearly requires otherwise, the definitions in  
4 this section apply throughout this chapter.

5       (1) "Authority" means a regional transit authority authorized under  
6 this chapter.

7       (2) "Board" means the board of a regional transit authority.

8       (3) "Service area" or "area" means the area included within the  
9 boundaries of a regional transit authority.

10       (4) "System" means a regional transit system authorized under this  
11 chapter and under the jurisdiction of a regional transit authority.

12       (5) "Facilities" means any lands, interest in land, air rights over  
13 lands, and improvements thereto including vessel terminals, and any  
14 equipment, vehicles, vessels, and other components necessary to support  
15 the system.

16       (6) "Proof of payment" means evidence of fare prepayment authorized  
17 by a regional transit authority for the use of trains, including but  
18 not limited to commuter trains and light rail trains.

19       NEW SECTION. **Sec. 3.** A new section is added to chapter 81.112 RCW  
20 to read as follows:

21       (1) An authority is authorized to establish, by resolution, a  
22 schedule of fines and penalties for civil infractions established in  
23 section 4 of this act. Fines established by a regional transit  
24 authority shall not exceed those imposed for class 1 infractions under  
25 RCW 7.80.120.

26       (2)(a) A regional transit authority may designate persons to  
27 monitor fare payment who are equivalent to and are authorized to  
28 exercise all the powers of an enforcement officer, defined in RCW  
29 7.80.040. An authority is authorized to employ personnel to either  
30 monitor fare payment, or to contract for such services, or both.

31       (b) In addition to the specific powers granted to enforcement  
32 officers under RCW 7.80.050 and 7.80.060, persons designated to monitor  
33 fare payment also have the authority to take the following actions:

34       (i) Request proof of payment from passengers;

35       (ii) Request personal identification from a passenger who does not  
36 produce proof of payment when requested;

37       (iii) Issue a citation conforming to the requirements established  
38 in RCW 7.80.070; and

1 (iv) Request that a passenger leave the regional transit authority  
2 train, including but not limited to commuter trains and light rail  
3 trains, when the passenger has not produced proof of payment after  
4 being asked to do so by a person designated to monitor fare payment.

5 (3) Regional transit authorities shall keep records of citations in  
6 the manner prescribed by RCW 7.80.150. All civil infractions  
7 established by chapter . . ., Laws of 1999 (this act) shall be heard  
8 and determined by a district court as provided in RCW 7.80.010 (1) and  
9 (4).

10 NEW SECTION. Sec. 4. A new section is added to chapter 81.112 RCW  
11 to read as follows:

12 (1) Persons traveling on trains, including but not limited to  
13 commuter trains or light rail trains, operated by an authority, shall  
14 pay the fare established by the authority. Such persons shall produce  
15 proof of payment when requested by a person designated to monitor fare  
16 payment.

17 (2) The following constitute civil infractions punishable according  
18 to the schedule of fines and penalties established by the authority  
19 under section 3(1) of this act:

20 (a) Failure to pay the required fare;

21 (b) Failure to display proof of payment when requested to do so by  
22 a person designated to monitor fare payment; and

23 (c) Failure to depart the train, including but not limited to  
24 commuter trains and light rail trains, when requested to do so by a  
25 person designated to monitor fare payment.

26 NEW SECTION. Sec. 5. A new section is added to chapter 81.112 RCW  
27 to read as follows:

28 Nothing in RCW 81.112.020 and sections 3 through 5 of this act  
29 shall be deemed to prevent law enforcement authorities from prosecuting  
30 for theft, trespass, or other charges by any individual who:

31 (1) Fails to pay the required fare on more than one occasion within  
32 a twelve-month period;

33 (2) Fails to sign a notice of civil infraction; or

1       (3) Fails to depart the train, including but not limited to  
2 commuter trains and light rail trains, when requested to do so by a  
3 person designated to monitor fare payment.

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