

SHB 2252 - S COMM AMD
By Committee on Transportation

ADOPTED 02/28/2012

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 35.58.580 and 2008 c 123 s 1 are each amended to read
4 as follows:

5 (1) Persons traveling on public transportation operated by a
6 metropolitan municipal corporation or a city-owned transit system shall
7 pay the fare established by the metropolitan municipal corporation or
8 the city-owned transit system and shall produce proof of payment in
9 accordance with the terms of use established by the metropolitan
10 municipal corporation or the city-owned transit system. Such persons
11 shall produce proof of payment when requested by a person designated to
12 monitor fare payment. The required manner of producing proof of
13 payment specified in the terms of use established by the metropolitan
14 municipal corporation or the city-owned transit system may include, but
15 is not limited to, requiring a person using an electronic fare payment
16 card to validate the card by presenting the card to an electronic card
17 reader before or upon entering a public transportation vehicle or a
18 restricted fare paid area.

19 (2) The following constitute civil infractions punishable according
20 to the schedule of fines and penalties established by a metropolitan
21 municipal corporation or a city-owned transit system under RCW
22 35.58.585:

23 (a) Failure to pay the required fare, except when a metropolitan
24 municipal corporation or a city-owned transit system under RCW
25 35.58.585 fails to meet the requirements of subsection (3) of this
26 section;

27 (b) Failure to ~~((display))~~ produce proof of payment in the manner
28 required by the terms of use established by the metropolitan municipal
29 corporation or the city-owned transit system including, but not limited

1 to, the failure to produce a validated fare payment card when requested
2 to do so by a person designated to monitor fare payment; and

3 (c) Failure to depart the bus or other mode of public
4 transportation when requested to do so by a person designated to
5 monitor fare payment.

6 (3) If fare payment is required before entering a transit vehicle,
7 as defined in RCW 9.91.025(2)(b), or before entering a fare paid area
8 in a transit facility, as defined in RCW 9.91.025(2)(a), signage must
9 be conspicuously posted at the place of boarding or within ten feet of
10 the nearest entrance to a transit facility that clearly indicates: (a)
11 The locations where tickets or fare media may be purchased; and (b)
12 that a person using an electronic fare payment card must present the
13 card to an electronic card reader before entering a transit vehicle or
14 before entering a restricted fare paid area.

15 **Sec. 2.** RCW 36.57A.230 and 2008 c 123 s 6 are each amended to read
16 as follows:

17 (1) Persons traveling on public transportation operated by a public
18 transportation benefit area shall pay the fare established by the
19 public transportation benefit area and shall produce proof of payment
20 in accordance with the terms of use established by the public
21 transportation benefit area. Such persons shall produce proof of
22 payment when requested by a person designated to monitor fare payment.
23 The required manner of producing proof of payment specified in the
24 terms of use established by the public transportation benefit area may
25 include, but is not limited to, requiring a person using an electronic
26 fare payment card to validate the card by presenting the card to an
27 electronic card reader before or upon entering a public transportation
28 vehicle or a restricted fare paid area.

29 (2) The following constitute civil infractions punishable according
30 to the schedule of fines and penalties established by a public
31 transportation benefit area under RCW 36.57A.235:

32 (a) Failure to pay the required fare, except when a public
33 transportation benefit area fails to meet the requirements of
34 subsection (3) of this section;

35 (b) Failure to ~~((display))~~ produce proof of payment in the manner
36 required by the terms of use established by the public transportation

1 benefit area including, but not limited to, the failure to produce a
2 validated fare payment card when requested to do so by a person
3 designated to monitor fare payment; and

4 (c) Failure to depart the bus or other mode of public
5 transportation when requested to do so by a person designated to
6 monitor fare payment.

7 (3) If fare payment is required before entering a transit vehicle,
8 as defined in RCW 9.91.025(2)(b), or before entering a fare paid area
9 in a transit facility, as defined in RCW 9.91.025(2)(a), signage must
10 be conspicuously posted at the place of boarding or within ten feet of
11 the nearest entrance to a transit facility that clearly indicates: (a)
12 The locations where tickets or fare media may be purchased; and (b)
13 that a person using an electronic fare payment card must present the
14 card to an electronic card reader before entering a transit vehicle or
15 before entering a restricted fare paid area.

16 **Sec. 3.** RCW 81.112.220 and 2009 c 279 s 6 are each amended to read
17 as follows:

18 (1) Persons traveling on facilities operated by an authority shall
19 pay the fare established by the authority and shall produce proof of
20 payment in accordance with the terms of use established by the
21 authority. Such persons shall produce proof of payment when requested
22 by a person designated to monitor fare payment. The required manner of
23 producing proof of payment specified in the terms of use established by
24 the authority may include, but is not limited to, requiring a person
25 using an electronic fare payment card to validate the card by
26 presenting the card to an electronic card reader before or upon
27 entering a public transportation vehicle or a restricted fare paid
28 area.

29 (2) The following constitute civil infractions punishable according
30 to the schedule of fines and penalties established by the authority
31 under RCW 81.112.210(1):

32 (a) Failure to pay the required fare, except when the authority
33 fails to meet the requirements of subsection (3) of this section;

34 (b) Failure to ((display)) produce proof of payment in the manner
35 required by the terms of use established by the authority including,
36 but not limited to, the failure to produce a validated fare payment

1 card when requested to do so by a person designated to monitor fare
2 payment; and

3 (c) Failure to depart the facility when requested to do so by a
4 person designated to monitor fare payment.

5 (3) If fare payment is required before entering a transit vehicle,
6 as defined in RCW 9.91.025(2)(b), or before entering a fare paid area
7 in a transit facility, as defined in RCW 9.91.025(2)(a), signage must
8 be conspicuously posted at the place of boarding or within ten feet of
9 the nearest entrance to a transit facility that clearly indicates: (a)
10 The locations where tickets or fare media may be purchased; and (b)
11 that a person using an electronic fare payment card must present the
12 card to an electronic card reader before entering a transit vehicle or
13 before entering a restricted fare paid area.

14 **Sec. 4.** RCW 42.56.330 and 2010 c 128 s 8 are each amended to read
15 as follows:

16 The following information relating to public utilities and
17 transportation is exempt from disclosure under this chapter:

18 (1) Records filed with the utilities and transportation commission
19 or attorney general under RCW 80.04.095 that a court has determined are
20 confidential under RCW 80.04.095;

21 (2) The residential addresses and residential telephone numbers of
22 the customers of a public utility contained in the records or lists
23 held by the public utility of which they are customers, except that
24 this information may be released to the division of child support or
25 the agency or firm providing child support enforcement for another
26 state under Title IV-D of the federal social security act, for the
27 establishment, enforcement, or modification of a support order;

28 (3) The names, residential addresses, residential telephone
29 numbers, and other individually identifiable records held by an agency
30 in relation to a vanpool, carpool, or other ride-sharing program or
31 service; however, these records may be disclosed to other persons who
32 apply for ride-matching services and who need that information in order
33 to identify potential riders or drivers with whom to share rides;

34 (4) The personally identifying information of current or former
35 participants or applicants in a paratransit or other transit service
36 operated for the benefit of persons with disabilities or elderly
37 persons;

1 (5) The personally identifying information of persons who acquire
2 and use transit passes (~~and~~) or other fare payment media including,
3 but not limited to, stored value smart cards and magnetic strip cards,
4 except that an agency may disclose (~~this~~) personally identifying
5 information to a person, employer, educational institution, or other
6 entity that is responsible, in whole or in part, for payment of the
7 cost of acquiring or using a transit pass or other fare payment media
8 for the purpose of preventing fraud, or to the news media when
9 reporting on public transportation or public safety. As used in this
10 subsection, "personally identifying information" includes acquisition
11 or use information pertaining to a specific, individual transit pass or
12 fare payment media.

13 (a) (~~This~~) Information regarding the acquisition or use of
14 transit passes or fare payment media may be disclosed in aggregate form
15 if the data does not contain any personally identifying information.

16 (b) Personally identifying information may be released to law
17 enforcement agencies if the request is accompanied by a court order;

18 (6) Any information obtained by governmental agencies that is
19 collected by the use of a motor carrier intelligent transportation
20 system or any comparable information equipment attached to a truck,
21 tractor, or trailer; however, the information may be given to other
22 governmental agencies or the owners of the truck, tractor, or trailer
23 from which the information is obtained. As used in this subsection,
24 "motor carrier" has the same definition as provided in RCW 81.80.010;

25 (7) The personally identifying information of persons who acquire
26 and use transponders or other technology to facilitate payment of
27 tolls. This information may be disclosed in aggregate form as long as
28 the data does not contain any personally identifying information. For
29 these purposes aggregate data may include the census tract of the
30 account holder as long as any individual personally identifying
31 information is not released. Personally identifying information may be
32 released to law enforcement agencies only for toll enforcement
33 purposes. Personally identifying information may be released to law
34 enforcement agencies for other purposes only if the request is
35 accompanied by a court order; and

36 (8) The personally identifying information of persons who acquire
37 and use a driver's license or identicard that includes a radio
38 frequency identification chip or similar technology to facilitate

1 border crossing. This information may be disclosed in aggregate form
2 as long as the data does not contain any personally identifying
3 information. Personally identifying information may be released to law
4 enforcement agencies only for United States customs and border
5 protection enforcement purposes. Personally identifying information
6 may be released to law enforcement agencies for other purposes only if
7 the request is accompanied by a court order."

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8 On page 1, line 2 of the title, after "fares;" strike the remainder
9 of the title and insert "amending RCW 35.58.580, 36.57A.230,
10 81.112.220, and 42.56.330; and prescribing penalties."

EFFECT: Incorporates Senate Bill No. 6113, relating to transit fare media and public disclosure of personally identifying information, in its entirety.

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