

1.1 Senator moves to amend the delete-everything amendment (SCS2673A-5)
1.2 to S.F. No. 2673 as follows:

1.3 Page 59, after line 5, insert:

1.4 **"ARTICLE 4**
1.5 **METROPOLITAN TRANSIT PROVISIONS**

1.6 Section 1. Minnesota Statutes 2020, section 473.4051, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 2a. **Operating costs; transit safety.** (a) Annually by March 31, each county in
1.9 which light rail transit service is operated must remit an amount to the council such that the
1.10 total provided under this subdivision equals:

1.11 (1) the total expenditures of the council in the previous calendar year for public safety
1.12 monitoring and reporting under section 473.4065, subdivision 3, and for the transit
1.13 enforcement and administrative citation program under section 473.4075; less

1.14 (2) the total administrative fine revenue collected under section 473.4075 in the previous
1.15 calendar year.

1.16 (b) The amount remitted by each county must be in proportion to that county's share of
1.17 total light rail transit ridership in the previous calendar year as determined by the council.

1.18 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2022. This
1.19 section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
1.20 Washington.

1.21 **Sec. 2. [473.4065] TRANSIT SAFETY.**

1.22 Subdivision 1. **Code of conduct.** The council must adopt a rider code of conduct for
1.23 transit passengers. The council must post a copy of the code of conduct in a prominent
1.24 location at each light rail transit station and each park-and-ride station.

1.25 Subd. 2. **Paid fare zones.** The council must establish and clearly designate paid fare
1.26 zones at each light rail transit station where the council utilizes self-service barrier-free fare
1.27 collection.

1.28 Subd. 3. **Light rail transit facility monitoring.** (a) The council must implement public
1.29 safety monitoring and response activities at light rail transit facilities that include:

2.1 (1) placement of security cameras and sufficient associated lighting that provide live
2.2 coverage for (i) the entire area at each light rail transit station, and (ii) each light rail transit
2.3 vehicle;

2.4 (2) installation of a public address system at each light rail transit station that is capable
2.5 of providing information and warnings to passengers; and

2.6 (3) real-time active monitoring of passenger activity and potential violations throughout
2.7 the light rail transit system.

2.8 (b) The monitoring activities must include timely maintenance or replacement of
2.9 malfunctioning cameras or public address systems.

2.10 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2022. This
2.11 section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
2.12 Washington.

2.13 Sec. 3. Minnesota Statutes 2020, section 473.407, is amended by adding a subdivision to
2.14 read:

2.15 Subd. 7. **Staffing complement.** The council must not reduce the staff complement of
2.16 peace officers under this section to below the average staffing level for the most recent three
2.17 calendar years.

2.18 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
2.19 final enactment. This section applies in the counties of Anoka, Carver, Dakota, Hennepin,
2.20 Ramsey, Scott, and Washington.

2.21 Sec. 4. **[473.4075] TRANSIT ENFORCEMENT AND ADMINISTRATIVE**
2.22 **CITATION PROGRAM.**

2.23 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms and the
2.24 terms defined in section 609.855, subdivision 7, have the meanings given.

2.25 (b) "Program" means the transit enforcement and administrative citation program
2.26 established in this section.

2.27 (c) "Transit agent" means a uniformed transit safety official under this section, a
2.28 community service officer, or a peace officer, as defined in section 626.84, subdivision 1.
2.29 For purposes of section 609.855, a transit agent is an authorized transit representative.

2.30 (d) "Uniformed transit safety official" means authorized transit representatives who are
2.31 not peace officers or community service officers.

3.1 Subd. 2. Program established. (a) The council must implement the transit enforcement
3.2 and administrative citation program as provided in this section. The council must consult
3.3 with interested stakeholders on the design of the program. The council must establish policies
3.4 and procedures to implement the provisions of this section. The policies and procedures
3.5 must govern:

3.6 (1) uniformed transit safety officials;

3.7 (2) the process of issuing an administrative citation;

3.8 (3) the process for contesting an administrative citation; and

3.9 (4) the uniform to be worn by all uniformed transit safety officials. The uniform must
3.10 be designed so that the individual wearing the uniform is readily identifiable as a uniformed
3.11 transit safety official.

3.12 (b) The council may provide training for uniformed transit safety officials on the
3.13 following topics:

3.14 (1) early warning techniques, crisis intervention, conflict de-escalation, and conflict
3.15 resolution;

3.16 (2) identification of persons likely in need of social services;

3.17 (3) locally available social service providers, including services for homelessness, mental
3.18 health, and addiction; and

3.19 (4) policies and procedures for administrative citations.

3.20 Subd. 3. Uniformed transit safety official duties. (a) The duties of a uniformed transit
3.21 safety official are prescribed by this section. The council must not assign any additional
3.22 duties to uniformed transit safety officials. A uniformed transit safety official:

3.23 (1) must perform fare payment compliance inspections;

3.24 (2) must issue administrative citations for fare violations;

3.25 (3) must monitor and respond to passenger activity, including:

3.26 (i) educating passengers and explaining expectations related to the council's rider code
3.27 of conduct; and

3.28 (ii) assisting passengers in obtaining social services, such as through information and
3.29 referrals;

3.30 (4) must provide information and assistance to passengers in navigating the transit
3.31 system;

4.1 (5) must obtain assistance from peace officers upon identifying passenger activity that
4.2 threatens public safety; and

4.3 (6) may obtain assistance from peace officers, community service officers, or other
4.4 appropriate resources upon identifying passenger activity that violates the code of conduct.

4.5 (b) A uniformed transit safety official must wear the uniform established by the council
4.6 at all times when on duty.

4.7 Subd. 4. **Administrative citations; authority; issuance.** (a) Upon implementation of
4.8 the program, a transit agent has the exclusive authority to issue an administrative citation
4.9 to a person who commits a violation under section 609.855, subdivision 1, clause (1). Transit
4.10 fare compliance must be enforced by a transit agent. A uniformed transit safety official
4.11 must issue a citation or written warning for a violation of section 609.855, subdivision 1,
4.12 clause (1), as deemed appropriate by the official. A written warning issued by a uniformed
4.13 transit safety official must be reported and recorded in the same manner as a citation. A
4.14 community service officer must issue a citation or a verbal or written warning for a violation
4.15 of section 609.855, subdivision 1, clause (1), as deemed appropriate by the officer. A peace
4.16 officer must issue an administrative citation pursuant to this section, a criminal citation, or
4.17 a verbal or written warning for a violation of section 609.855, subdivision 1, clause (1), as
4.18 deemed appropriate by the officer.

4.19 (b) An administrative citation must include notification that the person has the right to
4.20 contest the citation, basic procedures for contesting the citation, and information on the
4.21 timeline and consequences for failure to contest the citation or pay the fine.

4.22 (c) The council must not mandate or suggest a quota for the issuance of administrative
4.23 citations under this section.

4.24 (d) Issuance of an administrative citation prevents imposition of a citation under section
4.25 609.855, subdivision 1, clause (1), or any criminal citation arising from the same conduct.

4.26 Subd. 5. **Administrative citations; disposition.** (a) A person who commits a violation
4.27 under section 609.855, subdivision 1, clause (1), and is issued an administrative citation
4.28 under this section must, within 90 days of issuance, pay the fine as specified or contest the
4.29 citation. A person who fails to either pay the fine or contest the citation within the specified
4.30 period is considered to have waived the contested citation process and is subject to
4.31 collections.

4.32 (b) The council may adopt an alternative resolution procedure under which a person
4.33 may resolve an administrative citation in lieu of paying a fine by complying with terms

5.1 established by the council for community service, prepayment of future transit fares, or
5.2 both. The alternative resolution procedure must be available only to a person who has
5.3 committed a violation under section 608.855, subdivision 1, clause (1), for the first time,
5.4 unless the person demonstrates financial hardship under criteria established by the council.

5.5 (c) The council must provide a civil process for a person to contest the administrative
5.6 citation before a neutral third party. The council may employ a council employee not
5.7 associated with its transit operations to hear and rule on challenges to administrative citations.

5.8 (d) The council must attempt to collect fine debts imposed under this section. If the
5.9 council is unable to collect the debt, the council must contract with credit bureaus, public
5.10 and private collection agencies, the Department of Revenue, or other public or private
5.11 entities providing collection services as necessary for collection of fine debts under this
5.12 section. As determined by the council, collection costs are added to the debts referred to a
5.13 public or private collection entity for collection. Collection costs include the fees of the
5.14 collection entity and may include, if separately provided, skip tracing fees, credit bureau
5.15 reporting charges, and fees assessed by any public entity for obtaining information necessary
5.16 for debt collection. If the collection entity collects an amount less than the total due, the
5.17 payment is applied proportionally to collection costs and the underlying debt.

5.18 Subd. 6. **Administrative citations; penalties.** (a) A person who is issued an
5.19 administrative citation under this section must pay a fine of no less than \$35. The council
5.20 may establish an escalating fine structure for persons who fail to pay administrative fines
5.21 or repeatedly violate section 609.855, subdivision 1, clause (1).

5.22 (b) A person who is issued an administrative citation or written warning under this
5.23 section for a third or subsequent offense within 12 months of a previous administrative
5.24 citation or written warning is prohibited from accessing transit service provided by the
5.25 council for 60 days from the date of issuance.

5.26 Subd. 7. **Use of funds.** Fines collected under this section must be maintained in a separate
5.27 account that is only used to cover the costs of (1) the program established by this section,
5.28 and (2) facility monitoring under section 473.4065, subdivision 3. The council must
5.29 separately identify revenue and expenditures from the account in its budget and financial
5.30 statements.

5.31 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2022. This
5.32 section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
5.33 Washington.

6.1 Sec. 5. [473.4077] LEGISLATIVE REPORT; TRANSIT SAFETY; TRANSIT
6.2 ENFORCEMENT AND ADMINISTRATIVE CITATION PROGRAM.

6.3 (a) By February 15 annually, the council must submit a report on transit safety measures
6.4 required by section 473.4065 and the transit enforcement and administrative citation program
6.5 established in section 473.4075 to the chairs and ranking minority members of the legislative
6.6 committees with jurisdiction over transportation policy and finance. At a minimum, the
6.7 report must:

6.8 (1) provide an overview of transit safety issues and actions taken by the council to
6.9 improve safety, including improvements made to equipment and infrastructure;

6.10 (2) provide an overview of the transit enforcement and administrative citation program
6.11 established in section 473.4075 and the program's structure and implementation;

6.12 (3) provide an overview of the activities of transit safety agents, including specifically
6.13 describing the activities of uniformed transit service officials;

6.14 (4) provide a description of all policies adopted pursuant to section 473.4075, the need
6.15 for the policy, and a copy of each policy;

6.16 (5) if the council adopted an alternative resolution procedure pursuant to section 473.4075,
6.17 subdivision 5, provide a description of that procedure, the criteria used to determine financial
6.18 hardship, and for each of the three past calendar years, how frequently the procedure was
6.19 used, the number of community service hours performed, and the total amount paid as
6.20 prepayment of transit fares;

6.21 (6) for each of the past three calendar years, identify the number of fare compliance
6.22 inspections that were done, including the total number and the number as a percentage of
6.23 total riders;

6.24 (7) for each of the past three calendar years, state the number of warnings and citations
6.25 issued by the Metropolitan Transit police and transit agents and a breakdown of which type
6.26 of officer or official issued the citation; the statutory authority for issuing the warning or
6.27 citation; and the numbers for the reasons the warning or citation was issued;

6.28 (8) for each of the past three calendar years, state the number of administrative citations
6.29 that were appealed pursuant to section 473.4075, the number of those citations that were
6.30 dismissed on appeal, and a breakdown of the reasons for dismissal;

6.31 (9) for each of the past three calendar years, include data and statistics on crime rates
6.32 occurring on public transit vehicles and surrounding transit stops and stations;

7.1 (10) analyze impacts of the administrative citation program on fare compliance and
7.2 customer experience for riders, including rates of fare violations;

7.3 (11) for each of the past three calendar years, state the number of peace officers employed
7.4 by the Metropolitan Transit police department;

7.5 (12) state the average number of peace officers employed by the Metropolitan Transit
7.6 police department for the previous three calendar years;

7.7 (13) for each of past three years, state the number of community service officers who
7.8 served as transit agents;

7.9 (14) for each of the past three years, state the number of uniformed transit safety officials
7.10 who served as transit agents; and

7.11 (15) make recommendations on the following:

7.12 (i) changes to the administrative citation program; and

7.13 (ii) how to improve safety on public transit and transit stops and stations.

7.14 (b) The definitions in section 473.4075 apply to this section.

7.15 **EFFECTIVE DATE; APPLICATION.** This section is effective August 1, 2022, and
7.16 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

7.17 Sec. 6. Minnesota Statutes 2020, section 609.855, is amended by adding a subdivision to
7.18 read:

7.19 Subd. 6a. **Mandatory ban.** (a) A person who is convicted of a gross misdemeanor
7.20 violation committed in a transit vehicle or facility operated by the Metropolitan Council is
7.21 prohibited from accessing Metropolitan Council transit service for six months from the date
7.22 of conviction.

7.23 (b) A person who is convicted of a felony violation committed in a transit vehicle or
7.24 facility operated by the Metropolitan Council is prohibited from accessing Metropolitan
7.25 Council transit service for one year from the date of conviction.

7.26 (c) For purposes of this subdivision, Metropolitan Council transit service includes but
7.27 is not limited to (1) entering or riding upon a transit vehicle, and (2) presence in a paid fare
7.28 zone designated by the council.

7.29 (d) A person who intentionally violates the requirements under this subdivision is guilty
7.30 of a misdemeanor.

- 8.1 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
- 8.2 committed on or after that date."
- 8.3 Amend the title accordingly