

S.F. No. 1049 – Transit Safety and Rider Experience (1st Engrossment)

Author: Senator D. Scott Dibble

Prepared by: Tim Greenfield, Senate Counsel (651/296-3801)

Date: March 22, 2023

S.F. 1049 modifies transit safety and enforcement activities on public transit. The bill: (1) directs the Met Council to create a transit rider investment program (TRIP); (2) authorizes the use of administrative citations as a penalty for certain transit-related violations, including fare evasion, and modifies the penalties for various violations stemming from a rider’s conduct; (3) establishes a rider code of conduct and directs the Met Council to implement public safety monitoring and response activities; (4) establishes a transit service intervention project for the light rail system; and (5) appropriates money for TRIP and the intervention project.

Section 1 [Administration of opiate antagonists for drug overdose] authorizes transit rider investment program personnel to administer opiate antagonists for emergency treatment of an opioid overdose if the medical provider and training prerequisites are met. Effective July 1, 2023.

Section 2 [Surcharges on criminal and traffic offenders] reduces the court surcharge from \$75 to \$25 for various rider conduct violations, including fare-related violations and other acts that carry a misdemeanor penalty. Effective July 1, 2023.

Section 3 [Disbursement of surcharges] requires the entirety of the court surcharge for transit rider conduct violations to be deposited into the general fund. Effective July 1, 2023.

Section 4 [Transit rider activity] establishes a rider code of conduct and public safety monitoring requirements for transit service. Effective the day following final enactment

Subdivision 1 requires the Metropolitan Council to adopt a rider code of conduct and post in prominent locations at light rail transit stations and park-and-ride lots.

Subdivision 2 authorizes law enforcement to order a person to depart a transit vehicle or facility for a violation of the rider code of conduct after a warning followed by a continued violation of the code of conduct.

Subdivision 3 requires the Metropolitan Council to establish and clearly designate paid fare zones at each light rail transit station where the council utilizes self-service barrier-free fare collection.

Subdivision 4 directs the Metropolitan Council to implement safety monitoring and response activities at light rail transit facilities, including (1) security cameras and sufficient lighting to ensure coverage of the entire station and each light rail transit vehicle; (2) a public address system at each light rail transit station; (3) real-time active monitoring of passenger activity and potential violations throughout the light rail transit system; and (4) maintenance and replacement of malfunctioning camera or public address systems.

Section 5 [Transit rider investment program] requires the Metropolitan Council to create the transit rider investment program (TRIP) for transit passenger support, fare payment inspection, administrative citation issuance, and rider assistance.

Subdivision 1 defines terms. Effective the day following final enactment.

Subdivision 2 establishes the TRIP program. Sets requirements governing a council resolution, development of policies and procedures for the program, stakeholder consultation, and personnel recruitment and deployment. Effective July 1, 2023.

Subdivision 3 requires the appointment of a TRIP manager to manage the program. Effective the day following final enactment.

Subdivision 4 enumerates the duties of TRIP personnel, including passenger monitoring and assistance, fare payment inspections, and issuing administrative citations for certain prohibited activities. Effective July 1, 2023.

Subdivision 5 requires training for TRIP personnel on certain topics. Effective July 1, 2023.

Subdivision 6 authorizes transit officials (including TRIP personnel, law enforcement, and community service officers) to issue administrative citations for some violations in transit facilities. Establishes contested process notification on the administrative citation. Prohibits citation quotas. Prohibits both an administrative citation and a criminal conviction for the same act under Minn. Stat. §609.855. Effective July 1, 2023.

Subdivision 7 establishes disposition of an administrative citation requirements, including (1) a 90-day limit to contest the citation; (2) establishing a civil process to contest the citation; (3) permitting the Metropolitan Council to contract with collection agencies and sets requirements for imposing collection costs onto the administrative citation fine. Effective July 1, 2023.

Subdivision 8 requires the fine for an administrative citation to be between \$35 and \$100. Permits the Metropolitan Council to implement a graduated fine structure for the citation or an alternative resolution procedure for resolving an administrative citation. Effective July 1, 2023.

Section 6 [Legislative report] requires an annual legislative report on transit safety and the transit rider investment program. Effective July 1, 2023.

Section 7 [Unlawfully obtaining services; petty misdemeanor] reduces the penalty for evading or falsifying fare payment for transit service or failure to provide proof of fare payment to a petty misdemeanor from a misdemeanor. Sets the base fine amount at \$10. Effective July 1, 2023.

Section 8 [Prohibited activities; petty misdemeanor] eliminates the misdemeanor penalty for certain rider activities including: (1) playing amplified music; (2) consuming food or beverages without authorization; and (3) bringing an animal onboard without authorization. Modifies the penalty for littering on a transit vehicle after a warning followed by a continued violation into a petty misdemeanor. Effective July 1, 2023.

Section 9 [Prohibited activities; misdemeanor] establishes a misdemeanor penalty for certain rider activities on a transit vehicle or in a transit facility including: (1) smoking; (2) urinating or defecating; (3) drinking alcohol; (4) damaging transit vehicles or transit station property that meets the requirements for fourth-degree criminal damage to property, including vandalism, defacement, and placement of graffiti; or (5) disorderly conduct. Authorizes law enforcement to order a transit passenger to depart a transit vehicle or transit facility for the conduct listed above. Effective July 1, 2023.

Section 10 [Definitions] adds TRIP personnel to the statutorily defined list of transit authorities who have capacity to enforce certain rider conduct violations, including requiring proof of fare payment. Effective the day following final enactment.

Section 11 [Mass transit reports; ridership; crime] requires the Metropolitan Council to post on their website monthly ridership statistics for each guideway and busway in operation and include ridership projections made at the time of the full funding grant agreement. Each monthly report is to be posted 60 days after the end of that month and must be available on the Council's website for five years. This section also requires the Metropolitan Council to post on their website quarterly crime statistics for crimes occurring on a light rail transit vehicle, bus, commuter rail car, or at any transit platform, stop, or facility. The crime data must be broken down by transit mode and type of crime. The crime data must be available on the Council's website for five years.

Section 12 [Transit service intervention project] establishes a temporary intervention project to perform high-visibility and coordinated interventions on light rail transit lines.

Subdivision 1 defines terms.

Subdivision 2 establishes the intervention program for the enhancement of social services engagement, code of conduct regulation, and law enforcement.

Subdivision 3 requires the manager of the TRIP program established in section 5 to implement the transit service intervention project.

Subdivision 4 directs the TRIP manager to coordinate the intervention project with a variety of state and local entities.

Subdivision 5 specifies the duties of the TRIP manager working with participating entities. The TRIP manager must: (1) establish social service intervention teams with the capacity to perform on-site social services engagement with riders experiencing homelessness, substance use disorders, or mental or behavioral health disorders; (2) create coordinated intervention teams with social services personnel, community service officers, and law

enforcement; and (3) implement interventions in two phases. The first intervention phase is for three weeks, beginning June 1, 2023, and deploys only social services personnel for interventions. The second intervention phase is for nine weeks, begins after the first intervention phase, and deploys the coordinated intervention teams described in clause (2).

Subdivision 6 requires the Metropolitan Council to provide staff support for the intervention program.

Subdivision 7 sets monthly status reporting requirements.

Subdivision 8 sunsets the intervention project on June 30, 2024.

Section 13 [Appropriation; transit rider investment program] appropriates an unspecified sum for fiscal years 2023, 2024, and 2025 from the general fund to the Metropolitan Council for the Transit Rider Investment Program and the legislative report on transit safety and TRIP. Sets an annual base. Requires the Metropolitan Council to institute the TRIP program within six months of enactment and deploy personnel to the light rail transit system. Effective the day following final enactment.

Section 14 [Appropriation; transit service intervention project] appropriates \$2,000,000 from the general fund to the Metropolitan Council for the transit service intervention project.