

**SB 6353 - DIGEST**

(SEE ALSO PROPOSED 1ST SUB)

Provides that persons traveling on public transportation operated by a metropolitan municipal corporation shall pay the fare established by the metropolitan municipal corporation. Persons traveling on public transportation operated by a public transportation benefit area shall pay the fare established by the public transportation benefit area. Such persons shall produce proof of payment when requested by a person designated to monitor fare payment.

Declares that the following constitute civil infractions punishable according to the schedule of fines and penalties established by either a metropolitan municipal corporation or a public transportation benefit area under this act: (1) Failure to pay the required fare;

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

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

Provides that a metropolitan municipal corporation or public transportation benefit area may establish, by resolution, a schedule of fines and penalties for civil infractions established in this act. A metropolitan municipal corporation or public transportation benefit area may designate persons who are equivalent to, and are authorized to exercise all the powers of, an enforcement officer and may take the following actions: (1) Monitor fare payment;

(2) Request proof of payment from passengers;

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

(4) Issue a citation; and

(5) Request that a passenger leave the bus or other mode of public transportation when the passenger has not produced proof of payment after being asked to do so by a person designated to monitor fare payment.

Declares that law enforcement authorities are not prevented from prosecuting for theft, trespass, or other charges by any individual who: (1) Fails to pay the required fare on more than one occasion within a twelve-month period;

(2) Fails to timely select one of the options for responding to the notice of civil infraction after receiving a statement of the options for responding to the notice of infraction and the procedures necessary to exercise these options; or

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

Defines "proof of payment" to mean evidence of fare prepayment authorized by a metropolitan municipal corporation for the use of buses or other modes of public transportation.