

HOUSE BILL REPORT

HB 1301

As Reported by House Committee On:
Transportation

Title: An act relating to providing expanded options for fare enforcement by regional transit authorities.

Brief Description: Providing expanded options for fare enforcement by regional transit authorities.

Sponsors: Representatives Fitzgibbon, Hackney, Valdez and Macri.

Brief History:

Committee Activity:

Transportation: 2/8/21, 2/19/21 [DPS].

Brief Summary of Substitute Bill

- Allows a regional transit authority to establish an alternative fare enforcement system, which allows for the issuance of notices of violation, the resolution of notices of violation, and appeals.
- Limits the fines associated with notices of violation to the same maximum amount allowed for civil infractions.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman, Dent, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, Lovick, McCaslin, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland, Taylor, Valdez, Walsh and Wicks.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: David Munnecke (786-7315).

Background:

Regional transit authorities (RTAs) are authorized to set fines and penalties for certain civil infractions, including:

- failure to pay the required fare;
- failure to display proof of payment when requested to do so by an authorized RTA employee; and
- failure to leave a facility when requested to do so by an individual authorized to monitor fare payment.

Fines established by an RTA may not exceed the amount established in statute for a class 1 civil infraction, which is currently \$250, before the addition of any statutory assessments. Civil infractions established by an RTA may be heard by either a district or municipal court.

Summary of Substitute Bill:

An RTA is allowed to establish an alternative fare enforcement system, which allows for the issuance of notices of violation, resolution of notices of violation, and appeals, in addition to or as a replacement for the current civil infraction system.

The fines associated with notices of violation are limited to the same maximum amount allowed for civil infractions.

Substitute Bill Compared to Original Bill:

In the substitute bill, the ability of an RTA to establish a system to adjudicate civil infractions is removed.

It is specified that an alternative fare enforcement system may include the resolution of notices of violation and appeals. The fines associated with a notice of violation are limited to the same maximum amount allowed for civil infractions.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is designed to reduce both costs and the use of the court system. It will also create a more equitable fare enforcement system.

Currently, the Sound Transit fare enforcement system is more likely to impact minorities and low-income communities. It essentially criminalizes poverty. King County Metro (KCM) has already created a system like the one proposed in this bill, by lowering fines and providing for administrative means of resolution of violations.

People with disabilities are less likely to have driver's licenses, and more likely to use transit. It is, thus, important to them to create a better system for fare enforcement.

This bill is trying to create better outcomes for transit systems and transit riders. Black riders are currently more likely to be punished under the Sound Transit system. A KCM-style system should be available.

Transit users who do not pay do so because they cannot afford to. Fines do not help people pay their fares, and criminalizing poor people does not help anything. Moving around the city should not involve punishment.

(Opposed) None.

Persons Testifying: Anna Zivarts, Disability Mobility Project, Disability Rights Washington; Joe McDermott, King County; Bryce Yadon, Transportation Choices Coalition; Bianca Johnson; and Karen Taylor, Transit Riders Union.

Persons Signed In To Testify But Not Testifying: None.