
HOUSE BILL 1301

State of Washington

67th Legislature

2021 Regular Session

By Representatives Fitzgibbon, Hackney, Valdez, and Macri

Read first time 01/19/21. Referred to Committee on Transportation.

1 AN ACT Relating to providing expanded options for fare
2 enforcement by regional transit authorities; and amending RCW
3 7.80.010, 81.112.210, and 81.112.220.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 7.80.010 and 2009 c 279 s 2 are each amended to read
6 as follows:

7 (1) All violations of state law, local law, ordinance,
8 regulation, or resolution designated as civil infractions may be
9 heard and determined by a district court, except as otherwise
10 provided in this section.

11 (2) Any municipal court has the authority to hear and determine
12 pursuant to this chapter civil infractions that are established by
13 municipal ordinance or by local law or resolution of a transit agency
14 authorized to issue civil infractions, and that are committed within
15 the jurisdiction of the municipality.

16 (3) Any city or town with a municipal court under chapter 3.50
17 RCW may contract with the county to have civil infractions that are
18 established by city or town ordinance and that are committed within
19 the city or town adjudicated by a district court.

20 (4) District court commissioners have the authority to hear and
21 determine civil infractions pursuant to this chapter.

1 (5) Nothing in this chapter prevents any city, town, regional
2 transit authority, or county from hearing and determining civil
3 infractions pursuant to its own system established by ordinance or
4 resolution.

5 **Sec. 2.** RCW 81.112.210 and 2015 3rd sp.s. c 44 s 330 are each
6 amended to read as follows:

7 (1)(a) An authority is authorized to establish, by resolution, a
8 schedule of fines and penalties for civil infractions established in
9 RCW 81.112.220. Fines established by an authority shall not exceed
10 those imposed for class 1 infractions under RCW 7.80.120.

11 (b) An authority is further authorized to establish, by
12 resolution, an alternative fare enforcement system, which may include
13 the issuance of notices of violation, in addition to or as a
14 replacement for the schedule of fines and penalties authorized by (a)
15 of this subsection.

16 (2)(a) An authority may designate persons to monitor fare payment
17 who are equivalent to and are authorized to exercise all the powers
18 of an enforcement officer, defined in RCW 7.80.040. An authority is
19 authorized to employ personnel to either monitor fare payment, or to
20 contract for such services, or both.

21 (b) In addition to the specific powers granted to enforcement
22 officers under RCW 7.80.050 and 7.80.060, persons designated to
23 monitor fare payment also have the authority to take the following
24 actions:

25 (i) Request proof of payment from passengers;

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

28 (iii)(A) Issue a notice of infraction for a civil infraction
29 established in RCW 81.112.220.

30 (B) The notice of infraction form to be used for violations under
31 this subsection must be approved by the administrative office of the
32 courts and must not include vehicle information; ~~((and))~~

33 (iv) Issue a notice of violation of the alternative fare
34 enforcement system authorized in subsection (1)(b) of this section;
35 and

36 (v) Request that a passenger leave the authority facility when
37 the passenger has not produced proof of payment after being asked to
38 do so by a person designated to monitor fare payment.

1 (3) Authorities shall keep records of citations in the manner
2 prescribed by RCW 7.80.150. All civil infractions established by
3 chapter 20, Laws of 1999 shall be heard and determined (~~by a~~
4 ~~district or municipal court~~) as provided in RCW 7.80.010 (1), (2),
5 and (4).

6 **Sec. 3.** RCW 81.112.220 and 2012 c 68 s 3 are each amended to
7 read as follows:

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

19 (2) The following constitute civil infractions punishable
20 according to the schedule of fines and penalties established by the
21 authority under RCW 81.112.210(1)(a) or violations punishable
22 according to an alternative fare enforcement system established by
23 the authority under RCW 81.112.210(1)(b):

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

26 (b) Failure to produce proof of payment in the manner required by
27 the terms of use established by the authority including, but not
28 limited to, the failure to produce a validated fare payment card when
29 requested to do so by a person designated to monitor fare payment;
30 and

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

33 (3) If fare payment is required before entering a transit
34 vehicle, as defined in RCW 9.91.025(2)(b), or before entering a fare
35 paid area in a transit facility, as defined in RCW 9.91.025(2)(a),
36 signage must be conspicuously posted at the place of boarding or
37 within (~~ten~~) 10 feet of the nearest entrance to a transit facility
38 that clearly indicates: (a) The locations where tickets or fare media
39 may be purchased; and (b) that a person using an electronic fare

1 payment card must present the card to an electronic card reader
2 before entering a transit vehicle or before entering a restricted
3 fare paid area.

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