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**HOUSE BILL 2431**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Representatives Ramos and Chapman

Read first time 01/18/24. Referred to Committee on Community Safety, Justice, & Reentry.

1 AN ACT Relating to expanding the locations where a person can be  
2 guilty of unlawful transit conduct to include the Washington state  
3 ferries; and amending RCW 9.91.025.

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

5 **Sec. 1.** RCW 9.91.025 and 2009 c 279 s 3 are each amended to read  
6 as follows:

7 (1) A person is guilty of unlawful transit conduct if, while on  
8 or in a transit vehicle or in or at a transit station, he or she  
9 knowingly:

10 (a) Smokes or carries a lighted or smoldering pipe, cigar, or  
11 cigarette, unless he or she is smoking in an area designated and  
12 authorized by the transit authority;

13 (b) Discards litter other than in designated receptacles;

14 (c) Dumps or discards, or both, any materials on or at a transit  
15 facility including, but not limited to, hazardous substances and  
16 automotive fluids;

17 (d) Plays any radio, recorder, or other sound-producing  
18 equipment, except that nothing herein prohibits the use of the  
19 equipment when connected to earphones or an ear receiver that limits  
20 the sound to an individual listener. The use of public address  
21 systems or music systems that are authorized by a transit agency is

1 permitted. The use of communications devices by transit employees and  
2 designated contractors or public safety officers in the line of duty  
3 is permitted, as is the use of private communications devices used to  
4 summon, notify, or communicate with other individuals, such as pagers  
5 and cellular phones;

6 (e) Spits, expectorates, urinates, or defecates, except in  
7 appropriate plumbing fixtures in restroom facilities;

8 (f) Carries any flammable liquid, explosive, acid, or other  
9 article or material likely to cause harm to others, except that  
10 nothing herein prevents a person from carrying a cigarette, cigar, or  
11 pipe lighter or carrying a firearm or ammunition in a way that is not  
12 otherwise prohibited by law;

13 (g) Consumes an alcoholic beverage or is in possession of an open  
14 alcoholic beverage container, unless authorized by the transit  
15 authority and required permits have been obtained;

16 (h) Obstructs or impedes the flow of transit vehicles or  
17 passenger traffic, hinders or prevents access to transit vehicles or  
18 stations, or otherwise unlawfully interferes with the provision or  
19 use of public transportation services;

20 (i) Unreasonably disturbs others by engaging in loud, raucous,  
21 unruly, harmful, or harassing behavior;

22 (j) Destroys, defaces, or otherwise damages property in a transit  
23 vehicle or at a transit facility;

24 (k) Throws an object in a transit vehicle, at a transit facility,  
25 or at any person at a transit facility with intent to do harm;

26 (l) Possesses an unissued transfer or fare media or tenders an  
27 unissued transfer or fare media as proof of fare payment;

28 (m) Falsely claims to be a transit operator or other transit  
29 employee or through words, actions, or the use of clothes, insignia,  
30 or equipment resembling department-issued uniforms and equipment,  
31 creates a false impression that he or she is a transit operator or  
32 other transit employee;

33 (n) Engages in gambling or any game of chance for the winning of  
34 money or anything of value;

35 (o) Skates on roller skates or in-line skates, or rides in or  
36 upon or by any means a coaster, skateboard, toy vehicle, or any  
37 similar device. However, a person may walk while wearing skates or  
38 carry a skateboard while on or in a transit vehicle or in or at a  
39 transit station if that conduct is not otherwise prohibited by law;  
40 or

1 (p) Engages in other conduct that is inconsistent with the  
2 intended use and purpose of the transit facility, transit station, or  
3 transit vehicle and refuses to obey the lawful commands of an agent  
4 of the transit authority or a peace officer to cease such conduct.

5 (2) For the purposes of this section:

6 (a) "Transit station" or "transit facility" means all passenger  
7 facilities, structures, stops, shelters, bus zones, properties, and  
8 rights-of-way of all kinds that are owned, leased, held, or used by a  
9 transit authority for the purpose of providing public transportation  
10 services.

11 (b) "Transit vehicle" means any motor vehicle, streetcar, train,  
12 trolley vehicle, ferry boat, or any other device, vessel, or vehicle  
13 that is owned or operated by a transit authority or an entity  
14 providing service on behalf of a transit authority that is used for  
15 the purpose of carrying passengers on a regular schedule.

16 (c) "Transit authority" means a city transit system under RCW  
17 35.58.2721 or chapter 35.95A RCW, a county transportation authority  
18 under chapter 36.57 RCW, a metropolitan municipal corporation transit  
19 system under chapter 36.56 RCW, a public transportation benefit area  
20 under chapter 36.57A RCW, an unincorporated transportation benefit  
21 area under RCW 36.57.100, a regional transportation authority under  
22 chapter 81.112 RCW, Washington state ferries under RCW 47.60.010, or  
23 any special purpose district formed to operate a public  
24 transportation system.

25 (3) Any person who violates this section is guilty of a  
26 misdemeanor.

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