

BY: Senator Middlebrooks

AMENDMENTS TO HOUSE BILL NO. 1284, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike "Transportation" and substitute "Mass Transit"; and in the same line, after "Revenues" insert "and Security".

On page 1 of the Finance Committee Amendments (HB1284/377431/2), in line 9 of Amendment No. 1, after "basis;" insert "requiring the Mass Transit Administration, by a certain date, to install and maintain a certain video monitoring system, and to take any other actions considered necessary by the Mass Transit Administrator to restrict public access to unattended transit vehicles within the light rail transit system;"; in line 11, after "of" insert "certain provisions of"; and in line 12, after "requirements" insert "and actions to maintain and enhance security on the light rail transit system".

AMENDMENT NO. 2

On page 1 of the bill, after line 17, insert:

"BY repealing and reenacting, without amendments,

Article - Transportation

Section 7-101 (a), (b), (f), (h), and (n)

Annotated Code of Maryland

(1993 Replacement Volume and 1995 Supplement)".

On page 1 of the Finance Committee Amendments, in line 13 of Amendment No. 1, before "10-205(a)" insert "7-704.1,".

AMENDMENT NO. 3

On page 2 of the Finance Committee Amendments, in line 2 of Amendment No. 4, after "SECTION 2." insert "AND BE IT FURTHER ENACTED, That the Laws of Maryland read as

(Over)

follows:

Article - Transportation

7-101.

(a) In this title the following words have the meanings indicated.

(b) "Administration" means the Mass Transit Administration.

(f) "Light rail transit" means rail transit which is electrically powered and can operate in mixed traffic with automobiles.

(h) "Proof of fare payment" means evidence of fare prepayment authorized by the Administration for the use of transit service.

(n) "Transit vehicle" means a mobile device used in rendering transit service.

7-704.1.

(a) In this section, "unattended transit vehicle or facility" means a transit vehicle or facility the entrance of which is not controlled by the presence of an authorized fare collection agent of the Administration.

(b) Any person entering an unattended transit facility or vehicle owned or controlled by the Administration for the purpose of obtaining transit service shall prepay the applicable fare charged by the Administration in the required manner.

(c) If a person fails to exhibit proof of fare payment and a police officer or an authorized agent of the Administration requests the person to provide identification, the person shall provide:

(1) The person's true name and address; and

(2) Any written verification of the person's true name and address in the person's possession.

(d) (1) Upon receipt of satisfactory evidence of identification and a written promise to appear in court, a person failing to exhibit proof of fare payment may be issued a citation by an authorized agent of the Administration or a police officer.

(2) A police officer may arrest a person in lieu of the issuance of a citation when:

(i) The officer is not furnished satisfactory evidence of identity; or

(ii) The officer has reasonable grounds to believe the person will disregard a written promise to appear; or

(iii) The person refuses to sign a written promise to appear after being advised by the officer that such refusal may result in the person's arrest.

(e) The form of the citation shall be prescribed by the District Court and shall contain:

(1) The offense charged;

(2) A notice to appear in District Court on the date shown on the citation or when notified by the Court;

(3) A promise to appear to be signed by the person charged;

(4) The signature and title of the authorized issuer; and

(5) Such other information as the Administration and the Court shall require.

(f) (1) A person shall comply with the notice to appear in District Court by:

(i) Appearing in person;

(ii) Appearance by counsel; or

(Over)

(iii) Payment of the fine in advance of trial.

(2) (i) A person who fails to comply with the notice to appear shall be guilty of a misdemeanor and subject to a fine of \$100.

(ii) In addition, the Court may notify the person by mail at the address indicated on the citation that a warrant for the person's arrest may be issued unless, within 15 days from the mailing of the notice, the person:

1. Pays the fine or posts a penalty deposit on the charge as stated on the citation; and

2. Posts a penalty deposit of \$100 for failing to appear.

(G) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, BY JULY 1, 1997, THE ADMINISTRATION SHALL:

(1) INSTALL AND MAINTAIN A VIDEO MONITORING SYSTEM ON ALL LIGHT RAIL TRANSIT VEHICLES TO ENHANCE SECURITY ON THE LIGHT RAIL TRANSIT SYSTEM; AND

(2) TAKE ANY OTHER ACTIONS REASONABLY CONSIDERED BY THE ADMINISTRATOR TO BE NECESSARY TO RESTRICT PUBLIC ACCESS TO ANY UNATTENDED TRANSIT VEHICLE WITHIN THE LIGHT RAIL TRANSIT SYSTEM.

SECTION 3.;

in line 6 of Amendment No. 4, strike "3." and substitute "4.", and in line 10, strike "4." and substitute "5.".

On page 3 of the Finance Committee Amendments, in line 5 of Amendment No. 4, strike "5." and substitute "6."; in line 8, after "Act." insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take

effect October 1, 1996.”;
and in line 9, strike “6.” and substitute “8.”.

On page 6 of the bill, in line 26, after “That” insert “, except as provided in Section 7 of this Act,”.