
By: Delegates M. Burns, Rzepkowski, and Love

Introduced and read first time: January 31, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 Mass Transit Administration - Light Rail Transit System - Fare Collection

3 FOR the purpose of requiring the Mass Transit Administration, by a certain date, to
4 institute a fare collection system that utilizes, at each light rail transit stop, fare
5 collection agents or automatic gates designed to restrict access to individuals who
6 have prepaid the applicable fare, and to take any other actions considered necessary
7 by the Mass Transit Administrator to eliminate public access to unattended transit
8 vehicles and facilities within the light rail transit system; requiring the
9 Administration to report to the Legislative Policy Committee of the General
10 Assembly before a certain date on the implementation of this Act; and generally
11 relating to the collection of fares within the light rail transit system.

12 BY repealing and reenacting, without amendments,
13 Article - Transportation
14 Section 7-101(a), (b), (f), (h), and (n)
15 Annotated Code of Maryland
16 (1993 Replacement Volume and 1995 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Transportation
19 Section 7-704.1
20 Annotated Code of Maryland
21 (1993 Replacement Volume and 1995 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Transportation**

25 7-101.

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

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

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

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

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

4 7-704.1.

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

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

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

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

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

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

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

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

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

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

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

29 (1) The offense charged;

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

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

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

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

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

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1 (i) Appearing in person;

2 (ii) Appearance by counsel; or

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

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

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

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

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

12 (G) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, BY JULY 1,
13 1997, THE ADMINISTRATION SHALL:

14 (1) INSTITUTE A FARE COLLECTION SYSTEM THAT UTILIZES, AT EACH
15 STOP IN THE LIGHT RAIL TRANSIT SYSTEM WHERE PASSENGERS BOARD AND
16 DEPART TRANSIT VEHICLES, AUTHORIZED FARE COLLECTION AGENTS OR
17 AUTOMATIC GATES DESIGNED TO RESTRICT ACCESS TO INDIVIDUALS WHO HAVE
18 PREPAID THE APPLICABLE FARE; AND

19 (2) TAKE ANY OTHER ACTIONS REASONABLY CONSIDERED BY THE
20 ADMINISTRATOR TO BE NECESSARY TO ELIMINATE PUBLIC ACCESS TO ANY
21 UNATTENDED TRANSIT VEHICLE OR FACILITY WITHIN THE LIGHT RAIL TRANSIT
22 SYSTEM.

23 SECTION 2. AND BE IT FURTHER ENACTED, That by January 1, 1997, the
24 Mass Transit Administration shall report to the Legislative Policy Committee of the
25 General Assembly, in accordance with § 2-1312 of the State Government Article, on the
26 progress being made by the Administration in implementing this Act.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 1996.