

4.58.37 Fare Enforcement Procedure

4.58.37.1 The following policy will serve as a guide to the professional discharge of all duties and procedures in both normal and unusual situations that may be encountered by police officers performing fare enforcement duties on the Light Rail trains.

4.58.37.2 All MTA Police officers will maintain the highest degree of professionalism and courtesy in the performance of their duties, which encompasses fare inspections.

4.58.37.3 An important role of the officers performing fare enforcement will be to provide public information and assistance to passengers upon request with regard to:

4.58.37.3.1 Train schedules and headways

4.58.37.3.2 Connecting bus routes

4.58.37.3.3 Various locations and points of interest, i.e. Inner Harbor, Orioles Park at Camden Yard, M&T Bank Stadium, the Convention Center, and other tourist attractions.

4.58.37.3.4 All riders' rules and regulations.

4.58.37.3.5 All officers should have the general knowledge of these areas or be prepared to inform patrons where to obtain such information.

4.58.37.4 Valid fare is required BEFORE the passenger boards the train. This can be in the form of a ticket purchased from the Ticket Vending Machine (TVM), a pass (e.g. monthly pass, day pass), a reduced fare or school ticket with a valid ID (as with students and disabled patrons) and an ID (e.g. MTA employee)

4.58.37.5 The primary responsibility of the officers performing fare enforcement duties will be to deter fare evasion by the riding public. This will best be accomplished by randomly inspecting all trains and passengers. Impartial inspections will instill trust, appreciation and continued use of the Light Rail system as a means of safe, fast and efficient transportation. The basic rules are as follows:

4.58.37.6 Police officers conducting fare enforcement duties should board trains at random, noting the time, station boarded, direction, train and car number on the Daily Activity Report (Form MTAP # 96).

4.58.37.7 Officers must endeavor to maintain an accurate count of the number of passengers checked on each car and record such count on Form MTAP #96. This form will be submitted to their supervisors at the end of the working day.

4.58.37.8 When conducting fare enforcement, officers should walk from end to end of the car, and check every individual for proof-of-payment.

4.58.37.9 When the check is complete, the officer should move to the other cars at the next station or leave the train and wait for the next train in either direction. If an officer decides to ride in the same car for several stations for a special reason, the car should be rechecked after several boardings and alightings have been observed. Officers will not ride the same car without performing a specific duty.

4.58.37.10 If a police officer observes a passenger(s) suddenly leave a train when they see a police officer about to board, the officer should not attempt to chase these passengers in order to check their fares.

4.58.37.11 It will be the policy of the MTA Police Force to treat all instances of fare evasion according to this procedure.

4.58.37.12 The MTA Police Force will utilize the State of Maryland, Maryland Transit Administration Citation for violations involving fare evasion or the Maryland Transit Administration Warning Citation.

4.58.37.13 It will be the policy of the MTA Police Force to take into custody, or issue a Citation or a written warning to an individual who has violated the fare process after all other means have been exhausted to resolve the violation. Juveniles can be taken into custody, or issued a written warning, who have violated the same process after all other means have been exhausted to resolve the violation.

4.58.37.14 MTA Police Force Officers will follow the procedures set forth below when encountering an adult customer who is unable to provide proof of payment:

4.58.37.14.1 Allow the customer a reasonable amount of time to look further for his/her proof of payment.

4.58.37.14.2 If valid proof of payment cannot be provided, inquire why they do not have a valid proof of payment.

4.58.37.14.3 If a reasonable explanation is given for not having proof of payment, e.g. the ticket vending machine was not functioning; customer should be directed to alight the train at the next available stop to purchase a ticket. The officer will stand by and verify that a ticket has been purchased.

4.58.37.14.4 If the customer cannot provide a reasonable explanation for not having purchased a ticket (as mentioned above) the officer will cite the violator on a State of Maryland, Maryland Transit Administration Citation for failure to pay fare under Section 7 -705 A 2ii of the Maryland Vehicle Law Transportation Regulation or at their discretion issue a written warning on an MTA Warning Citation.

4.58.37.14.5 In either situation described above in (c) or (d) the MTA officer conducting the fare inspection will request a check for warrants on the customer(s). The check will be conducted while the customer is being detained by the officer and still within the officer's control.

4.58.37.14.6 When an arrest of a customer has been made for fare evasion the subsequent charge for that offense will be processed on a State of Maryland MTA citation. Under no circumstances will charging documents be upgraded from a citation to criminal charges for a fare evasion violation.

4.58.37.14.6.1 Example: During a fare inspection, a MTA Police Force officer encounters a customer who fails to exhibit proof of payment upon request. The offender cannot produce any identification and has no currency to purchase a ticket. The officer places the offender under arrest for Failure to exhibit proof of payment, 7-705 A 2ii, on a State of Maryland MTA citation. Criminal charges for theft under \$500.00 will not be placed against the fare offender. However, should a Controlled Dangerous Substance (CDS) or some other criminal violation come to the attention of the officer, criminal charges would then be appropriate.

4.58.37.15 The only time an MTA Police Force officer will detain a customer or make an arrest for a fare offense is when the customer has:

4.58.37.15.1 Refused to pay the required fare,

4.58.37.15.2 Refused or failed to display identification upon request or failed to display proper identification after request,

4.58.37.15.3 Refused to acknowledge the citation by signature or,

4.58.37.15.4 The offender indicates they will not satisfy the citation through appearance in court or payment of fine.

4.58.37.16 The following procedures will be used when issuing the State of Maryland, Maryland Transit Administration Citation:

4.58.37.16.1 If the customer cannot provide proof of payment or is unable to purchase a ticket upon the officer's request, the officer will:

4.58.37.16.2 Request valid proof of identification. Specifically, some type of photo identification card.

4.58.37.16.3 If the customer cannot provide valid photo identification, the officer will request two other valid proofs of identification, e.g. employee photo ID, voter registration card, or social security card.

4.58.37.16.4 If the officer is satisfied with the identification that has been presented, the officer will then cite the customer for the violation and have them alight the system.

4.58.37.16.5 If the customer cannot provide any type of identification, the officer may at their discretion arrest and cite the customer after all other means of resolving collection of the fare or identifying the customer have been exhausted.

4.58.37.17 The following procedure is to be used when the citation issuance process has begun, and the customer produces proper proof of payment.

4.58.37.17.1 Whenever MTA Police Force personnel initiate a citation for fare evasion and the customer locates appropriate proof of payment prior to acknowledging receipt of the citation, the issuing officer will suspend any further enforcement activity immediately and note the following information on the face of the citation:

4.58.37.17.1.1 Time of the incident

4.58.37.17.1.2 Location of incident

4.58.37.17.1.3 The number of the train on which the incident occurred

4.58.37.17.1.4 Customer's name, description (color, gender, height, weight), and a telephone number where the customer may be contacted.

4.58.37.17.2 The police officer will submit all copies of the citation with a report of explanation on MTAP Form 49 through the chain of command, to the Chief of Police for voidance.

4.58.37.17.3 If the customer refuses to provide their personal information, the officer is to explain to the individual that the citation will be forwarded for voidance to the Chief of Police, but follow-up communication may be necessary. If the customer continues to refuse to provide the requested information, no further attempts to gain the information will be made.

4.58.37.17.4 Should the recipient request verification of the voidance process, the officer will provide them with their name, ID number, the number of the citation to be voided and the telephone number to the Police Administrative Division.

4.58.37.17.5 Should an officer find that erroneous information was given, or the officer simply made a mistake in recording information on a citation during the issuing process, the officer will draw a single line through the incorrect information and write the correct information above or below it. Citations will not be submitted for voidance merely for reasons of incorrect or mistaken information being written.

4.58.37.17.6 All citations and/or written warnings will be submitted to the shift supervisor by the end of shift.

4.58.37.18 When an officer encounters a juvenile, who cannot provide proof of payment the officer should:

4.58.37.18.1 Allow the juvenile a reasonable amount of time to look further for their proof of payment.

4.58.37.18.2 If the juvenile cannot produce valid proof of payment, inquire why the juvenile does not have proof of payment.

4.58.37.18.3 If the juvenile provides a valid reason for not having proof of payment, the officer will direct the juvenile to alight the train at the next available stop to purchase a ticket from the ticket vending machine. The officer will stand by and verify that a ticket has been purchased.

4.58.37.18.4 If the juvenile fails to provide a valid reason for not having proof of payment, the officer at their discretion may take the following action in the appropriate jurisdiction:

4.58.37.18.5 When within Baltimore City, Anne Arundel and Baltimore County boundaries, the officer will either take the juvenile into custody and process the juvenile in accordance with established jurisdictional procedures or issue the juvenile a Maryland Transit Administration Warning Citation. If a Warning Citation is issued the officer will allow the juvenile to continue to their destination.

4.58.37.18.6 AT NO TIME WILL A JUVENILE BE REMOVED FROM A TRAIN AND LEFT UNATTENDED IN AN UNFAMILIAR AREA.

4.58.37.19 Juveniles attending Baltimore City schools Monday through Friday between 0600 to 1830 hours must possess a valid school identification card in order to utilize our system at a reduced fare rate. This privilege is extended to students in kindergarten through twelfth grades; otherwise proof of full payment must be presented.

NOTE: A JUVENILE IS DEFINED AS A PERSON UNDER
18 YEARS OF AGE.

4.58.37.20 The following are valid reasons why customers may not possess proof of payment. Officers should take these into consideration when conducting fare inspections.

4.58.37.20.1 The ticket vending machine is out of order. Officers should attempt to verify the status of the machine through police communications or other officers who may be at the station in question.

4.58.37.20.2 In-state or out-of-state customers who are unaware/unfamiliar with the fare payment procedure.

4.58.37.20.3 Officers will have the customer alight at the next available stop and explain the fare system to them. The officer will then demonstrate how to use the ticket vending machine. The officer will stand by the location with the customer until the next available train arrives to ensure the safety of the customer.

4.58.37.20.4 Senior citizens or people with disabilities who have a valid proof of payment, but have not received a Maryland Transit Administration photo identification card must produce a Medicare card or a valid driver's license as proof they are 65 years of age or older in lieu of the Maryland Transit Administration photo identification card to validate having purchased a reduced fare. The officer can authenticate the disability of a person by either observing the disability or requesting a medical card to verify the disability.

4.58.37.20.5 Officers will explain to the customer the correct procedure when paying a reduced fare. The officer will also explain how to obtain a photo identification card from the Maryland Transit Administration for Maryland residences. If a senior citizen or

4.58.37.20.6 A person with a disability lives beyond our service area (e.g. out-of-state or outside Baltimore City, Baltimore County, Howard County, Harford County and Anne Arundel County regions), proof of age and/or disability is all that is required.

4.58.37.20.7 In a case as described above where the customer's payment has been made, an officer would not require a senior citizen (65 years of age or older) or a person with a disability to alight the train.

4.58.37.20.8 If a valid proof of age (65 or older) and/or disability identification cannot be presented, the officer will then cite the customer for the violation and have him/her alight the system. The reduced fare ticket can then be mailed or turned in to MTA Customer Services, by the customer, for a refund.

4.58.37.20.9 If the customer cannot provide any type of identification, the officer may at their discretion arrest and cite the customer after all other means of resolving collection of the fare or identifying the customer have been exhausted.

4.58.37.21 Anytime an officer has a question concerning a specific incident involving fare collection or evasion, they should consult with their MTA police supervisor for guidance prior to employing enforcement action.

4.58.37.22 The following steps are to be used to verify whatever proof-of-payment media is presented:

4.58.37.22.1 Verify that the security strip is present;

- 4.58.37.22.2 Verify that the correct security symbol is present;
- 4.58.37.22.3 Verify the validation has not exceeded the 90-minute time limit;
- 4.58.37.22.4 Verify the purchase date;
- 4.58.37.22.5 Verify the direction of travel;
- 4.58.37.22.6 Verify the ticket type;
 - 4.58.37.22.6.1 Monthly Pass
 - 4.58.37.22.6.2 Day Pass (issued from a bus or TVM) (iii) Weekly Pass
- 4.58.37.22.7 Verify the fare paid;
- 4.58.37.22.8 Verify the MTA ID for reduced fare (seniors, disabled persons and students);
- 4.58.37.22.9 MTA employee ID;
- 4.58.37.22.10 Police officers from other police agencies;
- 4.58.37.22.11 Round-trip tickets-
 - 4.58.37.22.11.1 date of purchase
 - 4.58.37.22.11.2 time of purchase
 - 4.58.37.22.11.3 first trip is good 90 minutes from time of purchase and the second trip is good until midnight of the same day. The second trip must be completed by returning to the station of origin.
- 4.58.37.23 Fare enforcement documentation enables the MTA Police Force to maintain a database for compiling statistics on the amount of fare evasion and enforcement action occurring on the Light Rail System.
 - 4.58.37.23.1 MTA Police Force officers assigned to the Light Rail will maintain a Daily Activity Report (MTAP #96). This daily log is used to monitor the fare enforcement procedures and to provide information for monthly statistics. All officers are required to document the following information:
 - 4.58.37.23.1.1 Officer's name and identification number.
 - 4.58.37.23.1.2 Date, day and shift.
 - 4.58.37.23.1.3 Inspection time, station, train number, car number and train direction.
 - 4.58.37.23.1.4 Number of customers contacted during fare inspections.
 - 4.58.37.23.1.5 Number of passengers in violation of the fare collection system; and number of citations or warnings issued.
 - 4.58.37.23.1.6 Any comments or remarks (e.g. passenger allowed to purchase ticket, juveniles arrested, or warning issued, etc.).
 - 4.58.37.24 Daily Activity Reports will be submitted to the shift supervisor at the end of the officers' shift

4.58.37.25 Shift supervisors will maintain a database compiling the necessary information from the daily fare enforcement logs and will submit the logs and a printed copy of the database to the Light Rail Bureau Commander by the 3rd of each month.

4.58.37.26 The Division Commanders will submit a monthly report with the fare enforcement data of all Light Rail squads and shifts to the Special Operations Division by the 5th of each month.