



LIFT Policy	
Title: LIFT Fare Policy	ATP-003
Date: March 16, 2018	Page 1 of 8

1.0 Purpose

To encourage responsible paratransit use, fare is required for each trip provided by LIFT. Failure to pay fare may result in refusal of transit service.

2.0 Regulatory Basis

- A. ORS 267.200 provides that TriMet, as a mass transit district, constitutes “a municipal corporation of this state, and a public body, corporate and politic, exercising public power.”
- B. ORS 267.150(1) provides that the “legislative authority of a district board shall be exercised by ordinance.”
- C. ORS 267.150(2) provides that TriMet’s Board may “enact police ordinances relating to the protection, use and enjoyment of district property and facilities.”
- D. ORS 267.200 provides that TriMet has the “full power to carry out the objects of its formation.”
- E. ORS 267.200(6) provides that TriMet may “fix and collect charges for the use of the transit system and other district facilities.”
- F. ORS 267.140(2) provides that the General Manager shall have “full charge of the administration of the business affairs of the district.”
- G. ORS 267.140(3) provides that the General Manager shall enforce “all ordinances adopted by the board.”

- H. TriMet Code – Chapter 19.
 The fare for door-to-door LIFT services, excluding rides paid for by agencies under contract with TriMet, shall be:
 - Cash: \$2.50.
 - Pre-paid Tickets: 10/\$25.00.
 - Monthly Pass: \$74.00; non-transferable.
 - Annual Pass: \$888.00; non-transferable.
 - 20 trip punch card: \$48.00; valid for 20 trips on LIFT service only, non-expiring.
 - 14-Day Pass: \$37.50; valid for travel on LIFT service for a period of fourteen (14) consecutive days, non-transferable.

The following additional methods of fare payment will be accepted as total payment for door-to-door LIFT services:

- A regularly scheduled service route transfer plus \$1.50;
- Regularly scheduled service route tickets will be accepted on LIFT service for their face value toward the LIFT cash fare; or
- Adult 1-Day Pass.

Purchase of a pre-paid ticket or pass does not guarantee that a ride will be provided.

A LIFT pre-paid ticket, LIFT monthly pass or LIFT annual pass is valid for travel on regular fixed route service when accompanied by valid TriMet Honored Citizen identification.

Payment of fares for LIFT paratransit services by an eFare card shall be initiated either by tapping a card reader, or payment shall be deducted from the rider's account when the LIFT operator picks up the rider and confirms the rider's trip through their Mobile Driver Terminal (MDT). LIFT payments in this paragraph (h) exclude rides paid for by agencies under contract with TriMet. The following LIFT paratransit fares shall be available for payment from an eFare card account:

- Single Ticket: \$2.50
- 1-Month Pass: \$74.00. Fares paid shall accumulate, and a rider shall be charged only up to the applicable 1-Month Pass price and not more ("capped"), regardless of how many taps the rider accrues during the calendar month. Once charges accrue to the applicable 1-Month Pass price during a calendar month, additional trips are free for the remainder of that calendar month.
- Annual Passes may be purchased as one lump sum, according to the requirements set forth in TriMet Code (TMC) Section 19.15(B)(1)(d).

Payment of a LIFT fare under this paragraph shall be valid as payment for travel on regular fixed-route service. In the case a rider begins their trip on fixed-route by tapping their LIFT eFare card, the applicable Honored Citizen fare and fare identification requirements shall apply.

I. TriMet Code – Chapter 29
29.15 Prohibitions.

- It shall be unlawful for any person to occupy, ride in or use, any District Vehicle without paying the applicable fare.
- It shall be unlawful for any person to occupy, ride in or use, any District Vehicle without carrying proof of fare payment.
- It shall be unlawful for any person occupying a District Vehicle, or occupying a light rail platform upon disembarking a light rail vehicle, or occupying a commuter rail platform upon disembarking a commuter rail vehicle, to fail to carry or to fail to exhibit proof of fare payment upon demand of an Inspector or a peace officer.
- It shall be unlawful for any person to fail to provide his or her name, address or identification to an Inspector or a peace officer, as required by TMC 29.20.
- It shall be unlawful for any person, required by TMC 29.20 to provide his or her name, address or identification to provide a false name, address or identification.

4.0 Responsibilities:

Paying fares is an important responsibility shared by all LIFT riders, and repeatedly failing to pay the fare may result in a suspension of LIFT service. A valid fare is required each time you board the

vehicle.

Under LIFT policies, accruing three (3) or more no payments in a calendar month is considered grounds for service suspension.

Unpaid fares of \$7.50 or greater (three trips) for a calendar month will be invoiced to all riders by the last business day of the month following service. If fares owing are \$7.50 or greater and are presented or paid within 15 days of the date of the invoice, no service interruption will occur.

Fares not paid within 15 calendar days of the invoice will result in a suspension of service in accordance with the following schedule:

- First offense (of three or more no pays) in a calendar month: 7 day service suspension
- Second offense (of three or more no pays) in two consecutive calendar months: 14 day service suspension
- Third offense (of three or more no pays) in three consecutive calendar months: 30 day service suspension.

Subsequent offenses in four or more consecutive calendar months: 30 day service suspension. When a service suspension occurs for non-payment of fare, the affected customer's account will be reset to zero at the end of the suspension period, discharging any outstanding fare owing. If a pattern or practice of non-payment of fare persists, service suspension(s) will be imposed in accordance with the schedule posted above.

5.0 "Due Process" Requirement

Administrative Review and Appeal Process

A customer (or a customer's representative) may file a request for an Administrative Review by contacting TriMet LIFT Customer Service. The customer should provide LIFT with any information they believe will support his/her request for review pertaining to the No Pay.

Designated TriMet LIFT staff will review the information provided by the customer (or the customer's representative) and make a decision to either uphold the individual No Pay or to excuse it. This decision will be made within ten business days.

If No Pays have accumulated to a point where a suspension will be imposed, the customer (or the customer's representative) may file a verbal or written request for an Appeal by contacting TriMet LIFT. Service will continue while the outcome of the appeal is decided.

Upon receiving the Notice of Suspension letter, a customer has the right to an Administrative Review of the suspension. The following outlines the steps for requesting an Administrative Review and the basic procedure governing the appeal process.

By phone:

503-962-5438

503-962-8058 (TTY text telephone only)

By fax:

503-962-8250

By mail:

TriMet LIFT Program
Attn: Service Quality Administrator
2800 NW Nela St
Portland, OR 97210

Once a timely Administrative Review request is received, LIFT staff will request information for the review. The Administrative Review is an opportunity for the customer and/or the customer's representative to provide additional information relevant to the proposed suspension. When the Administrative Review is completed, LIFT staff shall promptly advise the customer regarding the resolution. In most cases, the Administrative Review is conducted by telephone and will be followed up by written correspondence within 10 days with a final resolution.

Right to request appeal of suspensions

If the customer is not satisfied with the outcome of the Administrative Review, the customer has a right to request an appeal hearing; or an appeal without hearing, within 10 calendar days following the resolution of the Administrative Review. Customers will be granted a stay-of-suspension while a "no pay" suspension appeal is pending.

TriMet will evaluate such requests for a stay-of-suspension based on the facts of the suspension and notify customer of the decision.

Requesting an Appeal

The Appellant shall make the appeal in writing via letter, fax, email or verbally via telephone. TriMet must receive the request for appeal not later than the 10th calendar day after the date that the Appellant receives the Administrative Review's written resolution. For purposes of this requirement, TriMet assumes that the Appellant will have received the decision not later than three calendar days after the date the decision was mailed to Appellant's address of record. TriMet mails all written resolutions via regular U.S. first-class mail, unless the Appellant requests otherwise.

The 10-day appeal period begins to run on the third calendar day after the date the decision was mailed. For example, if the decision was mailed on June 1, the 10-day appeal period begins to run on June 4, and expires on June 14.

By mail:

TriMet LIFT Program
Attn: LIFT Appeals
2800 NW Nela Street
Portland, OR 97210

By fax:

The Appellant shall timely fax a request for appeal to (503) 962-8250

By email:

The Appellant shall timely email a request for appeal to LIFTServiceAppeals@trimet.org

By phone:

The Appellant may timely call and leave a message requesting an appeal to:
LIFT Service Suspension Appeals at 503-962-5438.

If a request or notice for appeal is received, LIFT staff shall: (1) promptly advise the Appeal Panel of a timely request for an appeal; (2) if the Appellant requests a hearing, coordinate a hearing date, time, and location with the Appellant and the Appeal Panel, and notify the parties in writing; and (3) reserve sufficient time for the hearing. If necessary, LIFT staff shall arrange for the Appellant to receive LIFT transportation to and from the place of hearing at no charge.

Appeal with Hearing

Prior to Hearing, Appellant may request copies of documents relating to the decision being appealed. The Appeal Panel or its designee shall promptly consider and decide all requests for documents. The Appeal Panel shall timely provide all requested documents or items to the Appellant that are relevant and non-privileged.

Appellant may request the appearance of other individuals who have knowledge of information relevant to the decision being appealed. The Appeal Panel or its designee shall promptly consider and decide all requests for the appearance of witnesses, considering the witness's relevance to the decision being appealed or the likelihood that the witness will assist the Appeal Panel in deciding the appeal. The Appeal Panel does not have subpoena power to order the appearance of witnesses.

Appellants may submit not later than three days before the appeal hearing, including the date of the hearing, written arguments, evidence, and any other information the Appellant wishes the Appeal Panel to consider before the hearing. The Appeal Panel may consider written arguments, evidence, and any other information presented for good cause shown by the Appellant, for the first time at the hearing.

At Hearing

The Appellant may represent themselves at hearing, or may be represented by an attorney, paralegal or legal assistance, caseworker, care provider, or other person designated by the Appellant to present the Appellant's case.

The parties may present documents and offer other oral, written or recorded information to support their respective positions or to respond to each other's positions. TriMet shall present its position first, then the Appellant may present. As required or appropriate, the parties shall be permitted to present additional documents.

The Appeal Panel may for good cause continue a hearing or permit the post-hearing submission of additional evidence, information and arguments. If a continuance or post-hearing submission is permitted, the Appeal Panel shall promptly advise the parties of the date, time and location of the continued hearing or the date by which the post-hearing submission must be received by the

Appeal Panel. The hearing will be electronically recorded.

Appeal without Hearing

If the individual declines an in-person appeal hearing, LIFT staff shall inform the Appellant of the date by which the Appellant must submit to TriMet any written materials the Appellant wishes the Appeal Panel to consider in determining the Appellant's appeal. Extensions of this date may be allowed for good cause.

Following the submission date, the Appeal Panel shall review the Appellant's file and written submissions, if any, and decide the matter.

Evidentiary Burden and Standard

TriMet shall have the burden of demonstration that the Appellant's suspension of paratransit service was appropriately determined. This burden must be satisfied by a preponderance of all the evidence submitted in connection with the appeal or otherwise in the Appellant's record. The standard of admissibility for evidence and information presented in connection with an appeal shall be whether the evidence or information is of the type that a reasonable person would rely upon in making decisions about their personal affairs. The burden of presenting evidence to support a fact or position in a contested case rests on the proponent of the fact or position.

Decision and Notification of Decision

The Appeal Panel may uphold or overturn the suspension determination or, modify the suspension determination.

The Appeal Panel shall notify the individual of its decision and the reasons for its decision in writing, not later than 15 days after the date of the appeal hearing, including the date of the hearing. Or, if the individual declined a hearing, the Appeals Panel shall notify the individual of its decision and the reasons for its decision in writing not later than 15 days after the date the Appeals Panel reviewed and considered the matter.

If no decision is made on an appeal of suspension determination within 15 days of the date of the appeal hearing, or within 15 days of the date of the Appeals' Panel consideration without the attendance of the Appellant, or within 15 days of the receipt of requested additional documents and information, the Appellant will be eligible for LIFT service beginning the 16th day, until and unless a decision otherwise is rendered by the Appeals Panel. TriMet shall immediately inform the individual that he/she is presumptively eligible for LIFT service first by telephone and then follow up with a written communication to the individual's last known address of record.

This document will be provided to customers requesting an appeal. It is also available by calling LIFT at 503-962-8000, or from TriMet's website, www.trimet.org.

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