

Date: August 10, 2022

To: Board of Directors

From: Sam Desue, Jr.

Subject: **ORDINANCE NO. 368 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AMENDING AND UPDATING TRIMET CODE CHAPTERS 18 AND 19 (FIRST READING AND PUBLIC HEARING)**

1. Purpose of Item

Ordinance No. XXX requests that the TriMet Board of Directors (Board) amend and update TriMet Code Chapter 18, Sections 18.10, 18.20, and 18.30 regarding public comment and Title VI analyses concerning fare and service changes; and TriMet Code Chapter 19, Sections 19.05 and 19.15, to eliminate the “Honored Citizen Downtown Bus Pass,” the use of paper punch cards for LIFT fares, and validation stickers.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other: Ordinance

3. Reason for Board Action

Amendments to the TriMet Code may only be made by the Board’s adoption of an Ordinance, which requires two readings and the opportunity for a public hearing.

4. Type of Action

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading

5. Background

Pursuant to periodic review of the TriMet Code, staff identified a number of provisions in Chapters 18 and 19 that need to be updated and made consistent with current operations. In addition, the Federal Transit Administration (FTA) recommended that TriMet adopt procedures to inform the public about its use of Title VI equity analyses when modifying routes and fares.

Ordinance No. XXX will amend and update TriMet Code Chapter 18, Sections 18.10, 18.20 and 18.30. Section 18.10 is amended to define “service change” with more accuracy; Section 18.20 is amended to specify how TriMet addresses public comments concerning fare and route changes; and Section 18.30 is amended to describe how TriMet relies on Title VI analyses in the process of changing routes and fares.

In order to fully comply with FTA regulations, a transit agency must have a written policy concerning the public comment process and how the agency collects and considers public comment as part of its fare and service changes. Although TriMet's public processes and various internal documents establish that TriMet complies with this requirement, it has not been publicly adopted as policy. Inclusion of the public comment provisions in Chapter 18 brings TriMet's official written policy into compliance with this FTA requirement.

The proposed amendments to TriMet Code Chapter 18 are shown in the attached Exhibit A, with deletions shown by ~~striking out~~, and additions shown in **bold**; the final amended version is shown in the attached Exhibit B.

This Ordinance also will amend TriMet Code Chapter 19, Section 19.05, to eliminate an outdated and inequitable special fare instrument, the "Honored Citizen Downtown Bus Pass." This special free pass is part of a zonal free-ride program created in 2012, as a mitigation after TriMet's discontinuation of the Free Rail Zone. To qualify for this special pass, a person must live within the area bounded on the North by NW Irving Street, on the West and South by the Stadium (I-405) Freeway and on the East by the Willamette River.

A survey of these special pass users and a subsequent Title VI evaluation were completed. Because this analysis concluded that 85% of pass recipients were non-minority and 92% of them were above the federal poverty level, continuation of this program raises equity concerns. Further, TriMet's transition to the Hop Fastpass across all TriMet programs and fare systems has left this special pass program as an exception that is used primarily by non-minority and above average income residents. Elimination of this archaic and inequitable special pass will bring uniformity to TriMet's fare system.

Ordinance No. XXX also makes a number of technical changes. It will amend Chapter 19 to change the name of the "Low Income Fare" instrument to "Reduced Fare," thus eliminating some stigma associated with our reduced fare programs. It also will eliminate the outdated and inefficient paper punch card tickets used by some LIFT passengers. This will facilitate the efforts of TriMet's Accessible Transportation department to streamline ticket use and transition LIFT riders to the cost-saving benefits of using Hop Fastpasses, including fare-capping. This Ordinance will also eliminate several references to "validation stickers," because these are no longer distributed as part of TriMet's conversion to the Hop Fastpass e-fare system. Finally, at Section 19.15E(4)(i), the Ordinance eliminates a confusing and irrelevant sentence from the paragraph concerning the Employer Annual Pass Fare Program.

The proposed amendments to TriMet Code Chapter 19 are shown in the attached Exhibit C, with deletions shown by ~~striking out~~, and additions shown in **bold**; the final amended version is shown in the attached Exhibit D.

The amendments made by this Ordinance will not take effect until December 31, 2022. This delay will allow sufficient time for all existing special passes and paper tickets to be used by those who currently possess them, and allow TriMet to incorporate the changes into its operations.

6. Financial/Budget Impact

By eliminating these fare instruments, TriMet will no longer incur the approximately \$225,000 cost per year of issuing the Honored Citizen Downtown Bus Pass,, and no longer incur the approximately \$10,000 cost per year of issuing paper punch card tickets for LIFT passengers.

7. **Impact if Not Approved**

Although the Board may choose not to conduct a first reading and public hearing for Ordinance No. XXX at its August 10, 2022, meeting, this option is not recommended. TriMet wishes to encourage more widespread adoption of the Hop Fastpass e-fare ticket system, update and simplify the different types of fares it must administer, and eliminate the inequitable use of Honored Citizen-type passes by those who are not ordinarily qualified for reduced fare programs. Adoption of this Ordinance would facilitate these goals.

ORDINANCE NO. XXX

**ORDINANCE NO. XXX OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AMENDING AND
UPDATING TRIMET CODE CHAPTERS 18 AND 19 (FIRST READING AND
PUBLIC HEARING)**

Pursuant to the authority of Oregon Revised Statutes Chapter 267, and after providing the opportunity for public testimony, the Board of Directors of the Tri-County Metropolitan Transportation District of Oregon (TriMet), does hereby ordain and decree the following Ordinance:

Section 1- Amendment of TriMet Code Chapter 18

TriMet Code Section 18.05, 18.20, and 18.30 is amended as shown in the attached Exhibit A, with deletions shown by ~~striking out~~, and additions shown in **bold**; with the final version shown in the attached Exhibit B.

Section 2- Amendment of TriMet Code Chapter 19

TriMet Code Section 19.05 and 19.15 is amended as shown in the attached Exhibit C, with deletions shown by ~~striking out~~, and additions shown in **bold**; with the final version shown in the attached Exhibit D.

Section 3- Effective/Operative Date

This Ordinance No. XXX shall take effect on December 31, 2022.

Dated: August 10, 2022

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Legal Department

EXHIBIT “A” TO TRIMET ORDINANCE NO. XXX

AMENDING TRIMET CODE CHAPTER 18

(Deletions are shown by ~~striking out~~ and additions are shown in **bold**.)

CHAPTER 18 – ROUTE, SCHEDULE AND FARE CHANGES

18.05 **Purpose.** The purpose of this Chapter is to comply with Chapter 799, Oregon Laws 1987, Section 10, which requires mass transit districts to “adopt by ordinance procedures relating to route, schedule and fare changes that are consistent with applicable federal regulations relating to Section 5 (i) (3) of the Urban Mass Transportation Act of 1964, as in effect prior to October 10, 1986”. The applicable regulations are found at 49 CFR, Parts 635.1 through 635.11 (10-1-86 Edition).

(18.05 added by Ordinance No. 160, Section 1)

18.10 **Definitions.**

- A. A “transit route” is a route over which a transit vehicle travels which is specifically labeled or numbered for the purpose of picking up or discharging passengers at regularly scheduled stops and intervals.
- B. A “transit route mile” is a distance of one statute mile along a route regularly traveled by transit vehicles while available for the general public to carry passengers. The length of a route is the round trip distance traveled in traveling completely over the route and returning to the starting point to begin another circuit of the route. If a route is only defined in one direction, then this one-directional distance is the route length.
- C. A “transit revenue vehicle mile” is a distance of one statute mile traveled while a transit vehicle is available to the general public to carry passengers.
- D. “Ridership” means the number of unlinked revenue passenger trips carried. An unlinked passenger trip does not include any transfers. (A single trip by a transit user involving three vehicles and using two transfers is three unlinked passenger trips.)
- E. A “service change” is any **modification of transit service** ~~addition or deletion~~ resulting in the physical realignment of a transit route, or a change in the type, ~~or~~ frequency of service, or **number of transit revenue vehicle miles** provided in a specific, regularly scheduled transit route.
- F. “Experimental service change” is an addition of service to an existing transit route, or the establishment of a new transit route.

(18.10 added by Ordinance No. 160, Section 2)

18.15 **When hearing is required.**

- A. Except as provided elsewhere in this ordinance, a hearing must be held when:
 - (1) There is a change in any fare;
 - (2) There is any change in service of:

- (a) 25 percent or more of the number of transit route miles of a route; or
 - (b) 25 percent or more of the number of transit revenue vehicle miles of a route computed on a daily basis for the day of the week for which the change is made; or
- (3) A new transit route is established.
- B. Reduced or free promotional fares which are instituted on a daily basis or periodically within a period of 180 days are exempt from the public hearing requirement.
 - C. If a number of changes on a route in a fiscal year add up to the percentages in TMC18.15A, a hearing must be held prior to the last change.
 - D. Headway adjustments of up to 5 minutes during peak hour service, and up to 15 minutes during non-peak hour service, are exempt from the public hearing requirements.
 - E. Standard seasonal variations are exempt from the public hearing requirement unless the number, timing or type of standard seasonal variations change.
 - F. In an emergency situation, a service change may be implemented immediately without a public hearing being held. A public hearing on the emergency change must be held if the emergency change is to be in effect for more than 180 days and if the change meets the test of TMC18.15A(2) or TMC18.15A(3). Examples of emergency service changes include but are not limited to those made because of a power failure for a rail or fixed guideway system, the collapse of a bridge over which bus routes pass, major road or rail construction, or inadequate supplies of fuel.
 - G. Experimental service changes may be instituted for 180 days or less without a public hearing being held. The public hearing on an experimental service change is required if the experimental service change remains in effect for more than 180 days and if the change meets the tests of TMC 18.15A(2) or TMC 18.15A(3). The hearing may be held prior to the institution of, or during the period of the experimental service change and will satisfy the requirement for a final public hearing if the hearing notice required by TMC 18.20 states that the experiment may become permanent at the end of the experimental period. If a hearing is not held prior to or during the period of the experimental service change, the service that existed prior to the change must be reinstated at the end of 180 days and a public hearing held in accordance with TMC 18.20 before the experimental service may be continued.

(18.15 added by Ordinance No. 160, Section 3)

18.20 **Hearing Requirements.**

- A. Prior to the institution of a fare change or to a service change that falls within the levels established in TMC 18.15, a notice of intent to hold the public hearing shall be published in newspaper of general circulation in the urbanized area. The notice must also be published in newspapers oriented to specific groups or neighborhoods that may be affected.
- B. The notice must be published in accordance with statutory timelines for ordinance adoption set forth at ORS 198.540 (i.e., not more than 10 days nor less than four days before the meeting). Additional notice beyond that mandated by statute may also be given when it would be in the public interest to do so (e.g., 30 days notice or increased publication).

- C. The notice must contain: (1) A description of the contemplated service changes, or the fare change, as appropriate, and (2) the time and place of the hearing. If a hearing required by TMC18.15(C) is held, the notice must describe the last change being contemplated, and the prior changes that were made.
- D. If a fare change or substantial service change is mandated by the **Federal Transit Administration Interstate Commerce Commission, the Public Utility Commission** or its equivalent, the state legislature or other public legislative body, the public hearing requirement may be satisfied if the public is afforded the opportunity to appear before these bodies to present their views. TriMet shall also appear before these bodies to present its views concerning the proposed fare or service change. ~~The procedures and requirements for appearance before these bodies may be followed; however,~~ The requirements of TMC 18.20A–18.20C must be followed for **any** such ~~a~~ hearing **conducted by TriMet.**
- E. Prior to the Board taking final action on a fare or service change requiring a public hearing, public comment received by TriMet in accordance with its timelines and procedures (whether via email, fax, regular mail, hand delivery or orally) will be provided to the Board for consideration. In its discretion, TriMet may summarize the public comment before its submission to the Board, provide it directly to the Board in the form received, or may forward transcripts of public hearings at which public comment was received to the Board for its consideration. Written minutes of Board meetings at which public hearings on fare or service changes have been held prior to the date of the Board’s final action, shall be provided to the Board for consideration before such final action is taken.**

(18.20 added by Ordinance No. 160, Section 4)

18.25 **Enforcement.** Any person affected by a decision of the TriMet Board of Directors which may be subject to these procedures may (1) request that the Board reconsider that decision, or (2) commence suit in the Circuit Court for Multnomah County for the purpose of requiring compliance with the ordinance, prevention of violations or to determine its applicability. The court may order such equitable relief as it deems appropriate under the circumstances, but a decision shall not be voided if other equitable relief is available. This section shall be the exclusive remedy for any violation of this ordinance.

(18.25 added by Ordinance No. 160, Section 5)

18.30 Title VI Equity Analysis. An equity analysis of the impact of any fare, route, or service level change on low-income and minority populations (Title VI populations) shall be conducted in accordance with Federal Transit Administration or equivalent federal guidance and TriMet’s Title VI policy. The analysis will be documented in a Title VI report which shall be provided to the Board during the first reading of any fare, route, or service level change under consideration.

EXHIBIT “B” TO TRIMET ORDINANCE NO. XXX.

AMENDING TRIMET CODE CHAPTER 18

(Final version as amended.)

CHAPTER 18 – ROUTE, SCHEDULE AND FARE CHANGES

18.05 **Purpose.** The purpose of this Chapter is to comply with Chapter 799, Oregon Laws 1987, Section 10, which requires mass transit districts to “adopt by ordinance procedures relating to route, schedule and fare changes that are consistent with applicable federal regulations relating to Section 5 (i) (3) of the Urban Mass Transportation Act of 1964, as in effect prior to October 10, 1986”. The applicable regulations are found at 49 CFR, Parts 635.1 through 635.11 (10-1-86 Edition).

(18.05 added by Ordinance No. 160, Section 1)

18.11 **Definitions.**

- A. A “transit route” is a route over which a transit vehicle travels which is specifically labeled or numbered for the purpose of picking up or discharging passengers at regularly scheduled stops and intervals.
- B. A “transit route mile” is a distance of one statute mile along a route regularly traveled by transit vehicles while available for the general public to carry passengers. The length of a route is the round trip distance traveled in traveling completely over the route and returning to the starting point to begin another circuit of the route. If a route is only defined in one direction, then this one-directional distance is the route length.
- C. A “transit revenue vehicle mile” is a distance of one statute mile traveled while a transit vehicle is available to the general public to carry passengers.
- D. “Ridership” means the number of unlinked revenue passenger trips carried. An unlinked passenger trip does not include any transfers. (A single trip by a transit user involving three vehicles and using two transfers is three unlinked passenger trips.)
- E. A “service change” is any modification of transit service resulting in the physical realignment of a transit route, or a change in the type, frequency of service, or number of revenue vehicle miles provided in a specific, regularly scheduled transit route.
- F. “Experimental service change” is an addition of service to an existing transit route, or the establishment of a new transit route.

(18.10 added by Ordinance No. 160, Section 2)

18.16 **When hearing is required.**

- A. Except as provided elsewhere in this ordinance, a hearing must be held when:
 - (1) There is a change in any fare;
 - (2) There is any change in service of:

- (a) 25 percent or more of the number of transit route miles of a route; or
 - (b) 25 percent or more of the number of transit revenue vehicle miles of a route computed on a daily basis for the day of the week for which the change is made; or
- (3) A new transit route is established.
- B. Reduced or free promotional fares which are instituted on a daily basis or periodically within a period of 180 days are exempt from the public hearing requirement.
 - C. If a number of changes on a route in a fiscal year add up to the percentages in TMC18.15A, a hearing must be held prior to the last change.
 - D. Headway adjustments of up to 5 minutes during peak hour service, and up to 15 minutes during non-peak hour service, are exempt from the public hearing requirements.
 - E. Standard seasonal variations are exempt from the public hearing requirement unless the number, timing or type of standard seasonal variations change.
 - F. In an emergency situation, a service change may be implemented immediately without a public hearing being held. A public hearing on the emergency change must be held if the emergency change is to be in effect for more than 180 days and if the change meets the test of TMC18.15A(2) or TMC18.15A(3). Examples of emergency service changes include but are not limited to those made because of a power failure for a rail or fixed guideway system, the collapse of a bridge over which bus routes pass, major road or rail construction, or inadequate supplies of fuel.
 - G. Experimental service changes may be instituted for 180 days or less without a public hearing being held. The public hearing on an experimental service change is required if the experimental service change remains in effect for more than 180 days and if the change meets the tests of TMC 18.15A(2) or TMC 18.15A(3). The hearing may be held prior to the institution of, or during the period of the experimental service change and will satisfy the requirement for a final public hearing if the hearing notice required by TMC 18.20 states that the experiment may become permanent at the end of the experimental period. If a hearing is not held prior to or during the period of the experimental service change, the service that existed prior to the change must be reinstated at the end of 180 days and a public hearing held in accordance with TMC 18.20 before the experimental service may be continued.

(18.15 added by Ordinance No. 160, Section 3)

18.21 **Hearing Requirements.**

- A. Prior to the institution of a fare change or to a service change that falls within the levels established in TMC 18.15, a notice of intent to hold the public hearing shall be published in newspaper of general circulation in the urbanized area. The notice must also be published in newspapers oriented to specific groups or neighborhoods that may be affected.
- B. The notice must be published in accordance with statutory timelines for ordinance adoption set forth at ORS 198.540 (i.e., not more than 10 days nor less than four days before the meeting). Additional notice beyond that mandated by statute may also be given when it would be in the public interest to do so (e.g., 30 days notice or increased publication).

- C. The notice must contain: (1) A description of the contemplated service changes, or the fare change, as appropriate, and (2) the time and place of the hearing. If a hearing required by TMC18.15C is held, the notice must describe the last change being contemplated, and the prior changes that were made.
- D. If a fare change or substantial service change is mandated by the Federal Transit Administration or its equivalent, the state legislature or other public legislative body, the public hearing requirement may be satisfied if the public is afforded the opportunity to appear before these bodies to present their views. TriMet shall also appear before these bodies to present its views concerning the proposed fare or service change. The requirements of TMC 18.20A–18.20C must be followed for any such hearing conducted by TriMet.
- E. Prior to the Board taking final action on a fare or service change requiring a public hearing, public comment received by TriMet in accordance with its timelines and procedures (whether via email, fax, regular mail, hand delivery or orally) will be provided to the Board for consideration. In its discretion, TriMet may summarize the public comment before its submission to the Board, provide it directly to the Board in the form received, or may forward transcripts of public hearings at which public comment was received to the Board for its consideration. Written minutes of Board meetings at which public hearings on fare or service changes have been held prior to the date of the Board’s final action, shall be provided to the Board for consideration before such final action is taken.

(18.20 added by Ordinance No. 160, Section 4)

18.25 **Enforcement.** Any person affected by a decision of the TriMet Board of Directors which may be subject to these procedures may (1) request that the Board reconsider that decision, or (2) commence suit in the Circuit Court for Multnomah County for the purpose of requiring compliance with the ordinance, prevention of violations or to determine its applicability. The court may order such equitable relief as it deems appropriate under the circumstances, but a decision shall not be voided if other equitable relief is available. This section shall be the exclusive remedy for any violation of this ordinance.

(18.25 added by Ordinance No. 160, Section 5)

18.30 **Title VI Equity Analysis.** An equity analysis of the impact of any fare, route, or service level change on low-income and minority populations (Title VI populations) shall be conducted in accordance with Federal Transit Administration or equivalent federal guidance and TriMet’s Title VI policy. The analysis will be documented in a Title VI report which shall be provided to the Board during the first reading of any fare, route, or service level change under consideration.

EXHIBIT “C” TO TRIMET ORDINANCE NO. XXX

AMENDING TRIMET CODE CHAPTER 19

(Deletions are shown by ~~striking out~~ and additions are shown in **bold**.)

CHAPTER 19 – FARES

19.05 **Definitions.** As used in this Chapter, unless the context requires otherwise:

A. “Honored Citizen” means:

- (1) Persons 65 years of age or older who show valid government-issued photo identification showing proof of age, or a valid TriMet photo Honored Citizen Card;
- (2) Persons under 65 years of age registered legally blind by the Commission for the Blind who show a valid TriMet Honored Citizen Card;
- (3) Persons under 65 years of age registered disabled by the Social Security Administration who show a valid TriMet Honored Citizen Card;
- (4) Persons under 65 years of age who are certified disabled by the State of Oregon Vocational Rehabilitation Division, State of Oregon Senior and Disabled Services Division or by the U.S. Railroad Retirement Board when each applies the same standards of disability as are applicable to persons who are determined to be disabled pursuant to subparagraph 3 above and who show a valid TriMet Honored Citizen Card;
- (5) Veterans under 65 years of age certified 100% disabled by the Veterans Administration who show a valid TriMet Honored Citizen Card;
- (6) Persons under 65 years of age qualifying as “Temporarily Disabled” under criteria established by TriMet, and so certified by a licensed physician, and who show a valid TriMet Honored Citizen Card;
- (7) Persons qualified eligible by the Clackamas, Clark, Multnomah or Washington County Association for Retarded Citizens, or the Clackamas, Multnomah or Washington County Mental Health Association under the criteria established by TriMet and those agencies, who show a valid TriMet Honored Citizen STAR Card (marked with a “STAR”);
- (8) Persons under 65 years of age, not verified disabled by the Commission for the Blind, Social Security Administration, United States Railroad Retirement Board or the Veterans Administration, but who qualify as disabled under criteria established by TriMet and are so certified by a licensed physician, and who show a valid TriMet Honored Citizen Card;
- (9) Persons certified by a licensed physician or health or social service professional to qualify for a TriMet Honored Citizen “A” Card (marked with an “A”) under criteria established by TriMet and who show a valid TriMet Honored Citizen “A” Card;
- (10) Persons qualified eligible by C-Tran who show a valid C-Tran Senior, C-Tran Disabled, or C-Tran C-Van Identification Card; and

- (11) Persons who show a valid Medicare Card and either (a) valid government-issued photo identification or (b) a valid TriMet photo Honored Citizen Card, as proof of identity for the Medicare Card.

Replacement TriMet Honored Citizen Cards are subject to payment of a \$5.00 fee.

- B. ~~“Honored Citizen Downtown Bus Pass” is a photo identification card issued to persons qualifying for Honored Citizen status as set forth in this Section 19.05(A), who provide proof of residency within the area bounded on the North by NW Irving, except that at the intersection of NW Irving and NW Station Way it shall be bounded on the North by NW Station Way to NW Broadway and then by NW Broadway south to NW Irving and continuing west on NW Irving to the Stadium (I-405) Freeway, on the West and South by the Stadium (I-405) Freeway and on the East by the Willamette River, under criteria established by TriMet. The photo identification card allows fareless travel on bus and rail trips which begin and end within the area described above, for a period of two years from the date of issuance. The General Manager may promulgate Administrative Requirements governing the Program requirements of the Honored Citizen Downtown Bus Pass, including but not limited to the fee for participation in the Program.~~
- C. **B. “Low Income Fare” “Reduced Fare”** is a fare designation available to persons who are determined by TriMet to meet the eligibility requirements for a reduced fare because the person can demonstrate to TriMet’s satisfaction through a process established by TriMet that their annual income is at or less than 200% of the Federal Poverty Level. The Federal Poverty Level is a measure of income issued by the United States Secretary of Health and Human Services
- (1) A person deemed eligible by TriMet for the ~~Low Income Fare~~ **Reduced Fare** will be provided a non-transferable ~~Low Income Fare-Reduced Fare~~ identification card.
- (2) The General Manager may promulgate Administrative Requirements governing eligibility, applications, the issuance and appearance of ~~Low Income~~ **Reduced** fare cards, renewals, and any other requirements for the ~~Low Income~~ **Reduced** Fare.
- D. **C. “Peak Hours”** shall be from 7:00 a.m. to 9:00 a.m. and/or 4:00 p.m. to 6:00 p.m., weekdays.
- E. **D. “Service Day”** shall be defined as travel on TriMet from 03:00:00 a.m. to 02:59:59 a.m. of the following day.
- F. **G. “Scheduled Holidays”** means New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.
- G. **H. “Weekdays”** shall include Monday through Friday of each week and shall exclude Saturdays, Sundays, and Scheduled Holidays.
- H. **I. “Youth”** means persons in any of the following categories who show valid Youth fare identification and documentation as required by administrative rules established by the General Manager: (1) any person under 18 years of age; (2) any person who is a Kindergarten through Grade 12 student; and (3) any person enrolled in a general educational development program.

(19.05 amended by Ordinances No. 162, Section 1; Ordinance No. 178, Section 1; Ordinance No. 190, Section 1; Ordinance No. 239, Section 1; Ordinance Nos. 277, 286, 299, 309, 312, 316, 317, 323 and 347)

To commemorate the legacy of Rosa Parks, all transit services will be zero fare on the date of her birth, February 4th.

[19.10 Zones amended by Ordinance No. 162, Section 1; Ordinance No. 197, Section 1; Ordinance No. 198, Section 2; Ordinance No. 226, Section 1; Ordinance Nos. 248, 252, 269, 277, 282, 286, 289, 293, 295, 299, 300, 312 and 317; Section 19.10 and Fare Zone Boundary Table repealed by Ordinance No. 323]

19.15 **Fares.**

The fares payable for use on the TriMet transit system shall vary according to the status of the rider and method of payment. Any person displaying a valid **Low-Income Reduced** Fare identification card issued under TMC 19.05 is permitted to use as proof of payment any HONORED CITIZEN fare instrument, including eFare, described in this section. A valid **Low-Income Reduced** Fare identification card qualifies as a TriMet Honored Citizen identification card when required to be displayed as proof of eligibility for an Honored Citizen fare.

Fares payable for use of Washington County Commuter Rail (WES) Service shall be the same as other regular fixed route fares established according to the status of the rider and the method of payment for travel as set forth in TMC Section 19.15.

The fares payable for use on TriMet shall be as follows:

A. Electronic Fare (“eFare”) Program

Use of an electronic fare payment system (“eFare”) Program shall be subject to the following fare provisions:

(1) eFare

- (a) “eFare” is a contactless electronic fare instrument that allows a rider to tap at designated card readers to pay their fare. eFare is either a reloadable eFare card, or an eFare single use paper ticket.
- (b) The rider must tap an eFare prior to each vehicle boarding to validate their trip or upon occupying district areas requiring proof of fare payment.
- (c) Validated eFare is non-transferable.
- (d) The following fares shall be available using stored value from an eFare card account, or purchase of an eFare single use paper ticket, according to the status of the rider:
 - (i) 2 ½ Hour Pass
A rider shall be allowed unlimited rides for a duration of 2 ½ hours following the initial eFare tap.

<u>Status</u>	<u>Fare</u>
YOUTH	\$1.25
HONORED CITIZEN	\$1.25

ADULT \$2.50

(ii) 1-Day Pass

Fares paid per eFare card tap shall accumulate, and a rider shall be charged only up to the applicable value of the 1-Day Pass and not more (“capped”), regardless of how many taps the rider accrues during the service day. Once charges accrue to the applicable value of the 1-Day Pass during a service day, additional trips are free for the remainder of that service day. Fares paid by eFare single use paper ticket shall be valid when tapped for travel on regular transit service for the remainder of the service day in which the 1-Day Pass is valid.

<u>Status</u>	<u>Fare</u>
YOUTH	\$2.50
HONORED CITIZEN	\$2.50
ADULT	\$5.00

(iii) 1-Month Pass

Fares paid per eFare card tap shall accumulate, and a rider shall be charged only up to the applicable value of the 1-Month Pass and not more (“capped”), regardless of how many taps the rider accrues during the calendar month. Once charges accrue to the applicable value of the 1-Month Pass during a calendar month, additional trips are free for the remainder of that calendar month.

<u>Status</u>	<u>Fare</u>
YOUTH	\$28.00
HONORED CITIZEN	\$28.00
ADULT	\$100.00

(e) 2 ½ hour, 1-Day, and 1-Month passes may be loaded to eFare cards via employer based programs or registered institutions. All eFare card passes must be tapped to validate a trip or transfer.

(f) Reloadable eFare cards shall be available for purchase for a fee of \$3.00.

(g) A minimum \$5.00 load to an eFare card account shall be required, except that no minimum load shall be required for eFare cards loaded at the TriMet Ticket Office.

(h) Payment of fares on LIFT paratransit services by an eFare card 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:

(i) Single Ride Ticket: \$2.50

(ii) 1-Month Pass: \$74.00

- (iii) 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.
- (iv) Annual Passes may be purchased as one lump sum, according to the requirements set forth in TMC Section 19.15(B)(1)(d).
- (v) Payment of a LIFT fare under this paragraph (h) 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.

B. Cash and Credit Card Payment:

(1) Cash Payment

(a) 2 ½ Hour Pass

<u>Status</u>	<u>Fare</u>
YOUTH	\$1.25
HONORED CITIZEN	\$1.25
ADULT	\$2.50

(b) 1-Day Pass

A 1-Day Fare shall be valid for travel on regular transit services for the remainder of the service day in which the 1-Day Fare is valid.

<u>Status</u>	<u>Fare</u>
YOUTH	\$2.50
HONORED CITIZEN	\$2.50
ADULT	\$5.00

(c) Annual Passes

<u>Status</u>	<u>Fare</u>
YOUTH	\$308.00
HONORED CITIZEN	\$308.00
ADULT	\$1,100.00

Annual Passes must be purchased as one lump sum. Annual Passes will be issued in the form of an eFare card.

(2) Other eFare Payment Instruments

Financial instruments issued by the major payment brands including VISA, MasterCard, American Express and Discover that are capable of providing payment through contactless tapping at designated card readers may be used to purchase the Adult 2 ½ Hour Pass and Adult 1-Day Pass per paragraphs (1)(d)(i) and (ii) above. The rider must tap their fare payment instrument prior to each vehicle boarding to validate their trip or upon occupying district areas requiring proof of fare payment.

C. Special Pre-Paid Event Passes:

(1) Field Trip Group Discount (“Class Pass”) Pass

(1) Groups whose members are 18 years of age or younger, traveling with at least 15 but not more than 35 members on the bus, or with at least 15 but not more than 70 members on MAX, including other persons aged 18 or older traveling with the group as designated group leader(s) or chaperone(s), are eligible for the Field Trip Group Discount (“Class Pass”) eFare card. The cost of the pass shall be \$1.00 per person. A pass must be purchased for the trip. The pass shall be valid for travel only for the date, route(s), time(s), and number of persons specified on the itinerary. The group leader must carry the Class Pass eFare card for the group.

(2) The group must schedule the trip at least 14 days in advance. Trips may be scheduled for weekdays or weekends using regularly scheduled service. Weekday trips must occur between the hours of 9:00 a.m. and 3:00 p.m. Specified trip times shall be at the discretion of TriMet. TriMet reserves the right to schedule trips according to anticipated available capacity on regularly scheduled service.

Possession of a Class Pass eFare card in no way guarantees available vehicle capacity on scheduled trip times. In the event that all members of a group are unable to board the vehicle as specified on the Class Pass eFare card, due to heavy passenger loads, the operator will arrange to have the Class Pass eFare be valid on the next regularly scheduled vehicle.

Groups wishing to reschedule a trip must cancel at least one business day in advance of the scheduled trip. Trips must be scheduled at least 14 days in advance of the new travel date.

(3) A Class Pass shall be available for purchase only at TriMet’s Ticket Office at Pioneer Square, or by mail. A Class Pass eFare card must be purchased at least 14 days in advance and is nonrefundable, nontransferable, and shall not be laminated or duplicated. A Class Pass eFare Card is reloadable.

(2) Event Fare

An Event Fare for specified events shall be available for purchase through authorized ticket outlets. The Event Fare shall be issued on an eFare single use paper ticket, valid only when tapped. The Event Fare shall be \$2.50 per pass per day, which shall be valid fare for travel, all hours on the day of the event(s) for which the Event Fare is purchased. Passes for the event which are sold at the door shall not be included in the Event Fare program.

D. Door-to-Door LIFT Services:

(1) The fare for door-to-door LIFT services, excluding rides paid for by agencies under contract with TriMet, shall be:

(a) Cash: \$2.50 per ride.

(b) Pre-paid LIFT Tickets: 10/\$25.00.

(c) Monthly LIFT Pass: \$74.00; non-transferable.

(d) Annual LIFT Pass: \$888.00; non-transferable.

~~(e) 20 trip LIFT punch card: \$48.00; valid for 20 trips on LIFT service only, non-expiring.~~

(f) A regularly scheduled service route transfer plus \$1.25.

(g) Rides paid for by LIFT eFare card.

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

(3) Only cash and LIFT specific fares are valid on LIFT.

(4) eFare single use tickets are not valid fare on LIFT.

(5) 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.

E. Employer Annual Pass Fare Programs:

(1) Annual Pass Program

(a) Employers who enter into a written annual agreement to purchase Annual Passes in a minimum dollar amount of \$6,050, may elect to make quarterly installment payments subject to administrative program requirements, and (b) employers who enter into a written annual agreement to purchase Annual Passes, where the Annual Pass year ends on August 31, shall receive a pro-rated per pass price in the sum of: (The number of months remaining in the Annual Pass Year) X (Monthly Pass Price) X (0.92).

(2) Universal Annual Pass Fare Program

(a) Employers within the TriMet district may purchase annual passes (“Universal Passes”) for their qualified employees based on worksite location(s) subject to this Paragraph E and administrative program requirements established for the Universal Pass fare. The employer shall be required to enter into a written contract in a minimum annual amount of the Adult Annual pass price for purchase of Universal Passes in accordance with administrative program requirements established for the fare. The pass price shall be calculated according to this Paragraph E. For purposes of the Universal Pass fare, a “worksite” means a building(s) located at one physical location within the TriMet district under the control of an employer, except as the context requires otherwise under paragraph E(3)(iii) below.

(b) Employers must purchase a pass for each qualified employee regardless of whether the employee uses transit at the time of purchase. For purposes of the Universal Pass fare, “qualified” employee means any person on or expected to be on the employer’s payroll, full

- or part-time (part-time is 80 or more hours per 28-day period), for at least six consecutive months, including business owners, associates, partners, and partners classified as professional corporations.
- (i) An employee who works at multiple worksites is considered a qualified employee at the worksite of their cost center.
 - (ii) Contract employees, per-diem employees and/or temporary employees are considered qualified employees only if they are covered under the employer's benefits package and have been included in the Employee Commute Options (ECO) Survey.
 - (iii) Exempted from qualified employee status are: volunteers, employees working less than part-time, field personnel required to use their personal vehicle as a condition of their job, employees whose regular work commute has either a start or end time outside of TriMet service hours, residents of the State of Washington, independent contractors, temporary or seasonal employees hired for a term of less than 6 months, employees exempted by the Oregon Department of Environmental Quality for ECO purposes, employees who already have an annual transit pass from another source, and regularly sworn officers of local law enforcement agencies within the TriMet boundaries and the Oregon State Police. The total number of employee exemptions shall not exceed 50% of the employer's total employee population.
 - (iv) An employer who wishes to include in the Universal Pass program exempted personnel in the categories identified at subparagraph (b)(iii) above, must purchase passes for all individuals in the category and must include all individuals in the category in the ECO Survey.
- (c) The Universal Pass pricing structure is based on employer transit mode split. "Transit mode split" is defined as follows: (Total number of transit trips to worksite by qualified employees) divided by (Total number of trips to worksite by qualified employees). If more than one commute mode is used to travel to a worksite, the commute mode for the longest portion of the trip constitutes the determined commute mode. Transit Mode Split refers to the results from the most recent ECO Survey unless specifically stated otherwise in this Paragraph E.
- (d) Employers shall survey their qualified employees to determine transit mode split using an ECO Survey. If an employer moves their worksite(s) or adds a worksite(s) during a contract year, the contract price remains valid until expiration of the contract. The employer must re-survey to determine the current transit mode split and the price will be adjusted according to the new transit mode split. An employer with ECO Survey results showing a 0% transit mode split for two consecutive surveys shall not be allowed to participate in the Universal Pass program. Employer surveying shall be conducted in accordance with the schedule and other administrative program requirements established for the fare.
- (e) The pass price shall be calculated on an annual basis, from September 1 through August 31. For employers purchasing the pass mid-year, the price shall be pro-rated based on the number of months remaining in the year (September 1 through August 31).
- (i) For each employer contract, TriMet will issue Universal Pass fare instruments, subject to Paragraph G below, for all qualified employees at the contract price. If an

employer hires additional qualified employees during the contract term, the employer shall purchase additional fare instruments at the prorated cost for the additional new hires.

- (ii) Employers may re-sell the Universal Pass fare instrument to their employees however the price shall not exceed the employer's purchase price per employee.
- (f) If an employer wishes to include a category of exempted personnel in the Universal Pass program after commencement of the Universal Pass year who were not included in the employer's Employee Commute Survey, the employer must first conduct an Employee Commute Survey for the category. The employer's company transit mode split will be recalculated based on the results of that survey, and the employer's price per employee for the remainder of the Universal Pass year will be based on the new transit mode split.

(3) Universal Pass Price

(a) Regional Price

Employers meeting the requirements of this Paragraph E are eligible to purchase Universal Pass at the regional Universal Pass price as follows:

- (i) The minimum per pass price shall be \$50.00.
- (ii) For first and second year participation in Universal Pass, the per pass price shall be: (Transit Mode Split) X (Adult Annual Pass Price) calculated at the beginning of each contract year.
 - 1. For third year participation in Universal Pass and every year thereafter, subject to (a)(ii)2. and (a)(iii) below, the per pass price shall be calculated at the beginning of each contract year by (Transit Mode Split) X (Adult Annual Pass Price). However, when that price exceeds either (1) 10% of the employer's previous year's adjusted per pass price, or (2) the employer's previous year's adjusted per pass price by \$20 or more, the employer shall pay either a 10% increase in the adjusted per pass price or a \$20 increase in the adjusted per pass price, whichever is greater. "Adjusted per pass price" means the previous year's per pass price plus the percentage increase in the weighted Adult Annual Pass Price (fare) from the previous contract year.
 - 2. An Employer's price per pass shall not decrease more than 5% from the previous year's price, except that an employer that moves to a new location with a significant decrease in transit service shall not be subject to the 5% limitation.
- (iii) If, during an employer's third or subsequent year of participation in Universal Pass, TriMet places a new fixed transit service facility (e.g., new light rail lines, stations, commuter rail, busway) within ½ mile of an employer's worksite, the employer will be required to resurvey their employees and pricing shall be calculated as set forth below for the following year:
 - 1. Employers who have multiple worksites must resurvey their employees using the same method as was used in the employer's most recent prior survey.

2. The following year's pricing will be: (Transit Mode Split) X (Adult Annual Pass price), but not less than \$50.00 per pass. Pricing for subsequent years will be determined as provided by subparagraph (3)(a)(i) through (iii).

(4) Flat Rate Price

The Flat Rate Universal Pass price applies to employers who elect to create a separate zone ("Flat Rate Zone") in which all employers within the zone pay the same flat rate, regardless of the actual transit mode split of each individual employer. In order to qualify for a Flat Rate Zone Fare are, the Zone must meet all the following criteria:

- (a) The zone must have specific identifiable boundaries;
- (b) The zone must contain at least 5 employers and 5,000 employees, and approval of creation of the Flat Rate Zone shall be secured from employers representing 75% of the qualified employees of the area;
- (c) The zone must have an existing formal Transportation Management Association; and
- (d) The zone must have a partnership agreement with TriMet, designed to increase use of alternative transportation modes and decrease reliance on single occupant vehicle travel to the worksite.
- (e) Employers in a Flat Rate Zone are not eligible for the Regional Universal Pass price. All employers within the Flat Rate Zone who participate in Universal Pass must pay the Flat Rate fare price.
- (f) The Flat Rate fare is calculated as follows: (Aggregated transit mode split of employers in the area who are participating in Universal Pass) X (Adult Annual Pass Price).
- (g) The average transit mode split of employers in the area participating in Universal Pass is determined using the Employee Commute Survey and is calculated as: (Total transit trips to the worksite for employees of all participating employers) divided by (Total trips to the worksite for employees of all participating employers). Participants in the Universal Pass Flat Rate Fare Zone shall survey each year before June 30.
- (h) Participants in the Lloyd District Employer Universal Annual Pass Flat Rate Fare Program are eligible for the Flat Rate Price as set forth at subparagraph (f) above, which shall be subject to transition pricing defined as follows:
 - (i) For the contract year 2009-2010, the price per pass shall be: (Adult Annual Pass Price in effect during the term of the contract) X (0.2695).
 - (ii) For the contract year 2010-2011, and for each subsequent contract year, the price per pass shall be calculated as: (Aggregated transit mode split of employers in the flat rate area who are participating in the Lloyd District Employer Universal Annual Pass Flat Rate Fare program) X (Adult Pass Price). However, when that price exceeds 5% of the previous year's adjusted Flat Rate per pass price, the employer shall pay no more than a 5% increase over the previous year's adjusted Flat Rate per pass price. The aggregated transit mode split of employers in the Flat Rate area shall be determined using results from employee commute surveys conducted during the 2009-2010

contract year.

- (iii) When the Flat Rate per pass price as calculated above at subparagraph (ii) no longer exceeds 5% of the previous year's adjusted Flat Rate per pass price, then the per pass price for that contract year shall be recalculated using results from the most recent employee commute surveys.
- (iv) "Adjusted per pass price" means the previous year's Flat Rate per pass price plus the percentage increase in the weighted Adult Annual Pass Price (fare) from the previous contract year.
- (i) If an employer wishes to participate in Universal Pass at more than one worksite, the employer must survey qualified employees at each worksite separately to determine the transit mode split at each worksite. ~~Each worksite's price per pass is based on the transit mode split at that site.~~ An employer with multiple worksites, who also has a worksite(s) outside of the TriMet district may participate in Universal Pass at the out-of-district worksite(s) subject to the following:
 - (i) The total number of employees to be enrolled in Universal Pass located at the out-of-district worksite(s), must be less than 25% of the total number of employees enrolled in Universal Pass located at worksite(s) in the district.
 - (ii) The per pass price for all employees located at employer's worksite(s) outside the district shall be the aggregate per pass price of all the employer's worksites within the district.
 - (iii) When an employer's worksite location extends across Regional and Flat Rate Pricing zones, the pass price shall be based on the location of the employer's business address of record.

F. Non-Employer Pass Programs:

(1) Select Term Pass Program

- (a) Colleges with a campus(es) located within the TriMet district may purchase for their qualified students at that campus(es), Term passes in accordance with the Select Term Pass program requirements set forth in this Paragraph F and the administrative program requirements established for the fare. A "campus" means a building(s) located at one physical location within the TriMet district under the control of a college. "Qualified students" are either full-time or part-time students, as defined by the college administrative criteria, who attend class at a campus. The college shall be required to enter into a written contract for purchase of the Select Term Pass in accordance with the administrative program requirements established for the fare. The Select Term Pass fare instrument shall be valid for travel for the Term Pass fare period.
- (b) The Term Pass fare period shall be established in the written contract with the college. During the contract period, the Select Term Pass price shall be calculated on a per Term basis (Term Pass fare period). The price of the Select Term Pass shall be the sum of the number of months in the Term times the Board adopted Adult Monthly Pass fares that will be in effect during that Term, less a discount of 10%. The price will not be pro-rated. The

price paid by college for the Select Term Pass under a written contract is subject to adjustment to include any Adult Monthly Pass fare increases adopted by the TriMet Board that take effect during the term of the contract. Colleges shall pay any Select Term Pass price increases during the term of the contract in accordance with administrative program requirements.

- (c) Colleges shall verify student status before providing an individual with a Term Pass fare instrument. The Term Pass fare instrument may not be provided to or used by non-students and is non-transferable.
- (d) Only one pass may be sold to each qualified student per Term Pass fare period.

(2) Universal Term Pass Fare Program

- (a) Colleges with a campus(es) located within the TriMet district may purchase college term passes (“Universal Term Passes”) for their qualified students based on campus location(s) subject to this Paragraph F and administrative program requirements established for the Universal Term Pass fare. The college shall be required to enter into a written contract for purchase of Universal Term Pass for the period of three consecutive regular Terms, Fall through Spring as defined in subparagraph (e), and otherwise in accordance with administrative program requirements established for the fare. The college shall have the option of purchasing Universal Term Pass for the Summer Term, as defined below. For purposes of the Universal Term Pass fare, a “campus” means a building(s) located at one physical location within the TriMet district under the control of a college.
- (b) Colleges may elect to participate in Universal Term Pass for one or more campuses, as defined above. The college must purchase a pass for each qualified student at each participating campus(es) regardless of whether the student uses transit at the time of purchase. Colleges outside of the TriMet service district with a campus(es) as defined above, are eligible to participate in the Universal Term Pass program at that campus(es).
- (c) For purposes of the Universal Term Pass fare, “qualified” student means any person enrolled or expected to be enrolled in degree program for the Term or taking continuing education classes, and taking at least three credit hours for that Term. A student who attends multiple campuses is considered a qualified student at the campus where they are enrolled for a majority of their credit hours.
- (d) A Universal Term Pass fare instrument, subject to Paragraph G below, shall allow travel for TriMet services within the District, including regular service and door-to-door LIFT service.
- (e) During the contract period, the Universal Term Pass price shall be calculated on a per Term basis. The three consecutive regular Terms, Fall, Winter and Spring, are as follows: Fall Term shall be from September 1 or October 1 through December 31; Winter Term shall be from January 1 through March 31; Spring Term shall be from April 1 through June 30. The optional Summer Term shall be from July 1 through August 31.
 - ~~(i) During the contract period, TriMet will issue Term validation stickers for all qualified students at the contract price, each Term.~~
 - ~~(ii)~~ (i) Colleges may re-sell the Universal Term Pass fare instrument to their qualified students, however the price shall not exceed the college’s purchase price per student.

(f) Universal Term Pass Price

- (i) The Universal Term Pass fare price per student per Term is calculated as follows: (Adult Monthly Pass Price/3) X (Number of months in the Term). The price shall not be pro-rated.
- (ii) The total Universal Term Pass fare price for each campus for each Term shall be calculated as follows: (Total number of qualified students enrolled at that campus for the Term) X (Universal Term Pass fare price per student per Term).
- (iii) For second year participation in Universal Term Pass and every year thereafter, if the per pass price as calculated above exceeds either (1) 10% of the college's previous year's per pass price, or (2) the college's previous year's per pass price by \$20 or more, the college shall pay either a 10% increase in the per pass price or a \$20 increase in the per pass price, whichever is greater.

G. Employer Annual Pass and Non-Employer Pass Program Fare Instruments:

- (1) For all programs under Paragraph E and Paragraph F(2), the fare instrument shall consist of ~~the employee's or student's photo identification card with an affixed TriMet issued annual validation sticker~~ or a TriMet approved eFare Program card ("eFare card"), and must be carried by the employee or student as proof of fare payment.
- ~~(2) If using TriMet issued validation stickers, employers or colleges shall provide the employee or student with a photo identification card which must include the employee's or student's name and the company's or college's name. The validation sticker must be placed on the photo identification card. An employee's or student's photo identification card with an affixed TriMet annual validation sticker shall be valid through the month and year designated on the sticker.~~
- (23) Employers and colleges may use a TriMet approved eFare card, which shall be required to display the employer's or college's name and the employee's or student's name, and may include the employee's or student's photo. If the approved eFare card does not include a photo, the employee or college may be asked to display other valid photo identification as proof of their identity. Employees and students are required to tap their eFare card prior to each vehicle boarding and upon occupying any district areas requiring proof of fare payment.
- (34) Employers and colleges participating in Employer Annual Pass or Non-Employer Pass Programs shall verify employee or student status before providing an individual with an approved fare instrument. The fare instrument under this Paragraph G may not be provided to or used by non-employees or non-students, is non-transferable and is a valid fare instrument only for the person whose name appears on the card.

(19.15 amended by Ordinance No. 162, Section 1; Ordinance No. 175, Section 1; Ordinance No. 178, Section 1; Ordinance No. 190, Section 1; Ordinance No. 193, Section 1; Ordinance No. 194, Section 1; Ordinance No. 197, Section 1; Ordinance No. 198, Section 1; Ordinance No. 203; Ordinance No. 212; Ordinance No. 220, Section 1; Ordinance No. 226, Section 1; Ordinance No. 235, Section 1; Ordinance No. 236, Section 1, Ordinance No. 239, Section 1; Ordinance No. 241, Section 1; Ordinance Nos. 242, 246, 250, 251, 252, 255, 261, 262, 269, 277, 282, 286, 288, 289, 295, 299, 300, 308, 309, 312, 317, 321, 323, 333, 335, 338, 342, and 347).

19.20 **Exemption from Fares.**

- A. Children six (6) years of age and under shall ride free when accompanied by a fare-paying passenger. Otherwise the applicable fare shall be charged.
- B. One attendant, accompanying a customer who pays the appropriate fare and shows a valid TriMet Honored Citizen "A" Card (Marked with an "A"), shall ride free.
- C. Regularly sworn officers of local law enforcement agencies within the TriMet boundaries, and the Oregon State Police, are exempt from payment of fares on District vehicles upon displaying police identification or police badges upon request when entering or remaining upon any District vehicle.
- D. Uniformed, non-sworn security officers designated by the General Manager are exempt from payment of fares on District vehicles upon displaying TriMet issued identification upon request when entering or remaining on any District vehicle. The General Manager is authorized to establish administrative requirements to effectively implement the fare exemption.

(19.20 amended by Ordinance No. 190, Section 1; Ordinance No. 239, Section 1; Ordinance Nos. 269, 277 and 299).

19.25 **Transfers.**

A passenger may transfer freely from one regularly scheduled TriMet route to another in accordance with the status of the rider applicable to the passenger's means of payment, and during the time allotted on the transfer. Therefore:

- A. A monthly passholder may transfer to another regularly scheduled route at any time during the month for which the pass is issued.
- B. A holder of a valid transfer or machine validated ticket may transfer to another regularly scheduled route within the time as may be allotted on the passenger's transfer or validated ticket.
- C. A holder of a 1-Day Pass valid for unlimited travel on regularly scheduled TriMet routes may transfer to any other regularly scheduled route within the remainder of the service day for which it is first used.
- D. Transfers cannot be upgraded on regularly scheduled routes.
- E. Transfers are not transferable to another person.
- F. Transfers must have time remaining to be valid upon boarding the bus or MAX, and be retained for proof of payment.
- G. Printer issued bus transfer receipts and validated machine tickets are also transfers. MAX station machine tickets are issued to be valid for two and one-half hours from the time of validation. A printer issued bus transfer receipt is a valid transfer for two and one-half hours from the time of purchase.

(19.25 amended by Ordinance No. 162, Section 1, Ordinance No. 193, Section 1; Ordinance No. 226, Section 1; and Ordinance Nos. 252, 273, 286, 308, 317, 323 and 332)

19.30 **TriMet/C-Tran Fare Integration.**

- A. The TriMet and C-Tran fare structures are typically integrated in such a way as to make possible passenger trips over both systems at a fare that is the same as a trip of comparable distance over one system. The General Manager is hereby authorized to negotiate and execute a mutual service contract with C-Tran providing for fare integration.
- B. TriMet fares shall be valid for travel on C-Tran as specified in the most current TriMet/C-Tran Intergovernmental Agreement on such matters.

19.35 **Administration of Fares.**

The General Manager is authorized to develop detailed program requirements and documents to effectively implement Fares.

(19.35 amended by Ordinance No. 220, Section 1)

19.40 **Promotional Tickets and Passes.**

Promotional distribution of discounted and free tickets and passes from time to time is necessary or convenient to provision of TriMet's transit system. Discounted and free tickets and passes may be used to promote increased use of TriMet's transit system. The General Manager, or his or her designee, is therefore authorized to approve distribution of discounted and free tickets and passes for the following purposes:

- A. To provide an individual with an incentive to take their first trip on the transit system;
- B. To retain existing riders;
- C. To encourage existing riders to ride the transit system more often and for different trip purposes;
- D. To encourage individuals to use new services; or
- E. To shift patrons from over-utilized services and amenities to under-utilized services and amenities of the transit system.

(19.40 amended by Ordinance No. 220, Section 1; Ordinance No. 226, Section 1; Ordinance No. 239, Section 1, and Ordinance No. 282)

19.45 **Experimental Fares.**

Ordinances adopting experimental fares shall not be codified in the TriMet Code.

(19.45 amended by Ordinance No. 162, Section 1 and Ordinance No. 186, Section 1)

19.50 **Administrative Distribution of Free Tickets and Passes.**

Administrative distribution of free tickets and passes from time to time is necessary or convenient to provision of TriMet's transit system. The General Manager, or his or her designee, is therefore authorized to approve distribution of free tickets and/or passes in the following situations:

- A. To employees and their dependents, retirees of the District, and current and former Board members, and direct employees of ATU 757 and their dependents;
- B. On a case-by-case basis to individuals as settlement of a claim against the agency;
- C. To companies and/or individuals under contract with TriMet when a fare is required to perform the services of the contract;
- D. In recognition of voluntary services provided to TriMet where the amount of the services rendered is greater or equal to the value of the fare;
- E. On a case-by-case basis, to individuals who have received lower quality service than expected, to retain a customer;
- F. On a case-by-case basis, to groups and organizations for the purpose of demonstrating partnership and commitment to the community subject to the following criteria:
 - (1) Must be for a special event that would not take place without TriMet's involvement. It cannot be a substitute for the organization's regular operating expenses.
 - (2) The organization must not otherwise be able to afford the cost of fares; or
- G. For agency planning and demonstration of the transit system.

(19.50 added by Ordinance No. 239, Section 1; amended by Ordinance Nos. 242 and 282)

EXHIBIT “D” TO TRIMET ORDINANCE NO. XXX

AMENDING TRIMET CODE CHAPTER 19

(Final version as amended.)

CHAPTER 19 – FARES

19.05 **Definitions.** As used in this Chapter, unless the context requires otherwise:

I. “Honored Citizen” means:

- (1) Persons 65 years of age or older who show valid government-issued photo identification showing proof of age, or a valid TriMet photo Honored Citizen Card;
- (2) Persons under 65 years of age registered legally blind by the Commission for the Blind who show a valid TriMet Honored Citizen Card;
- (3) Persons under 65 years of age registered disabled by the Social Security Administration who show a valid TriMet Honored Citizen Card;
- (4) Persons under 65 years of age who are certified disabled by the State of Oregon Vocational Rehabilitation Division, State of Oregon Senior and Disabled Services Division or by the U.S. Railroad Retirement Board when each applies the same standards of disability as are applicable to persons who are determined to be disabled pursuant to subparagraph 3 above and who show a valid TriMet Honored Citizen Card;
- (5) Veterans under 65 years of age certified 100% disabled by the Veterans Administration who show a valid TriMet Honored Citizen Card;
- (6) Persons under 65 years of age qualifying as “Temporarily Disabled” under criteria established by TriMet, and so certified by a licensed physician, and who show a valid TriMet Honored Citizen Card;
- (7) Persons qualified eligible by the Clackamas, Clark, Multnomah or Washington County Association for Retarded Citizens, or the Clackamas, Multnomah or Washington County Mental Health Association under the criteria established by TriMet and those agencies, who show a valid TriMet Honored Citizen STAR Card (marked with a “STAR”);
- (8) Persons under 65 years of age, not verified disabled by the Commission for the Blind, Social Security Administration, United States Railroad Retirement Board or the Veterans Administration, but who qualify as disabled under criteria established by TriMet and are so certified by a licensed physician, and who show a valid TriMet Honored Citizen Card;
- (9) Persons certified by a licensed physician or health or social service professional to qualify for a TriMet Honored Citizen “A” Card (marked with an “A”) under criteria established by TriMet and who show a valid TriMet Honored Citizen “A” Card;

(10) Persons qualified eligible by C-Tran who show a valid C-Tran Senior, C-Tran Disabled, or C-Tran C-Van Identification Card; and

(11) Persons who show a valid Medicare Card and either (a) valid government-issued photo identification or (b) a valid TriMet photo Honored Citizen Card, as proof of identity for the Medicare Card.

Replacement TriMet Honored Citizen Cards are subject to payment of a \$5.00 fee.

J. “Reduced Fare” is a fare designation available to persons who are determined by TriMet to meet the eligibility requirements for a reduced fare because the person can demonstrate to TriMet’s satisfaction through a process established by TriMet that their annual income is at or less than 200% of the Federal Poverty Level. The Federal Poverty Level is a measure of income issued by the United States Secretary of Health and Human Services

(1) A person deemed eligible by TriMet for the Reduced Fare will be provided a non-transferable Reduced Fare identification card.

(2) The General Manager may promulgate Administrative Requirements governing eligibility, applications, the issuance and appearance of Reduced Fare cards, renewals, and any other requirements for the Reduced Fare.

K. “Peak Hours” shall be from 7:00 a.m. to 9:00 a.m. and/or 4:00 p.m. to 6:00 p.m., weekdays.

L. “Service Day” shall be defined as travel on TriMet from 03:00:00 a.m. to 02:59:59 a.m. of the following day.

M. “Scheduled Holidays” means New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

N. “Weekdays” shall include Monday through Friday of each week and shall exclude Saturdays, Sundays, and Scheduled Holidays.

O. “Youth” means persons in any of the following categories who show valid Youth fare identification and documentation as required by administrative rules established by the General Manager: (1) any person under 18 years of age; (2) any person who is a Kindergarten through Grade 12 student; and (3) any person enrolled in a general educational development program.

(19.05 amended by Ordinances No. 162, Section 1; Ordinance No. 178, Section 1; Ordinance No. 190, Section 1; Ordinance No. 239, Section 1; Ordinance Nos. 277, 286, 299, 309, 312, 316, 317, 323 and 347)

19.10 **Rosa Parks Day.**

To commemorate the legacy of Rosa Parks, all transit services will be zero fare on the date of her birth, February 4th.

[19.10 Zones amended by Ordinance No. 162, Section 1; Ordinance No. 197, Section 1; Ordinance No. 198, Section 2; Ordinance No. 226, Section 1; Ordinance Nos. 248, 252, 269, 277, 282, 286, 289, 293, 295, 299, 300, 312 and 317; Section 19.10 and Fare Zone Boundary Table repealed by Ordinance No. 323]

19.16 **Fares.**

The fares payable for use on the TriMet transit system shall vary according to the status of the rider and method of payment. Any person displaying a valid Reduced Fare identification card issued under TMC 19.05 is permitted to use as proof of payment any HONORED CITIZEN fare instrument, including eFare, described in this section. A valid Reduced Fare identification card qualifies as a TriMet Honored Citizen identification card when required to be displayed as proof of eligibility for an Honored Citizen fare.

Fares payable for use of Washington County Commuter Rail (WES) Service shall be the same as other regular fixed route fares established according to the status of the rider and the method of payment for travel as set forth in TMC Section 19.15.

The fares payable for use on TriMet shall be as follows:

A. Electronic Fare (“eFare”) Program

Use of an electronic fare payment system (“eFare”) Program shall be subject to the following fare provisions:

(1) eFare

- (a) “eFare” is a contactless electronic fare instrument that allows a rider to tap at designated card readers to pay their fare. eFare is either a reloadable eFare card, or an eFare single use paper ticket.
- (b) The rider must tap an eFare prior to each vehicle boarding to validate their trip or upon occupying district areas requiring proof of fare payment.
- (c) Validated eFare is non-transferable.
- (d) The following fares shall be available using stored value from an eFare card account, or purchase of an eFare single use paper ticket, according to the status of the rider:

(i) 2 ½ Hour Pass

A rider shall be allowed unlimited rides for a duration of 2 ½ hours following the initial eFare tap.

<u>Status</u>	<u>Fare</u>
YOUTH	\$1.25
HONORED CITIZEN	\$1.25
ADULT	\$2.50

(ii) 1-Day Pass

Fares paid per eFare card tap shall accumulate, and a rider shall be charged only up to the applicable value of the 1-Day Pass and not more (“capped”), regardless of how many taps the rider accrues during the service day. Once charges accrue to the applicable value of the 1-Day Pass during a service day, additional trips are free for the remainder of that

service day. Fares paid by eFare single use paper ticket shall be valid when tapped for travel on regular transit service for the remainder of the service day in which the 1-Day Pass is valid.

<u>Status</u>	<u>Fare</u>
YOUTH	\$2.50
HONORED CITIZEN	\$2.50
ADULT	\$5.00

(iii) 1-Month Pass

Fares paid per eFare card tap shall accumulate, and a rider shall be charged only up to the applicable value of the 1-Month Pass and not more (“capped”), regardless of how many taps the rider accrues during the calendar month. Once charges accrue to the applicable value of the 1-Month Pass during a calendar month, additional trips are free for the remainder of that calendar month.

<u>Status</u>	<u>Fare</u>
YOUTH	\$28.00
HONORED CITIZEN	\$28.00
ADULT	\$100.00

- (e) 2 ½ hour, 1-Day, and 1-Month passes may be loaded to eFare cards via employer based programs or registered institutions. All eFare card passes must be tapped to validate a trip or transfer.
- (f) Reloadable eFare cards shall be available for purchase for a fee of \$3.00.
- (g) A minimum \$5.00 load to an eFare card account shall be required, except that no minimum load shall be required for eFare cards loaded at the TriMet Ticket Office.
- (h) Payment of fares on LIFT paratransit services by an eFare card 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:
- (i) Single Ride Ticket: \$2.50
 - (ii) 1-Month Pass: \$74.00
 - (iii) 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.
 - (iv) Annual Passes may be purchased as one lump sum, according to the requirements set

forth in TMC Section 19.15(B)(1)(d).

- (v) Payment of a LIFT fare under this paragraph (h) 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.

B. Cash and Credit Card Payment:

(1) Cash Payment

(a) 2 ½ Hour Pass

<u>Status</u>	<u>Fare</u>
YOUTH	\$1.25
HONORED CITIZEN	\$1.25
ADULT	\$2.50

(b) 1-Day Pass

A 1-Day Fare shall be valid for travel on regular transit services for the remainder of the service day in which the 1-Day Fare is valid.

<u>Status</u>	<u>Fare</u>
YOUTH	\$2.50
HONORED CITIZEN	\$2.50
ADULT	\$5.00

(c) Annual Passes

<u>Status</u>	<u>Fare</u>
YOUTH	\$308.00
HONORED CITIZEN	\$308.00
ADULT	\$1,100.00

Annual Passes must be purchased as one lump sum. Annual Passes will be issued in the form of an eFare card.

(3) Other eFare Payment Instruments

Financial instruments issued by the major payment brands including VISA, MasterCard, American Express and Discover that are capable of providing payment through contactless tapping at designated card readers may be used to purchase the Adult 2 ½ Hour Pass and Adult 1-Day Pass per paragraphs (1)(d)(i) and (ii) above. The rider must tap their fare payment instrument prior to each vehicle boarding to validate their trip or upon occupying district areas requiring proof of fare payment.

C. Special Pre-Paid Event Passes:

(1) Field Trip Group Discount (“Class Pass”) Pass

- (4) Groups whose members are 18 years of age or younger, traveling with at least 15 but not more than 35 members on the bus, or with at least 15 but not more than 70 members on MAX, including other persons aged 18 or older traveling with the group as designated group leader(s) or chaperone(s), are eligible for the Field Trip Group Discount (“Class Pass”) eFare card. The cost of the pass shall be \$1.00 per person. A pass must be purchased for the trip. The pass shall be valid for travel only for the date, route(s), time(s), and number of persons specified on the itinerary. The group leader must carry the Class Pass eFare card for the group.
- (5) The group must schedule the trip at least 14 days in advance. Trips may be scheduled for weekdays or weekends using regularly scheduled service. Weekday trips must occur between the hours of 9:00 a.m. and 3:00 p.m. Specified trip times shall be at the discretion of TriMet. TriMet reserves the right to schedule trips according to anticipated available capacity on regularly scheduled service.

Possession of a Class Pass eFare card in no way guarantees available vehicle capacity on scheduled trip times. In the event that all members of a group are unable to board the vehicle as specified on the Class Pass eFare card, due to heavy passenger loads, the operator will arrange to have the Class Pass eFare be valid on the next regularly scheduled vehicle.

Groups wishing to reschedule a trip must cancel at least one business day in advance of the scheduled trip. Trips must be scheduled at least 14 days in advance of the new travel date.

- (6) A Class Pass shall be available for purchase only at TriMet’s Ticket Office at Pioneer Square, or by mail. A Class Pass eFare card must be purchased at least 14 days in advance and is nonrefundable, nontransferable, and shall not be laminated or duplicated. A Class Pass eFare Card is reloadable.

(2) Event Fare

An Event Fare for specified events shall be available for purchase through authorized ticket outlets. The Event Fare shall be issued on an eFare single use paper ticket, valid only when tapped. The Event Fare shall be \$2.50 per pass per day, which shall be valid fare for travel, all hours on the day of the event(s) for which the Event Fare is purchased. Passes for the event which are sold at the door shall not be included in the Event Fare program.

D. Door-to-Door LIFT Services:

- (1) The fare for door-to-door LIFT services, excluding rides paid for by agencies under contract with TriMet, shall be:

- (a) Cash: \$2.50 per ride.
- (b) Pre-paid LIFT Tickets: 10/\$25.00.
- (c) Monthly LIFT Pass: \$74.00; non-transferable.

- (d) Annual LIFT Pass: \$888.00; non-transferable.
- (e) A regularly scheduled service route transfer plus \$1.25.
- (f) Rides paid for by LIFT eFare card.
- (6) Purchase of a pre-paid ticket or pass does not guarantee that a ride will be provided.
- (7) Only cash and LIFT specific fares are valid on LIFT.
- (8) eFare single use tickets are not valid fare on LIFT.
- (9) 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.

E. Employer Annual Pass Fare Programs:

(1) Annual Pass Program

- (a) Employers who enter into a written annual agreement to purchase Annual Passes in a minimum dollar amount of \$6,050, may elect to make quarterly installment payments subject to administrative program requirements, and (b) employers who enter into a written annual agreement to purchase Annual Passes, where the Annual Pass year ends on August 31, shall receive a pro-rated per pass price in the sum of: (The number of months remaining in the Annual Pass Year) X (Monthly Pass Price) X (0.92).

(2) Universal Annual Pass Fare Program

- (a) Employers within the TriMet district may purchase annual passes (“Universal Passes”) for their qualified employees based on worksite location(s) subject to this Paragraph E and administrative program requirements established for the Universal Pass fare. The employer shall be required to enter into a written contract in a minimum annual amount of the Adult Annual pass price for purchase of Universal Passes in accordance with administrative program requirements established for the fare. The pass price shall be calculated according to this Paragraph E. For purposes of the Universal Pass fare, a “worksite” means a building(s) located at one physical location within the TriMet district under the control of an employer, except as the context requires otherwise under paragraph E(3)(iii) below.
- (b) Employers must purchase a pass for each qualified employee regardless of whether the employee uses transit at the time of purchase. For purposes of the Universal Pass fare, “qualified” employee means any person on or expected to be on the employer’s payroll, full or part-time (part-time is 80 or more hours per 28-day period), for at least six consecutive months, including business owners, associates, partners, and partners classified as professional corporations.
 - (i) An employee who works at multiple worksites is considered a qualified employee at the worksite of their cost center.
 - (ii) Contract employees, per-diem employees and/or temporary employees are considered qualified employees only if they are covered under the employer’s benefits package and have been included in the Employee Commute Options (ECO) Survey.

- (iii) Exempted from qualified employee status are: volunteers, employees working less than part-time, field personnel required to use their personal vehicle as a condition of their job, employees whose regular work commute has either a start or end time outside of TriMet service hours, residents of the State of Washington, independent contractors, temporary or seasonal employees hired for a term of less than 6 months, employees exempted by the Oregon Department of Environmental Quality for ECO purposes, employees who already have an annual transit pass from another source, and regularly sworn officers of local law enforcement agencies within the TriMet boundaries and the Oregon State Police. The total number of employee exemptions shall not exceed 50% of the employer's total employee population.
 - (iv) An employer who wishes to include in the Universal Pass program exempted personnel in the categories identified at subparagraph (b)(iii) above, must purchase passes for all individuals in the category and must include all individuals in the category in the ECO Survey.
- (c) The Universal Pass pricing structure is based on employer transit mode split. "Transit mode split" is defined as follows: (Total number of transit trips to worksite by qualified employees) divided by (Total number of trips to worksite by qualified employees). If more than one commute mode is used to travel to a worksite, the commute mode for the longest portion of the trip constitutes the determined commute mode. Transit Mode Split refers to the results from the most recent ECO Survey unless specifically stated otherwise in this Paragraph E.
- (d) Employers shall survey their qualified employees to determine transit mode split using an ECO Survey. If an employer moves their worksite(s) or adds a worksite(s) during a contract year, the contract price remains valid until expiration of the contract. The employer must re-survey to determine the current transit mode split and the price will be adjusted according to the new transit mode split. An employer with ECO Survey results showing a 0% transit mode split for two consecutive surveys shall not be allowed to participate in the Universal Pass program. Employer surveying shall be conducted in accordance with the schedule and other administrative program requirements established for the fare.
- (e) The pass price shall be calculated on an annual basis, from September 1 through August 31. For employers purchasing the pass mid-year, the price shall be pro-rated based on the number of months remaining in the year (September 1 through August 31).
- (j) For each employer contract, TriMet will issue Universal Pass fare instruments, subject to Paragraph G below, for all qualified employees at the contract price. If an employer hires additional qualified employees during the contract term, the employer shall purchase additional fare instruments at the prorated cost for the additional new hires.
 - (jj) Employers may re-sell the Universal Pass fare instrument to their employees however the price shall not exceed the employer's purchase price per employee.
- (g) If an employer wishes to include a category of exempted personnel in the Universal Pass program after commencement of the Universal Pass year who were not included in the employer's Employee Commute Survey, the employer must first conduct an Employee

Commute Survey for the category. The employer's company transit mode split will be recalculated based on the results of that survey, and the employer's price per employee for the remainder of the Universal Pass year will be based on the new transit mode split.

(3) Universal Pass Price

(a) Regional Price

Employers meeting the requirements of this Paragraph E are eligible to purchase Universal Pass at the regional Universal Pass price as follows:

- (iv) The minimum per pass price shall be \$50.00.
- (v) For first and second year participation in Universal Pass, the per pass price shall be: (Transit Mode Split) X (Adult Annual Pass Price) calculated at the beginning of each contract year.
 - 2. For third year participation in Universal Pass and every year thereafter, subject to (a)(ii)2. and (a)(iii) below, the per pass price shall be calculated at the beginning of each contract year by (Transit Mode Split) X (Adult Annual Pass Price). However, when that price exceeds either (1) 10% of the employer's previous year's adjusted per pass price, or (2) the employer's previous year's adjusted per pass price by \$20 or more, the employer shall pay either a 10% increase in the adjusted per pass price or a \$20 increase in the adjusted per pass price, whichever is greater. "Adjusted per pass price" means the previous year's per pass price plus the percentage increase in the weighted Adult Annual Pass Price (fare) from the previous contract year.
 - 2. An Employer's price per pass shall not decrease more than 5% from the previous year's price, except that an employer that moves to a new location with a significant decrease in transit service shall not be subject to the 5% limitation.
- (vi) If, during an employer's third or subsequent year of participation in Universal Pass, TriMet places a new fixed transit service facility (e.g., new light rail lines, stations, commuter rail, busway) within ½ mile of an employer's worksite, the employer will be required to resurvey their employees and pricing shall be calculated as set forth below for the following year:
 - 3. Employers who have multiple worksites must resurvey their employees using the same method as was used in the employer's most recent prior survey.
 - 4. The following year's pricing will be: (Transit Mode Split) X (Adult Annual Pass price), but not less than \$50.00 per pass. Pricing for subsequent years will be determined as provided by subparagraph (3)(a)(i) through (iii).

(4) Flat Rate Price

The Flat Rate Universal Pass price applies to employers who elect to create a separate zone ("Flat Rate Zone") in which all employers within the zone pay the same flat rate, regardless of the actual transit mode split of each individual employer. In order to qualify for a Flat Rate Zone Fare are, the Zone must meet all the following criteria:

- (i) The zone must have specific identifiable boundaries;
- (j) The zone must contain at least 5 employers and 5,000 employees, and approval of creation of the Flat Rate Zone shall be secured from employers representing 75% of the qualified employees of the area;
- (k) The zone must have an existing formal Transportation Management Association; and
- (l) The zone must have a partnership agreement with TriMet, designed to increase use of alternative transportation modes and decrease reliance on single occupant vehicle travel to the worksite.
- (m) Employers in a Flat Rate Zone are not eligible for the Regional Universal Pass price. All employers within the Flat Rate Zone who participate in Universal Pass must pay the Flat Rate fare price.
- (n) The Flat Rate fare is calculated as follows: (Aggregated transit mode split of employers in the area who are participating in Universal Pass) X (Adult Annual Pass Price).
- (o) The average transit mode split of employers in the area participating in Universal Pass is determined using the Employee Commute Survey and is calculated as: (Total transit trips to the worksite for employees of all participating employers) divided by (Total trips to the worksite for employees of all participating employers). Participants in the Universal Pass Flat Rate Fare Zone shall survey each year before June 30.
- (p) Participants in the Lloyd District Employer Universal Annual Pass Flat Rate Fare Program are eligible for the Flat Rate Price as set forth at subparagraph (f) above, which shall be subject to transition pricing defined as follows:
 - (i) For the contract year 2009-2010, the price per pass shall be: (Adult Annual Pass Price in effect during the term of the contract) X (0.2695).
 - (ii) For the contract year 2010-2011, and for each subsequent contract year, the price per pass shall be calculated as: (Aggregated transit mode split of employers in the flat rate area who are participating in the Lloyd District Employer Universal Annual Pass Flat Rate Fare program) X (Adult Pass Price). However, when that price exceeds 5% of the previous year's adjusted Flat Rate per pass price, the employer shall pay no more than a 5% increase over the previous year's adjusted Flat Rate per pass price. The aggregated transit mode split of employers in the Flat Rate area shall be determined using results from employee commute surveys conducted during the 2009-2010 contract year.
 - (iii) When the Flat Rate per pass price as calculated above at subparagraph (ii) no longer exceeds 5% of the previous year's adjusted Flat Rate per pass price, then the per pass price for that contract year shall be recalculated using results from the most recent employee commute surveys.
 - (iv) "Adjusted per pass price" means the previous year's Flat Rate per pass price plus the percentage increase in the weighted Adult Annual Pass Price (fare) from the

previous contract year.

- (q) If an employer wishes to participate in Universal Pass at more than one worksite, the employer must survey qualified employees at each worksite separately to determine the transit mode split at each worksite.

An employer with multiple worksites, who also has a worksite(s) outside of the TriMet district may participate in Universal Pass at the out-of-district worksite(s) subject to the following:

- (iv) The total number of employees to be enrolled in Universal Pass located at the out-of-district worksite(s), must be less than 25% of the total number of employees enrolled in Universal Pass located at worksite(s) in the district.
- (v) The per pass price for all employees located at employer's worksite(s) outside the district shall be the aggregate per pass price of all the employer's worksites within the district.
- (vi) When an employer's worksite location extends across Regional and Flat Rate Pricing zones, the pass price shall be based on the location of the employer's business address of record.

F. Non-Employer Pass Programs:

(1) Select Term Pass Program

- (e) Colleges with a campus(es) located within the TriMet district may purchase for their qualified students at that campus(es), Term passes in accordance with the Select Term Pass program requirements set forth in this Paragraph F and the administrative program requirements established for the fare. A "campus" means a building(s) located at one physical location within the TriMet district under the control of a college. "Qualified students" are either full-time or part-time students, as defined by the college administrative criteria, who attend class at a campus. The college shall be required to enter into a written contract for purchase of the Select Term Pass in accordance with the administrative program requirements established for the fare. The Select Term Pass fare instrument shall be valid for travel for the Term Pass fare period.
- (f) The Term Pass fare period shall be established in the written contract with the college. During the contract period, the Select Term Pass price shall be calculated on a per Term basis (Term Pass fare period). The price of the Select Term Pass shall be the sum of the number of months in the Term times the Board adopted Adult Monthly Pass fares that will be in effect during that Term, less a discount of 10%. The price will not be pro-rated. The price paid by college for the Select Term Pass under a written contract is subject to adjustment to include any Adult Monthly Pass fare increases adopted by the TriMet Board that take effect during the term of the contract. Colleges shall pay any Select Term Pass price increases during the term of the contract in accordance with administrative program requirements.
- (g) Colleges shall verify student status before providing an individual with a Term Pass fare instrument. The Term Pass fare instrument may not be provided to or used by non-students and is non-transferable.

(h) Only one pass may be sold to each qualified student per Term Pass fare period.

(3) Universal Term Pass Fare Program

- (g) Colleges with a campus(es) located within the TriMet district may purchase college term passes (“Universal Term Passes”) for their qualified students based on campus location(s) subject to this Paragraph F and administrative program requirements established for the Universal Term Pass fare. The college shall be required to enter into a written contract for purchase of Universal Term Pass for the period of three consecutive regular Terms, Fall through Spring as defined in subparagraph (e), and otherwise in accordance with administrative program requirements established for the fare. The college shall have the option of purchasing Universal Term Pass for the Summer Term, as defined below. For purposes of the Universal Term Pass fare, a “campus” means a building(s) located at one physical location within the TriMet district under the control of a college.
- (h) Colleges may elect to participate in Universal Term Pass for one or more campuses, as defined above. The college must purchase a pass for each qualified student at each participating campus(es) regardless of whether the student uses transit at the time of purchase. Colleges outside of the TriMet service district with a campus(es) as defined above, are eligible to participate in the Universal Term Pass program at that campus(es).
- (i) For purposes of the Universal Term Pass fare, “qualified” student means any person enrolled or expected to be enrolled in degree program for the Term or taking continuing education classes, and taking at least three credit hours for that Term. A student who attends multiple campuses is considered a qualified student at the campus where they are enrolled for a majority of their credit hours.
- (j) A Universal Term Pass fare instrument, subject to Paragraph G below, shall allow travel for TriMet services within the District, including regular service and door-to-door LIFT service.
- (k) During the contract period, the Universal Term Pass price shall be calculated on a per Term basis. The three consecutive regular Terms, Fall, Winter and Spring, are as follows: Fall Term shall be from September 1 or October 1 through December 31; Winter Term shall be from January 1 through March 31; Spring Term shall be from April 1 through June 30. The optional Summer Term shall be from July 1 through August 31.
- (i) Colleges may re-sell the Universal Term Pass fare instrument to their qualified students, however the price shall not exceed the college’s purchase price per student.
- (l) Universal Term Pass Price
- (i) The Universal Term Pass fare price per student per Term is calculated as follows: $(\text{Adult Monthly Pass Price}/3) \times (\text{Number of months in the Term})$. The price shall not be pro-rated.
- (ii) The total Universal Term Pass fare price for each campus for each Term shall be calculated as follows: $(\text{Total number of qualified students enrolled at that campus for the Term}) \times (\text{Universal Term Pass fare price per student per Term})$.
- (iii) For second year participation in Universal Term Pass and every year thereafter, if the

per pass price as calculated above exceeds either (1) 10% of the college's previous year's per pass price, or (2) the college's previous year's per pass price by \$20 or more, the college shall pay either a 10% increase in the per pass price or a \$20 increase in the per pass price, whichever is greater.

G. Employer Annual Pass and Non-Employer Pass Program Fare Instruments:

- (1) For all programs under Paragraph E and Paragraph F(2), the fare instrument shall consist of a TriMet approved eFare Program card ("eFare card"), and must be carried by the employee or student as proof of fare payment.
- (2) Employers and colleges may use a TriMet approved eFare card, which shall be required to display the employer's or college's name and the employee's or student's name, and may include the employee's or student's photo. If the approved eFare card does not include a photo, the employee or college may be asked to display other valid photo identification as proof of their identity. Employees and students are required to tap their eFare card prior to each vehicle boarding and upon occupying any district areas requiring proof of fare payment.
- (3) Employers and colleges participating in Employer Annual Pass or Non-Employer Pass Programs shall verify employee or student status before providing an individual with an approved fare instrument. The fare instrument under this Paragraph G may not be provided to or used by non-employees or non-students, is non-transferable and is a valid fare instrument only for the person whose name appears on the card.

(19.15 amended by Ordinance No. 162, Section 1; Ordinance No. 175, Section 1; Ordinance No. 178, Section 1; Ordinance No. 190, Section 1; Ordinance No. 193, Section 1; Ordinance No. 194, Section 1; Ordinance No. 197, Section 1; Ordinance No. 198, Section 1; Ordinance No. 203; Ordinance No. 212; Ordinance No. 220, Section 1; Ordinance No. 226, Section 1; Ordinance No. 235, Section 1; Ordinance No. 236, Section 1, Ordinance No. 239, Section 1; Ordinance No. 241, Section 1; Ordinance Nos. 242, 246, 250, 251, 252, 255, 261, 262, 269, 277, 282, 286, 288, 289, 295, 299, 300, 308, 309, 312, 317, 321, 323, 333, 335, 338, 342, and 347).

19.21 **Exemption from Fares.**

- A. Children six (6) years of age and under shall ride free when accompanied by a fare-paying passenger. Otherwise the applicable fare shall be charged.
- B. One attendant, accompanying a customer who pays the appropriate fare and shows a valid TriMet Honored Citizen "A" Card (Marked with an "A"), shall ride free.
- C. Regularly sworn officers of local law enforcement agencies within the TriMet boundaries, and the Oregon State Police, are exempt from payment of fares on District vehicles upon displaying police identification or police badges upon request when entering or remaining upon any District vehicle.
- D. Uniformed, non-sworn security officers designated by the General Manager are exempt from payment of fares on District vehicles upon displaying TriMet issued identification upon request when entering or remaining on any District vehicle. The General Manager is authorized to establish administrative requirements to effectively implement the fare exemption.

(19.20 amended by Ordinance No. 190, Section 1; Ordinance No. 239, Section 1; Ordinance Nos. 269, 277 and 299).

19.26 **Transfers.**

A passenger may transfer freely from one regularly scheduled TriMet route to another in accordance with the status of the rider applicable to the passenger's means of payment, and during the time allotted on the transfer. Therefore:

- A. A monthly passholder may transfer to another regularly scheduled route at any time during the month for which the pass is issued.
- B. A holder of a valid transfer or machine validated ticket may transfer to another regularly scheduled route within the time as may be allotted on the passenger's transfer or validated ticket.
- C. A holder of a 1-Day Pass valid for unlimited travel on regularly scheduled TriMet routes may transfer to any other regularly scheduled route within the remainder of the service day for which it is first used.
- D. Transfers cannot be upgraded on regularly scheduled routes.
- E. Transfers are not transferable to another person.
- F. Transfers must have time remaining to be valid upon boarding the bus or MAX, and be retained for proof of payment.
- G. Printer issued bus transfer receipts and validated machine tickets are also transfers. MAX station machine tickets are issued to be valid for two and one-half hours from the time of validation. A printer issued bus transfer receipt is a valid transfer for two and one-half hours from the time of purchase.

(19.25 amended by Ordinance No. 162, Section 1, Ordinance No. 193, Section 1; Ordinance No. 226, Section 1; and Ordinance Nos. 252, 273, 286, 308, 317, 323 and 332)

19.31 **TriMet/C-Tran Fare Integration.**

- A. The TriMet and C-Tran fare structures are typically integrated in such a way as to make possible passenger trips over both systems at a fare that is the same as a trip of comparable distance over one system. The General Manager is hereby authorized to negotiate and execute a mutual service contract with C-Tran providing for fare integration.
- B. TriMet fares shall be valid for travel on C-Tran as specified in the most current TriMet/C-Tran Intergovernmental Agreement on such matters.

19.35 **Administration of Fares.**

The General Manager is authorized to develop detailed program requirements and documents to effectively implement Fares.

(19.35 amended by Ordinance No. 220, Section 1)

19.41 **Promotional Tickets and Passes.**

Promotional distribution of discounted and free tickets and passes from time to time is necessary or convenient to provision of TriMet's transit system. Discounted and free tickets and passes may be used to promote increased use of TriMet's transit system. The General Manager, or his or her designee, is therefore authorized to approve distribution of discounted and free tickets and passes for the following purposes:

- A. To provide an individual with an incentive to take their first trip on the transit system;
- B. To retain existing riders;
- C. To encourage existing riders to ride the transit system more often and for different trip purposes;
- D. To encourage individuals to use new services; or
- E. To shift patrons from over-utilized services and amenities to under-utilized services and amenities of the transit system.

(19.40 amended by Ordinance No. 220, Section 1; Ordinance No. 226, Section 1; Ordinance No. 239, Section 1, and Ordinance No. 282)

19.45 **Experimental Fares.**

Ordinances adopting experimental fares shall not be codified in the TriMet Code.

(19.45 amended by Ordinance No. 162, Section 1 and Ordinance No. 186, Section 1)

19.51 **Administrative Distribution of Free Tickets and Passes.**

Administrative distribution of free tickets and passes from time to time is necessary or convenient to provision of TriMet's transit system. The General Manager, or his or her designee, is therefore authorized to approve distribution of free tickets and/or passes in the following situations:

- A. To employees and their dependents, retirees of the District, and current and former Board members, and direct employees of ATU 757 and their dependents;
- B. On a case-by-case basis to individuals as settlement of a claim against the agency;
- C. To companies and/or individuals under contract with TriMet when a fare is required to perform the services of the contract;
- D. In recognition of voluntary services provided to TriMet where the amount of the services rendered is greater or equal to the value of the fare;
- E. On a case-by-case basis, to individuals who have received lower quality service than expected, to retain a customer;

F. On a case-by-case basis, to groups and organizations for the purpose of demonstrating partnership and commitment to the community subject to the following criteria:

(1) Must be for a special event that would not take place without TriMet's involvement. It cannot be a substitute for the organization's regular operating expenses.

(2) The organization must not otherwise be able to afford the cost of fares; or

G. For agency planning and demonstration of the transit system.

(19.50 added by Ordinance No. 239, Section 1; amended by Ordinance Nos. 242 and 282)