

CHAPTER 29 – REGULATIONS GOVERNING PROOF OF FARE PAYMENT

29.5 **Findings.** The Board of Directors finds as follows:

- A. That a system of self-service fare payment will create substantial cost savings to the residents and taxpayers of TriMet and to the users of its transportation facilities, and
- B. That a self-service system will contribute to a more efficient and more convenient transportation service, both for drivers and for passengers, and
- C. That in order to establish a viable self-service system it is necessary to adopt incentives and disincentives to encourage TriMet passengers to pay the required fares and to carry proof of payment while occupying TriMet vehicles.

29.10 **Definitions.** A used in this Chapter, unless the context requires otherwise:

- A. “Activated mobile ticket” means a TriMet authorized mobile ticket that has been time validated and in active use by a person clicking the “Use” function of the mobile ticket application on their phone.
- B. “Commuter Rail Platform”, as used in this Chapter, means an area used exclusively for boarding and deboarding, or waiting for, a commuter rail train, including adjoining stairways, ramps and elevators.
- C. “Inspector” means a person other than a “peace officer” authorized by the General Manager or by the provisions of TMC Chapters 28, 29 or 30 to demand proof of fare payment and to issue citations as provided hereunder.
- D. “Light Rail Platform”, as used in this Chapter, means an area used exclusively for boarding and deboarding, or waiting for, a light rail train, including adjoining stairways, ramps and elevators.
- E. “Proof of Fare Payment” means:
 - (1) A TriMet pass or a C-Tran (Clark County Public Transportation Authority) pass valid for the status of the person and the time of use;
 - (2) A receipt, including a digital image of an activated mobile ticket on a person’s phone, showing or evidencing payment of the applicable fare, valid for the status of the person, used within the time applicable to the receipt;
 - (3) A prepaid ticket or series of tickets showing validation by TriMet time stamp, valid for the status of the person, used within the time applicable to the ticket;
 - (4) A TriMet issued validation sticker affixed to a photo identification card that is issued by TriMet, an employer or college and is valid for the period designated on

the sticker, and used by the person whose name and photo appear on the identification card;

(5) A valid eFare Payment Instrument; or

(6) Any other fare instrument and any fare identification or documentation required by TMC Chapter 19 or by experimental fare ordinance.

F. “To Exhibit Proof of Fare Payment” for a mobile ticket means:

(1) To display the digital image of an activated mobile ticket on the person’s phone;

(2) To tap or otherwise display the mobile ticket application fare security features on the person’s phone;

(3) To permit mobile ticket bar code scanning of the person’s phone by Inspectors or peace officers; or

(4) To show any other fare instrument and any fare identification or documentation required by TMC Chapter 19 or by experimental fare ordinance for use of the mobile ticket.

G. “To Exhibit Proof of Fare Payment” for an eFare Payment Instrument means:

(1) To present a valid eFare Payment Instrument and to permit scanning of the person’s eFare Payment Instrument by Inspectors or peace officers, to demonstrate the eFare Payment’s validity; or

(2) To show any other fare instrument and any fare identification or documentation required by TMC Chapter 19 or by experimental fare ordinance for use of the eFare Payment Instrument.

H. “Valid eFare Payment Instrument” means an eFare card or ticket, or any contactless financial instrument authorized by TMC Chapter 19 for payment of electronic fare that has been:

(1) Tapped and accepted at an eFare card reader; or

(2) Validated by a TriMet ticket vending machine or other TriMet validation equipment;

prior to each vehicle boarding or upon occupying any district area requiring proof of fare payment.

(29.10 amended by Ordinance No. 179, Section 2; Ordinance No. 239, Section 1; Ordinance Nos. 266; 297, 303, 323, 330 and 342)

29.15 **Prohibitions.**

- A. It shall be unlawful for any person to occupy, ride in or use, any District Vehicle without paying the applicable fare.
- B. It shall be unlawful for any person to occupy, ride in or use, any District Vehicle without carrying proof of fare payment.
- C. It shall be unlawful for any person occupying a District Vehicle, or occupying a light rail platform upon disembarking a light rail vehicle, or occupying a commuter rail platform upon disembarking a commuter rail vehicle, to fail to carry or to fail to exhibit proof of fare payment upon demand of an Inspector or a peace officer.
- D. It shall be unlawful for any person to fail to provide his or her name, address or identification to an Inspector or a peace officer, as required by TMC 29.20.
- E. It shall be unlawful for any person, required by TMC 29.20 to provide his or her name, address or identification to provide a false name, address or identification.
- F. It shall be unlawful for any person to occupy without carrying proof of fare payment, the 42nd Avenue (Hollywood), 60th Avenue, 82nd Avenue, Parkrose/Sumner or Sunset Transit Center light rail station platforms, or the Washington Park Station light rail platforms and elevators, or any light rail or commuter rail platform where signage is posted requiring the carrying of proof of fare payment.
- G. It shall be unlawful for any person occupying the 42nd Avenue (Hollywood), 60th Avenue, 82nd Avenue, Parkrose/Sumner or Sunset Transit Center light rail station platforms, or the Washington Park Station light rail platforms and elevators, or any light rail or commuter rail platform where signage is posted requiring the carrying of proof of fare payment, to fail to exhibit proof of fare payment upon demand of an Inspector or a peace officer.

(29.15 amended by Ordinance No. 179, Section 2; Ordinance No. 216, Section 1; Ordinance No. 228, Section 1; Ordinance No. 266; Ordinance No. 278; Ordinance No. 291 and Ordinance No. 303)

- 29.20 **Identification.** A person failing to exhibit Proof of Payment upon demand by an Inspector or a peace officer shall provide the Inspector or peace officer, his or her name and residence address and shall exhibit upon request of the Inspector or peace officer whatever written identification, if any, may be carried by the person. Pursuant to ORS 153.039, an Inspector or a peace officer may stop and detain persons for the purpose of issuing a citation.

(29.20 amended by Ordinance No. 266)

- 29.25 **Administration.** The General Manager may adopt such procedures as may be necessary from time to time for the administration of this Chapter.

29.30 **Construction.** Nothing herein is intended to compromise or waive the right to enforce concurrently, or in the alternative, other remedies available pursuant to the Oregon Criminal Code, including those applicable to the crime of Theft of Service or Trespass.

29.35 **Penalties.** Any person who violates any provision of TMC Section 29.15 commits a violation as defined in ORS 153.005 and 153.008 punishable by a fine of not more than \$250. The presumptive fine amount for a violation of TMC Section 29.15 is \$175.

(29.35 amended by Ordinance No. 266; Ordinance No. 275; Ordinance No. 303; Ordinance No. 310; and Ordinance No. 337)

29.40 **Enforcement.**

A. Inspectors, peace officers appointed by the General Manager and all peace officers of the State of Oregon are authorized to issue citations, as provided by Oregon law, to any person who violates any provision of TMC Chapter 29.

Inspectors are not police officers as defined by ORS Chapter 237, and only have the powers to arrest afforded a private person under ORS 133.225.

B. Citation forms as authorized pursuant to ORS Chapter 153 may be used for any violation of TMC 29.15.

C. Any peace officer, Inspector, vehicle operator, or District Rail Controller, has the authority to refuse entrance on a District Vehicle or District Station or to require departure from a District Vehicle or District Station of any person who violates any provision of TMC 29.15.

(29.40 amended by Ordinance No. 179, Section 2; Ordinance No. 182, Section 2; Ordinance No. 208, Section 1; and Ordinance No. 266)