

1 [Urging the California State Legislature to Amend State Law for Youth Fare Evasion]

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3 **Resolution urging the California State Legislature to amend State law to remove the**
4 **exclusion of minors from the authority of local jurisdictions; to create an administrative**
5 **penalty for fare evasion and other minor transit violations; and remove the processing**
6 **of these violations from the Court system.**

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8 WHEREAS, Youth are considered transit-dependent when they are old enough to
9 travel independently, but not yet old enough to drive; and

10 WHEREAS, According to California department of finance data, the number of
11 individuals below the driving age is expected to grow 42.5% by 2050; and

12 WHEREAS, Budget cuts to school districts have hampered districts' ability to provide
13 transportation to students, where youth ridership on schools buses already sits lowest in the
14 nation at 16%; and

15 WHEREAS, Many transit agencies around California now offer reduced-price or free
16 passes for youth riders, including San Francisco which has made low and moderate income
17 youth eligible for free transit passes, for which approximately 75% (approximately 34,000) of
18 San Francisco's public school children qualify; and

19 WHEREAS, In 2006, the San Francisco Municipal Transportation Agency (SFMTA), in
20 conjunction with the Los Angeles Metropolitan Transportation Authority (LAMTA), successfully
21 changed state law (SB 1746-Migden) to create an administrative fine and processing
22 alternative for adults receiving transit related violations, most commonly for fare evasion,
23 shifting the jurisdiction for processing citations written under this code from the Superior Court
24 to an administrative processing agency, similar to parking tickets; and

25 WHEREAS, SB 1746 did not apply to citations issued to youth under the age of 18; and

1 WHEREAS, By retaining the jurisdiction for administration of the transit violations for
2 youth in the court system, an undue burden is placed on children and families by requiring
3 them to appear in court during school and/or work hours while adults are able to simply pay or
4 protest their violation by mail, online or by phone; and

5 WHEREAS, Youth may be subject to criminal penalties and administrative fees, while
6 the failure to appear in court may also result in a warrant being issued and further criminal
7 penalties, increasing the workload of the court system and penalizes youth more significantly
8 than adults for the same violations; and

9 WHEREAS, The SFMTA is considering the establishment of service-based program in
10 lieu of fines; and

11 WHEREAS, Considering the evolution and projected future of transit ridership for youth
12 in California, it's time to change the law to reflect this reality and take minor transit citations for
13 youth out of the criminal court system; now, therefore, be it

14 RESOLVED, That the San Francisco Board of Supervisors urges the California State
15 Legislature to amend State law to remove the exclusion of minors from the authority of local
16 jurisdictions; to create an administrative penalty for fare evasion and other minor transit
17 violations including eating or drinking in the system, disturbances, and smoking; and remove
18 the processing of these violations from the Court system.

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