

1 [Transportation Code - Fare Evasion and Clipper Card Regulations]

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3 **Ordinance amending San Francisco Transportation Code, Division I, Article 7 (Transit**
4 **Violations) Sections 7.2.101 and 7.2.104 to eliminate restrictions on rear exit boarding**
5 **of Municipal Railway transit vehicles in revenue service and clarify that failure to tag a**
6 **Clipper Card transponder or card reader is a violation of Section 7.2.104; and making**
7 **environmental findings and technical corrections.**

8 NOTE: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strike-through italics Times New Roman*~~.
10 Board amendment additions are double-underlined;
Board amendment deletions are ~~strike-through normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. The Planning Department has determined that the actions contemplated in
13 this ordinance comply with the California Environmental Quality Act (California Public
14 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the
15 Board of Supervisors in File No. _____ and is incorporated herein by reference.

16 Section 2. Article 7 of the San Francisco Transportation Code is hereby amended by
17 amending Sections 7.2.101 and 7.2.104, to read as follows:

18 **SEC. 7.2. INFRACTIONS.**

19 In addition to public offenses created by the Vehicle Code, the actions listed in this
20 Section 7.2 are prohibited, and each and every violation of a prohibition listed below shall be
21 an infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c) as
22 necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d) with
23 respect to a Municipal Parking Facility, upon the direction of an authorized parking attendant;
24 or (e) with respect to any other Public Property, except with the permission of, and subject to
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1 such conditions and regulations as are imposed by the agency that owns the property that are
2 available for public inspection at the agency's offices.

3 **SEC. 7.2.101. FARE EVASION REGULATIONS.**

4 (a) For any passenger or other person in or about any public transit station (including
5 an outdoor high-level boarding platform or station operated by the Bay Area Rapid Transit
6 District), light rail vehicle, streetcar, cable car, motor coach, trolley coach or other public transit
7 vehicle to evade any fare collection system or proof of payment program instituted by the
8 Municipal Transportation Agency.

9 (b) For any person to board or ride a light rail vehicle, streetcar, motor coach, trolley
10 coach without prior or concurrent payment of fare.

11 (c) ~~For any person to board a streetcar, motor coach, trolley coach through the rear exit
12 except: (i) when a representative of the transit system is present at such exit for the collection of fares
13 or transfers or the inspection for proof of payment; (ii) when the streetcar, motor coach, trolley coach
14 or other transit vehicle is operating at a station or boarding platform where fares are collected prior to
15 boarding the transit vehicle; (iii) when necessary for access by persons with disabilities on wayside
16 boarding platforms; (iv) when the streetcar, motor coach, or trolley coach is operating in a Proof of
17 Payment Zone; or (v) on lines, routes or at locations designated by the SFMTA.~~

18 ~~(d)~~ To fail to display a valid fare receipt or transit pass at the request of any authorized
19 representative of the transit system or duly authorized peace officer while on a transit vehicle
20 or in a Proof of Payment Zone.

21 ~~(e)~~ To misuse any transfer, pass, ticket, or token with the intent to evade the payment
22 of any fare.

23 ~~(f)~~ To knowingly use or attempt to use any illegally printed, duplicated, or otherwise
24 reproduced token, card, transfer or other item for entry onto any transit vehicle or into any
25 transit station with the intent of evading payment of a fare.

1 (~~g~~) For any unauthorized person to use a discount ticket or fail to present, upon
2 request from a system fare inspector, acceptable proof of eligibility to use a discount ticket.

3 (127)

4 **SEC. 7.2.104 CLIPPER CARD REGULATIONS.**

5 (a) To fail to display a valid Clipper card at the request of any authorized
6 representative of the transit system or duly authorized peace officer while on a transit vehicle
7 or in a Proof of Payment Zone.

8 (b) To misuse any Clipper card with the intent to evade the payment of any fare, or
9 to fail to tag a Clipper card transponder or card reader while on a transit vehicle or in a Proof of
10 Payment Zone.

11 (c) To knowingly use or attempt to use any illegally printed, duplicated, or otherwise
12 reproduced Clipper card for entry onto any transit vehicle or into any transit station with the
13 intent of evading payment of a fare.

14 (d) For any unauthorized person to use a discount Clipper card or fail to present,
15 upon request from a system fare inspector, acceptable proof of eligibility to use a discount
16 Clipper card.

17 Section 3. Effective Date. This ordinance shall become effective 30 days from the
18 date of passage.

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20 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
21 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
22 punctuation, charts, diagrams, or any other constituent part of the Transportation Code that
23 are explicitly shown in this legislation as additions, deletions, Board amendment additions,
24 and Board amendment deletions in accordance with the "Note" that appears under the official
25 title of the legislation.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By: _____
4 JOHN I. KENNEDY
5 Deputy City Attorney

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