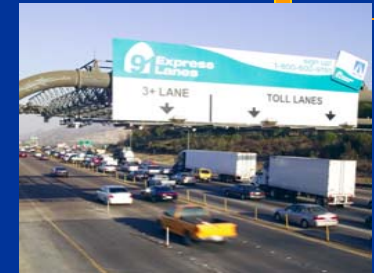


Fare Evasion



Board of Directors' Meeting
April 13, 2009

Defining the Problem

- Fare evasion
- Short fares
- Misuse of passes



".....without having previously paid his fare and with intent to avoid the payment thereof."

Wales, 1869

How Big Is the Problem?

- Difficult to quantify in an open system
- Other major metro systems have cited varying fare evasion rates
 - 0.5% (NYC)
 - 1.31% (Sacramento, light rail)
 - 1.87% (Portland)
 - 2.06% (Denver, light rail)
 - 2.1% (Boston)

California Penal Code § 640

- (a) Any of the acts described in subdivision (b) is an infraction punishable by a fine not to exceed two hundred fifty dollars (\$250) and by community service for a total time not to exceed 48 hours over a period not to exceed 30 days, during a time other than during his or her hours of school attendance or employment, when committed on or in any of the following:
 - (1) A facility or vehicle of a public transportation system as defined by Section 99211 of the Public Utilities Code.
- (b) (1) Evasion of the payment of a fare of the system.
- (b) (2) Misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare.

OCTA's Policy

- *Coach Operator Handbook, 2005 ed.*
 - “If customers do not pay the prescribed fare, politely inform them that unless they pay the fare, they will not be transported...”
 - “Avoid arguing with a customer...”
 - “If stating the fare policy and the expectation of payment does not convince the customer to pay the fare or leave the bus, request assistance from Central Communications.”

Coach Operator Incident Reports of Fare Evasion, 2003 - 2008

| Year | Incident Reports | Transit Police Services Not Requested | Transit Police Services Responded | Other Law Enforcement Responded | Citations Issued |
|------|------------------|---------------------------------------|-----------------------------------|---------------------------------|------------------|
| 2003 | 65 | 33 | 28 | 4 | 10 |
| 2004 | 126 | 76 | 45 | 5 | 7 |
| 2005 | 138 | 82 | 51 | 5 | 11 |
| 2006 | 128 | 75 | 50 | 3 | 6 |
| 2007 | 173 | 91 | 78 | 4 | 17 |
| 2008 | 201 | 128 | 68 | 5 | 18 |

Marketing Efforts

- Instructions to vendors stress the need to verify eligibility for discount passes.
- Vendor visits reinforce this requirement.
- On-board public education

Fare Evasion Poster on Buses

USING THE WRONG PASS CAN COST YOU \$250!

California Penal Code 640(b)(2) prohibits misuse of a pass with the intent to evade payment of a fare.

It's against the law to use a Youth Pass if you're over 18. It's also against the law to use a Senior Pass if you're under 65. Always present your ID when the coach operator asks.



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Letter to Pass Vendors

As a Reminder...

It is your responsibility to make sure the pass you provide to a bus rider is a pass that may be used by the customer. Passengers purchasing Senior/Disabled passes or youth passes are routinely asked to show their identification used to purchase the discounted pass when boarding the bus. When a pass is sold to a customer who does not have acceptable ID, that customer will not be able to use the pass and will be asked to pay the full fare on the bus to ride.

As detailed in the Bus Pass Sellers and Distributors Policy and Procedure you received with your Pass Sellers Agreement, the following rules apply:

Youth Pass

Children under 7 years old may ride free when accompanied by an adult. Children ages 7 to 18 may use a Youth Pass or a Summer Youth Pass.

Senior/Disabled Pass

If the patron is 65 years or older, one of the following documenting age is required:

- DMV Driver License or Senior ID card
- Red, white and blue Medicare card
- An OCTA reduced fare photo identification card



Persons with disabilities must provide verification of their disability. Acceptable verification includes:

- Red, white and blue Medicare card
- OCTA reduced fare photo identification card from another transit agency
- Service-connected Veteran identification card
- Braille Institute identification card
- DMV Disabled Placard
- Customer Receipt Copy
- ACCESS eligible OCTA reduced fare photo / identification card



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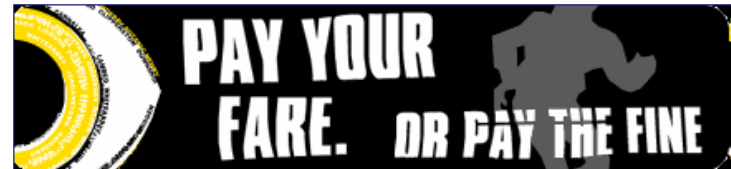


Enforcement Efforts by Transit Police Services

- Risk-based allocation of resources
 - Uniformed deputies on buses
 - “Zero Tolerance” days
 - Route or grid targeted enforcement

What Are Others Doing?

- Fare inspectors
 - Non-sworn
 - May be employees or contracted
- Public information campaigns



What Are Others Doing?

- SF Muni fare inspectors wrote 26,737 fare evasion citations in 2008.
 - Amount recovered: \$492,232
 - Cost of enforcement: \$2,712,000

Rachel Gordon, "Muni catching 50 percent more fare evaders."
Chronicle, January 7, 2009.

Joe Eskenazi, "Is Muni Losing Millions on its Fare-Evasion Program?",
SF Weekly, January 7, 2009.

Limitations on Enforcement

- In OCTA's pay-on-entry system, cash riders have no receipt. Blanket fare inspections are impossible.
- Uniformed deputies on buses certainly discourage fare evasion. But deputies so deployed are unable to respond to calls for service anywhere else in the system.

Limitations on Enforcement, cont.

- Criminal prosecution
 - Base fine: \$50
 - Trial fine: \$246
 - OCTA receives no portion of fine/penalties.
 - Trial requires appearance by coach operator and the citing deputy.

Continuing Efforts

- Marketing: continue education efforts with bus pass vendors
- Operations: reinforce training for coach operators to check IDs to validate discount passes
- TPS: continue aggressive response to coach operator requests for assistance

Options to Explore

- Initiate a fare evasion survey to attempt to identify actual losses.
 - Cost of survey?
 - Validity of information obtained?
- Investigate using OCTA staff to augment coach operators checking IDs.
- Roundtables with Marketing, Security, TPS, Operations and others

Questions and Discussion