

OFFICE OF OPERATIONS

NOTICE

March 20, 2018

1.11

TO: All Sworn Personnel

FROM: Director, Office of Operations

SUBJECT: ENFORCEMENT OF FARE EVASION BY JUVENILES - REVISED

On July 1, 2017, the Department entered into a five-year agreement with the Los Angeles County Metropolitan Transportation Authority (LACMTA or Metro) to provide contractual policing services to the portions of the LACMTA transportation system that operate within the City. These services include responding to calls for service involving bus and rail lines within the City, as well as the enforcement of California Penal Code Sections 640(c)(1)-(3), which make it illegal to: evade the payment of a fare on a public transit system; misuse a transfer, pass, ticket, or token with the intent to evade the payment of a fare; and use a discounted ticket without authorization.

For adult violators, the first and second offenses of these fare evasion statutes are infractions, with the third and subsequent violations charged as misdemeanors. Department personnel shall utilize either the Nontraffic Notice to Appear (RFC), LAPD Form 05.02.02, or the LACMTA Electronic Notice of Transit Violation, which is based on LACMTA's Title 6, Chapter 6-05 ordinance. This ordinance is entitled the *Metro Customer Code of Conduct*. Section 6-05-230(C) of the ordinance, Fare Evasion, is enacted pursuant to the authority granted to Metro by the California Penal Code Section 640(e) and the California Public Utilities Code Section 99580, et seq. Compliance with this ordinance is a condition of use, by any individual, of a Metro vehicle, facility or property.

Effective January 1, 2017, California Penal Code Section 640(g) prohibits juveniles from being charged with an infraction or a misdemeanor for fare evasion. Instead of imposing criminal penalties, juveniles may only be assessed administrative penalties. If enforcement action related to fare evasion is taken and the violator is a juvenile, Department personnel may issue the LACMTA Electronic Notice of Transit Violation Warning based on LACMTA's Title 6, *Metro Customer Code of Conduct* ordinance or provide a verbal warning. Department personnel shall attempt to educate the juvenile on the procedure for purchasing a fare ticket. If a written warning is deemed appropriate, Department personnel shall only use the Electronic Notice of Transit Violation Warning. The juvenile may be directed to leave the train or bus at the next stop. However, LACMTA has requested that if a juvenile appears to be traveling to or from school, that the juvenile be allowed to complete his or her trip.

Should you have questions regarding this matter, please contact Lieutenant II Ron Dickerson, Transit Services Bureau, at (213) 922-3614.


MICHEL R. MOORE, First Assistant Chief
Director, Office of Operations

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