



DATE: April 25, 2014

TO: Transit Task Force Members

FROM: Carlos de Leon
Deputy Director, Transportation

SUBJECT: Proposed Ordinance - General Provisions Related to City Transit System

At the next Transit Task Force meeting, staff will be providing information on a proposed ordinance, which would amend Chapter 30 of the Tucson City Code to allow for streetcar fare enforcement, prohibit vehicles from blocking the streetcar system, and address inappropriate behavior affecting the health and safety of passengers on the entire transit system.

Staff Recommendation – Staff is planning to present the proposed ordinance to Mayor and Council on May 6 and will recommend that the ordinance be placed on an upcoming Council meeting for formal approval.

Background – The Sun Link Streetcar system is scheduled to begin service in July, 2014. Ensuring the proper collection of fares, providing a safe and comfortable ride for all passengers, and ensuring that the streetcar vehicle can operate without obstruction are key issues to increasing ridership and farebox recovery. Currently, the City of Tucson does not have an enforcement code which deals specifically with these key issues.

Streetcar Fares. Unlike the bus system which requires passengers to board through a door by the driver and pay a fare or display their smart card to the driver, the streetcars will operate on an proof-of-payment system. Passengers will be required to purchase their Sun Go fare media before boarding, either through Sun Tran outlet/on-line or at ticket vending machines at streetcar stops. Once the passenger boards the streetcar vehicle, they will be required to tap their Sun Go fare on a validator which tracks fares and subtracts the fares from the card.

To ensure that passengers have paid proper fares for using the streetcar, fare transit enforcement agents will randomly board streetcars and check Sun Go fares with hand-held fare readers, which will show whether the fare is valid. An enforcement code is needed to allow the enforcement agents to issue citations for invalid fares.

Parking. Testing along the streetcar line has demonstrated that parked vehicles may block the streetcar path, which can stop the streetcar operations and result in traffic congestion. Further refinement of parking requirements through the enforcement code is needed to deal with parked vehicles which block the streetcar operational right-of-way.

Passenger Behavior. Currently, the City of Tucson has no enforcement code that specifically addresses inappropriate transit passenger behavior, which affects the health and safety of passengers on the City of Tucson's transit systems. Other cities in Arizona such as Phoenix, Tempe and Mesa have adopted ordinances that outline inappropriate conduct on a transit vehicles and allow for enforcement agents to cite behavioral violations.

Present Considerations – Once the Sun Link streetcar system begins operation in July 2014, it will be necessary for an ordinance to be in place that will provide the City of Tucson the tools to enforce fares, ensure for the health, safety, and security of passengers, and regulate parked vehicles next to the streetcar trackway. Based on a review of Phoenix, Tempe, and Mesa transit enforcement codes, staff from the Transportation Department, City Attorney's Office, and Police Department developed the attached draft ordinance.

The draft ordinance, which is provided in Attachment A, is divided into five major sections. The first section, 30-5, provides definitions for key terms used in the ordinance. The second section, 30-6, defines the duties and power of the enforcement agents, which include a peace officer and, fare inspector or a transit enforcement aide. The third section, 30-7, specifies unlawful fare and behavior violations on transit vehicles and at transit stops. This section also provides a definition for service animals, which are allowed on transit vehicles. In addition, this section regulates parking and boarding next to transit facilities, including the streetcar right-of-way. The fourth section, 30-8, specifies the conditions under which an individual may be restricted from using the transit system. The fifth section, 30-9, describes the civil penalties for violations under the proposed ordinance.

Financial Considerations – The proposed draft ordinance will allow transit enforcement agents to check for valid fares with the goal of minimizing fare evasion. Proper fare collection is an important part of the revenue needed to fund the streetcar operations and minimize the General Fund investment.

Legal considerations – The City Attorney's Office has provided input into the development of the proposed draft ordinance to ensure that code can effectively be implemented and does not conflict with other state or local laws.

Please contact me at 791-4371 if you have any questions about the above item.

cc: Daryl W. Cole, Transportation Director
Albert Elias, Assistant City Manager

Attachments: A. Proposed (Draft) Ordinance - General Provisions Related to City Transit System