

THIS PRINT COVERS CALENDAR ITEM NO. : 11

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Finance and Information Technology

BRIEF DESCRIPTION:

Recommend that the Board of Supervisors approve amendments to San Francisco Transportation Code, Division I, Article 7 (Transit Violations), by amending Section 7.2.101 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service, and Section 7.2.104 to clarify that failure to tag a Clipper Card transponder or card reader is a violation.

SUMMARY:

- In July 2012, the SFMTA will become the first bus and rail provider in the United States to institute All-Door Boarding on rail vehicles and buses systemwide, permitting customers with valid fare media to enter through the rear door.
- San Francisco has one of the highest bus boarding rates in the nation at approximately 70 customers per hour. Expediting loading through All-Door Boarding can significantly improve overall travel times and improve reliability.
- The proposed amendments to the Transportation Code would (a) eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service and (b) require customers to tag their Clipper Cards on card transponders or readers upon boarding an SFMTA transit vehicle or entering through a station fare gate.

ENCLOSURES:

1. SFMTAB Resolution
2. Proposed Amendments to San Francisco Transportation Code, Division I, Sections 7.2.101 and 7.2.104

APPROVALS:

DATE

DIRECTOR _____ _ [begin addition] 4/22/12 [end
addition] _____

SECRETARY _____ _ [begin addition] 4/22/12 [end
addition] _____

ASSIGNED SFMTAB CALENDAR DATE: May 1, 2012

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PURPOSE

Request that the San Francisco Municipal Transportation Agency Board recommend that the Board of Supervisors approve amendments to the San Francisco Transportation Code, Division I, Article 7 (Transit Violations), by amending Section 7.2.101 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service, and Section 7.2.104 to clarify that failure to tag a Clipper Card transponder or card reader is a violation in preparation for the implementation of All-Door Boarding on SFMTA vehicles on July 1, 2012.

GOAL

This proposed ordinance shall assist the SFMTA in achieving the following of its strategic goals:

Goal 2: Make transit, walking, cycling, taxi, ridersharing and carsharing the preferred means of travel.

Objective 2.1 – Improve customer service & communications

Objective 2.2 – Improve transit performance

Goal 3: Improve the environment and quality of life in San Francisco

Objective 3.4 – Deliver Services Efficiently

DESCRIPTION

The San Francisco Municipal Transportation Agency (SFMTA) will be implementing All-Door Boarding on July 1, 2012. Customers will be permitted to enter through the rear doors of buses and streetcars as long as they have valid Proof-of-Payment, or tag a Clipper Card transponder or card reader. Valid Proof-of-Payment may include paper fare media, such as transfers/fare receipts, or electronic fare media such as a Clipper Card. To ensure that Clipper card fares are properly processed, customers must tag a transponder or card reader upon boarding an SFMTA transit vehicle or entering through a station fare gate. Failure to tag may result in the SFMTA not receiving the appropriate fare revenue for a ride taken.

Permitting All-Door Boarding will help speed up the boarding process, improve service reliability and reduce travel time. Additionally, faster service will result in savings that can be reinvested into the system through improved frequency and increased capacity, realizing long-term, sustainable benefits.

Under current law, Muni customers are prohibited from boarding a streetcar, motor coach, or trolley coach through the rear exit except when:

- An SFMTA representative is present at the exit to collect fares or transfers, or inspect proof of payment;
- the transit vehicle is operating at a station or boarding platform where fares are collected prior to passengers boarding the vehicle;
- necessary for persons with disabilities to board;
- the transit vehicle is operating in a Proof of Payment Zone; or

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- the SFMTA has indicated that rear exit boarding is permitted on a designated transit line, route or location.

This ordinance would eliminate existing restrictions on rear-door boarding of Muni transit vehicles in revenue service, and require customers to tag their Clipper Cards on card transponders or readers upon boarding an SFMTA transit vehicle or entering through a station fare gate.

ALTERNATIVES CONSIDERED

The alternative to not implementing the Transportation Code amendments would be that (a) customers would continue to be prohibited from entering through the back door legally unless an exception to this prohibition applies, and (b) the requirement regarding whether customers need to tag their Clipper Cards upon boarding a transit vehicle would remain ambiguous. As a result, the SFMTA might not realize speed and reliability improvements if customers who could have entered through the rear door of buses and streetcars instead continue to enter through the front door. Additionally, some customers might not be aware that they must tag their Clipper Cards, leading to potential conflicts during fare inspections.

FUNDING IMPACT

The SFMTA Board of Directors has already approved \$900,000 annually in the FY 2013 and FY 2014 operating budgets to add ten new Transit Fare Inspector positions to support All-Door Boarding. The SFMTA has estimated that these Transit Fare Inspectors will generate approximately \$200,000 in citation revenue, resulting in a net cost of \$700,000. The proposed amendments to the Transportation Code have no financial impact in and of themselves.

ENVIRONMENTAL CLEARANCE

It has been determined that the proposed change to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service, and require customers to tag their Clipper cards on card transponders or readers upon boarding an SFMTA transit vehicle or entering through a station fare gate is not subject to environmental review because these activities will not result in a direct or reasonably foreseeable indirect physical change in the environment pursuant to Title 14 of the California Code of Regulations section 15060(c)(2).

OTHER APPROVALS RECEIVED OR STILL REQUIRED

Modifications to Division I of the Transportation Code require Board of Supervisors' approval. Should the proposed resolution be approved by the SFMTA Board, the ordinance will be forwarded to them for consideration.

The City Attorney has reviewed the item and the proposed ordinance.

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RECOMMENDATION

Recommend that the Board of Supervisors approve amendments to San Francisco Transportation Code, Division I, Article 7 (Transit Violations), by amending Section 7.2.101 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service, and Section 7.2.104 to clarify that failure to tag a Clipper Card transponder or card reader is a violation in order to support the implementation of All-Door Boarding.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA), on July 1, 2012, will become the first bus and rail provider in the United States to institute All-Door Boarding on rail vehicles and buses systemwide, permitting customers with valid fare media to enter through the rear door; and,

WHEREAS, Expediting loading through All-Door Boarding can significantly improve overall travel times and improve reliability; and,

WHEREAS, San Francisco Transportation Code Sections 7.2.101 and 7.2.104 currently address fare evasion regulations and use of the Clipper Cards and require amendments to accommodate All-Door Boarding and clarify the requirements for when to properly validate a Clipper Card; and,

WHEREAS, Amending San Francisco Transportation Code Section 7.2.101 would eliminate existing restrictions on rear-door boarding of Municipal Railway transit vehicles in revenue service; and,

WHEREAS, Amending San Francisco Transportation Code Section 7.2.104 would clarify that failure by customers to tag a Clipper Card transponder or card reader upon boarding is a violation; and,

WHEREAS, It has been determined that the proposed change to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service, and require customers to tag their Clipper cards on card transponders or readers upon boarding an SFMTA transit vehicle or entering through a station fare gate is not subject to environmental review because these activities will not result in a direct or reasonably foreseeable indirect physical change in the environment pursuant to Title 14 of the California Code of Regulations section 15060(c)(2)that; and

WHEREAS, Said CEQA determination is on file with the Secretary to the SFMTA Board of Directors and are incorporated herein by this reference; now, therefore, be it

RESOLVED, Recommending that the Board of Supervisors approve amendments to San Francisco Transportation Code, Division I, Article 7 (Transit Violations), Section 7.2.101 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service, and Section 7.2.104 to clarify that failure to tag a Clipper Card transponder or card reader is a violation in order to support the implementation of All-Door Boarding.

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I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 1, 2012.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

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

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

8 NOTE: Additions are [begin addition] single-underline italics Times New
9 Roman [end addition]; deletions are [begin deletion] ~~strike-through italics Times New~~
10 ~~Roman~~ [end deletion]. Board amendment additions are double-underlined;
11 Board amendment deletions are [begin deletion] ~~strikethrough~~
normal [end deletion].

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

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

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

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SEC. 7.2. INFRACTIONS.

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In addition to public offenses created by the Vehicle Code, the actions listed in this
21 Section [begin addition] 7.2 [end addition] are prohibited, and each and every violation of a
22 prohibition listed below shall be an infraction, except as otherwise provided in: (a) this Code;
23 or (b) the Vehicle Code; or (c) as necessary to comply with the direction of a Police Officer or
24 Parking Control Officer; or (d) with respect to a Municipal Parking Facility, upon the direction

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Supervisor Chiu
BOARD OF SUPERVISORS

1 of an authorized parking attendant; or (e) with respect to any other Public Property, except
2 with the permission of, and subject to such conditions and regulations as are imposed by the
3 agency that owns the property that are available for public inspection at the agency's offices.

4 **SEC. 7.2.101. FARE EVASION REGULATIONS.**

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

10 (b) For any person to board or ride a [begin addition] light rail vehicle, [end addition]
11 streetcar, motor coach, trolley coach without prior or concurrent payment of fare.

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

20 (d) [end deletion] To fail to display a valid fare receipt or transit pass at the request of any
21 authorized representative of the transit system or duly authorized peace officer while on a
22 transit vehicle or in a Proof of Payment Zone.

23 ([begin deletion] e [end deletion] [begin addition] d [end addition]) To misuse any
24 transfer, pass, ticket, or token with the intent to evade the payment of any fare.

1 ([begin deletion] f [end deletion] [begin addition] e [end addition]) To knowingly use
2 or attempt to use any illegally printed, duplicated, or otherwise reproduced token, card,
3 transfer or other item for entry onto any transit vehicle or into any transit station with the intent
4 of evading payment of a fare.

5 ([begin deletion] g [end deletion] [begin addition] f [end addition]) For any
6 unauthorized person to use a discount ticket or fail to present, upon request from a system
7 fare inspector, acceptable proof of eligibility to use a discount ticket. (127)

8 **SEC. 7.2.104 CLIPPER CARD REGULATIONS.**

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

12 (b) To misuse any Clipper card with the intent to evade the payment of any fare
13 [begin addition] , or to fail to tag a Clipper card transponder or card reader while on a transit
14 vehicle or in a Proof of Payment Zone [end addition] .

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

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

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

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

7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: _____
10 JOHN I. KENNEDY
11 Deputy City Attorney

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