What is Proof of Payment?

- Proof of Payment means that passengers must present valid fare media, anywhere in the paid area of the system, upon request by authorized transit personnel.
Why Proof of Payment

- Estimated Revenue Annual Loss: $15M - $25M
  - At least $6M loss supported by data
  - Another $9M - $19M likely
- Currently, enforcement can only occur at “barrier” locations
  - BPD must directly observe OR
    - Employee or rider must:
      - Witness and be willing to place offender under Citizens Arrest and
      - BPD must be nearby and
      - Offender must be contacted
- In short, without proof of payment, fare evaders are only concerned at the brief moments when they are sneaking in or out
## Who Else Uses Proof of Payment?

<table>
<thead>
<tr>
<th>California</th>
<th>Other States</th>
</tr>
</thead>
<tbody>
<tr>
<td>SMART</td>
<td>Dallas Area Rapid Transit</td>
</tr>
<tr>
<td>San Francisco MTA</td>
<td>Baltimore Light Rail</td>
</tr>
<tr>
<td>Santa Clara VTA</td>
<td>Buffalo Metro Rail</td>
</tr>
<tr>
<td>Sacramento RTA</td>
<td>Charlotte LYNX</td>
</tr>
<tr>
<td>Los Angeles MTA</td>
<td>Cleveland Red Line Heavy Rail</td>
</tr>
<tr>
<td>ACE</td>
<td>St. Louis Metro Link</td>
</tr>
<tr>
<td>Caltrain</td>
<td>Seattle Sounder Commuter Rail and Central Link Light Rail</td>
</tr>
<tr>
<td>San Diego Trolley</td>
<td>Portland Tri-Met</td>
</tr>
<tr>
<td></td>
<td>NJ Transit Hudson Bergen &amp; River Lines</td>
</tr>
<tr>
<td></td>
<td>Houston Metro Rail</td>
</tr>
<tr>
<td></td>
<td>Denver RTD Rail</td>
</tr>
</tbody>
</table>
Who Uses BOTH Proof of Payment & Station Barriers?

- SEPTA Philadelphia City Center stations
- Los Angeles MTA Purple and Red Lines
- Greater Cleveland RTA Red Line
- Montreal Metro
- BC Transit, Vancouver SkyTrain
Proof of Payment Protocol

- Inspections will be fair and non-biased.
- Police Officers and/or CSO’s will perform inspections within the paid area of the stations and on board non-crowded trains.
- Inspections will progress from one person to the next closest person, not skipping any persons in between.
- Officers will activate mobile video recorders to record proof of payment inspections.
Citations:

- A civil administrative citation will be issued to adults for a first or second violation within any 12 month period.

- A criminal infraction citation will be issued to adults who have received two or more civil citations within the past 12 months.

- Juveniles will only receive civil administrative citations for a proof of payment violation.

- Any person who knowingly gives false information to a peace officer or District employee engaged in proof of payment inspections, and/or any person who otherwise obstructs the issuance of a proof of payment citation, shall be in violation of this ordinance and subject to a criminal citation.
Fines and Penalties

- Civil citations processed through existing civil parking citation process
  - Includes an appeals process.
- Civil citation fines structured to be affordable:
  - Adults = $75 (ordinance maximum is $120)
  - Minors = $55 (ordinance maximum is $60)
- Community Service Option
  - All minors
  - Adults with household income at or below 250% of the Department of Health and Human Services Federal Poverty Guideline
- Criminal infraction citations are processed through traffic court, with the penalty limited to paying a fine or performing community service (no jail time).
Civil Citation/Community Service Eligibility

- Enrollment letter showing current eligibility for any federal, state, or local government assistance program:
  - CalFresh (Food Stamps)
  - CalWorks (Temporary Assistance for Needy Families)
  - Medi-Cal (State’s Medicaid)
  - WIC (Special Supplemental Nutrition Program for Women, Infants, and Children)
  - SSI/SSP (Supplemental Security Income/State Supplementary Payment)
  - Head Start
  - Low-income housing assistance
- Most recent pay stubs covering one month period
- Most recent federal tax return
- Wages and tax statement (W-2 or 1099)
- Self-employment ledger documentation
- Most recent stubs from unemployment benefits, disability benefits, social security retirement benefits, etc.
- Letter from school financial aid office, displaying need-based aid
## Community Service Option
### Eligibility Guidelines

<table>
<thead>
<tr>
<th>Household/Family Size</th>
<th>Annual Poverty Guidelines</th>
<th>Monthly Poverty Guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>100%</td>
<td>250%</td>
</tr>
<tr>
<td>1</td>
<td>$12,060</td>
<td>$30,150</td>
</tr>
<tr>
<td>2</td>
<td>$16,240</td>
<td>$40,600</td>
</tr>
<tr>
<td>3</td>
<td>$20,420</td>
<td>$51,050</td>
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<tr>
<td>4</td>
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<td>$61,500</td>
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<tr>
<td>5</td>
<td>$28,780</td>
<td>$71,950</td>
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<tr>
<td>6</td>
<td>$32,960</td>
<td>$82,400</td>
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<tr>
<td>7</td>
<td>$37,140</td>
<td>$92,850</td>
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<tr>
<td>8</td>
<td>$41,320</td>
<td>$103,300</td>
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<tr>
<td>9</td>
<td>$45,500</td>
<td>$113,750</td>
</tr>
<tr>
<td>10</td>
<td>$49,680</td>
<td>$124,200</td>
</tr>
</tbody>
</table>
Enforcement Audits

- Quarterly audits of enforcement demographics
  - Age
  - Gender
  - Race
  - Location
- To ensure that enforcement activities are fair and unbiased, officer body camera videos will be randomly selected for analysis and reporting on a monthly basis.
- The Office of the Independent Police Auditor will have access to review and conduct spot checks.
Six months after implementation, BART Police will report numbers of the following:

- Proof of Payment contacts
- Civil administrative citations
  - Requests for community service
  - Delinquent payments
- Repeat offenders
- Criminal citations
Education & Outreach

- Media Events
- In Stations and On Train Signage
- Multi-lingual Station Announcements
- Decals and Tents on Faregates
- Floor Decals
- Platform Train Destination Sign Messaging
- Discuss During Rebuilding BART Presentations
Implementation

- Ordinance becomes effective January 1, 2018
- One month grace period
  - Warnings in lieu of citations for first time violations.
- Initiate issuance of citations on February 1, 2018