



Metro

September 10, 2008

TO: BOARD OF DIRECTORS

THROUGH: ROGER SNOBLE
CHIEF EXECUTIVE OFFICER 

FROM: MATTHEW RAYMOND 
CHIEF COMMUNICATIONS OFFICER

SUBJECT: SB 1561 (STEINBERG) – PROHIBITION ORDERS

ISSUE

State Senator Darrel Steinberg recently introduced legislation SB 1561, authorizing transit agencies to issue prohibition orders for persons who accumulated a certain number of violations on a transit system. Staff had been working with Senator Steinberg on the measure when it applied to the entire state. The bill has since been amended to authorize this program only for the Sacramento Regional Transit District.

BACKGROUND

SB 1561 would have authorized transit agencies to issue prohibition orders to persons who accumulated a certain number of violations on a transit system. The bill specified the process by which these orders would have been processed and other requirements of the transit agency. This bill would have authorized us to prohibit flagrant violators of transit use law from using our system and assisted in making the transit system safer and cleaner for our patrons.

As previously mentioned, the bill has been amended to only apply to the Sacramento Regional Transit District.

DISCUSSION

Transit agencies have attempted at various times to strengthen the Penal Code provisions relating to the use of public transit. The Penal Code currently contains a set of provisions prohibiting certain activities on the system. Most recently, we were successful in securing approval of legislation authorizing the creation of a transit court. This court would allow us to process violations on the transit system and provide increased compliance with citations issued on our system.

SB 1561 would have provided another tool, which could have been utilized in the transit court process, to prohibit frequent violators from using the transit system. This provision would have allowed us to better protect our customers and increase security and cleanliness on the system.

In the past, transit agencies have sought to increase the violations that could be cited through the Penal Code. Specifically, transit agencies have attempted to increase the penalties for loitering on the system due to recent security concerns. Any increase in either penalties or the types of behaviors that could be cited on a system are frequently opposed by those who might be concerned with possible violations of personal civil liberties. In previous years, it has been very difficult to move legislation such as this one proposed by Senator Steinberg.

Senator Steinberg amended SB 1561 on June 12th to allow these provisions to be applied statewide. The bill also only applied to violations issued on light-rail stations. Staff worked with the Senator's office and our colleagues in the California Transit Association, who had similar concerns, to broaden the application of the bill to all rail systems. These amendments were subsequently included in the bill.

The bill was opposed by a number of groups due to the concerns above and Senator Steinberg has subsequently addressed that opposition by allowing the program to only be authorized in Sacramento.

NEXT STEPS

Since the bill has been amended to only apply to Sacramento, staff recommends that the program in Sacramento be monitored for possible future implementation in Los Angeles.

SUPPORT

The bill is sponsored by the Sacramento Regional Transit District and is supported by various labor unions and Sacramento area municipalities and business organizations.

OPPOSE

There is no registered opposition.