

Item 33

Metro Transit Adjudication Bureau

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Metro

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- In 2004 the LACMTA Board Chairman Frank Roberts directed staff to prepare a report on the feasibility of establishing an internal Metro Transit Adjudication Bureau (TAB). Also in 2004 Director Fasana suggested creation of a Customer Code of Conduct.
- In August of 2004 staff presented the initial report to the Board on the feasibility of establishing a Metro TAB and began work on a Customer Code of Conduct.
- The August 2004 report stated that the New York MTA TAB, begun in the 1980s, has been a clear success as the crime rate on the transit system has declined over the past two decades by 78.8%. In the same time period the fare evasion rate declined by 94% down to .36%.

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- New York officials credited the TAB as making a major contribution to these vastly improved statistics.
- New York officials also reported that fine payments increased from about 10% prior to the formation of the TAB to more than 50% by the year 2001.
- Again, New York MTA staff credits the greater flexibility and focus of the TAB in attaining this much high rate of fine remittance.
- In summary, the August 2004 report stated that the TAB process could accomplish the following:
 - Increase citation revenues.
 - Provide greater focus on transit related behavior.
 - New York reported that in 2002 the TAB had \$4 million in expenses and collected \$6.2 million in fine revenue.



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- At the February 2006 meeting of the Board Director Burke offered a resolution that in part stated:
 - “. . . report by staff on the feasibility of MTA sponsored legislation to decriminalize Penal Code Section 640, including recommendations and a financial analysis on the costs of establishing a ‘transit adjudication bureau’ to process fare evasion infractions and the potential for MTA ‘cost recovery’ revenue estimates.”
- In response to Chairwoman Burke’s motion staff reported back to the Board in May 2006.
- This receive and file report was an overview of the current system of issuing citations with processing and adjudication by the court system.
- Also in 2006 reports were given on the Customer Code of Conduct.

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- The report stated that while New York collected an average of \$53 per cite, Metro collected only \$13 even though our fine structure was significantly higher.
- The May 2006 report also stated that SB 1749 (Migden) was under consideration and its passage would authorize Metro to establish a TAB.
- Staff conducted a financial analysis using conservative assumptions that concluded that Metro could implement a TAB and operate at an initial deficit of approximately \$200,000 annually.
- Staff also reported that an upcoming APTA Peer Review of the security program would consider the establishment of a Metro TAB.

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- In November 2006 staff presented a report to inform the Board that SB 1749 (Migden) had passed and was signed into law on September 14, 2006.
- That report described details on what was required of Metro if our agency decided to institute a TAB under the provisions of SB 1749.
- These requirements include specific provisions for written administrative procedures to ensure justice, fairness and due process.
- The ordinance to establish the TAB was written in 2007 and included in the draft Metro Customer Code of Conduct. In 2007 the Board approved of the initial draft of the Customer Code of Conduct.



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- **Staff began discussions with court personnel to gain their input on Metro establishing a TAB. They agreed it would relieve the court system of the burden of handling these relatively minor transit issues.**
- **In 2007 the Customer Code of Conduct was presented to the Sector Councils, the Citizens' Advisory Council, and sent out for public comment. The Code was well received.**
- **In February 2008 staff presented a Board Box update on the TAB including a review of the TAB in light of the Board's adoption of the 'Gating Program' for Metro Rail. Gating will change fare evasion patterns on our system. We also reported the new law allowing us to establish a TAB was permissive; creating no urgency in making a final decision on the TAB. However the Customer Code of Conduct maximizes enforcement via a TAB so it has been delayed pending a TAB decision.**



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- **Staff updated its financial and program analysis of a TAB in 2009.**
- **This analysis was presented to CEO Roger Snoble, who decided to postpone a final recommendation on the TAB until the agency's finances were more stable.**
- **Staff will brief CEO Art Leahy in early July on the feasibility and financial assumptions involved in establishing a Metro TAB.**
- **After Mr. Leahy has considered this report, a recommendation on the TAB will be forthcoming and the Customer Code of Conduct ordinance can be submitted to the Board for adoption, with or without TAB enforcement as the Board instructs.**