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A resolution/ordinance by Supervisor Sebring, amending Section 63.0675 of the Milwaukee County Code of General Ordinances, establishing a policy to prohibit the Milwaukee County Transit System (MCTS) from providing service, barring extenuating circumstances, on an MCTS conveyance to customers who do not produce a valid M-Card, GO Pass, bus pass, ticket or transfer, or pay the stated fare, by recommending adoption of the following:

**A RESOLUTION/ORDINANCE**

WHEREAS, the Milwaukee County Transit System (MCTS), along with transit systems around the country, face a persistent challenge of fare evasion and short fares (failure to pay all or part of the bus fare); and

WHEREAS, MCTS data indicates losses average about \$28,000 per month, or about \$337,000 per year, from short fares; and

WHEREAS, on average, short fares occur approximately every 90 minutes that a bus is in service, however on some routes, it can be as frequent as every 36 minutes; and

WHEREAS, the fare dispute policy of MCTS states that when a question arises with a customer as to payment of a fare, the correct fare, or validity of the M-Card, GO Pass, bus pass, ticket, or transfer, the Bus Operator is to request the proper fare only once, and if the customer does not pay, the Bus Operator should not continue to request the proper fare; and

WHEREAS, MCTS, based on Bylaws adopted December 4, 2014, "...is an instrumentality of Milwaukee County, performing the County's public and governmental function of managing and operating a public transportation system"; and

WHEREAS, the Milwaukee County Board of Supervisors has the authority to establish fares and other charges; and

WHEREAS, it is fiscally responsible to change the aforementioned policy and to require fare payment to ensure the reduction of fare evasion while still entrusting Bus Operators to waive that policy in extenuating circumstances; and

WHEREAS, the Committee on Transportation, Public Works, and Transit, at its meeting of September 5, 2018, recommended rejection of File No. 18-547 due to a failed motion to recommend adoption (vote 2-3); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby establishes the policy that transit customers who do not produce a valid M-Card,

46 GO Pass, bus pass, ticket, or transfer, or pay the stated fare shall not receive bus  
47 service; and

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49 BE IT FURTHER RESOLVED, extenuating circumstances, as determined by the  
50 Bus Operator, may exempt individuals from this policy to ensure passenger and bus  
51 safety at the time of an incident; and

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53 BE IT FURTHER RESOLVED, the County Board hereby amends Section  
54 63.0675 of the Milwaukee County Code of General Ordinances, by adopting the  
55 following:

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### AN ORDINANCE

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59 The County Board of Supervisors of the County of Milwaukee does ordain as follows:

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61 **SECTION 1.** Section 63.0675 of the Milwaukee County Code of General Ordinances is  
62 amended as follows:

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64 63.0675. – Transit fare collection and law enforcement fare exemption.

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66 1. It shall be the policy of Milwaukee County that the Milwaukee County Transit  
67 System (MCTS) shall be prohibited from providing bus service, barring extenuating  
68 circumstances, to be determined on a case by case basis by the Bus Operator at  
69 the time of an incident, on an MCTS conveyance to customers who do not produce  
70 a valid M-Card, GO Pass, bus pass, ticket, or transfer, or pay the stated fare.

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72 2. It shall be the policy of Milwaukee County to exempt sworn law enforcement  
73 officers in Milwaukee County and all municipal police agencies operating within  
74 Milwaukee County from county transit system fares if officers present department-  
75 issued photo identification and badge to the Bus Operator. If participating officers  
76 are found to be out of compliance with this policy, they will be asked to pay the  
77 appropriate fare.

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79 **SECTION 2.** The provisions of this Ordinance shall be effective upon passage and  
80 publication.

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kae  
09/05/18  
s:\committees\2018\septpwt\resolutions\18-547 prohibit fare evasion.docx