

## CODE AMENDMENTS

### LACMTA Administrative Code section 6-05-020

#### Definitions

##### 6-05-020 Definitions

The following terms, whenever used in this chapter, shall be construed as defined in this section:

**L. "Minor" means a person under the age of 18.**

### LACMTA Administrative Code section 6-05-150

#### 6-05-150 Noise

The following acts are prohibited in Metro facilities and vehicles:

A. Disturbing others by engaging in boisterous or unruly behavior.

**B. Failing to comply with a warning by a Metro representative to cease creating loud, boisterous or unreasonable** noise, including unnecessary cell phone or other conversation, that is so loud, lengthy, sexually explicit, threatening, violent, or disruptive, that it causes a nuisance or unreasonably interferes with the use, operation, or enjoyment of the Metro facilities or vehicles for Metro representatives or patrons, or creates an unsafe condition, such as distracting operators of Metro vehicles.

C. Playing a sound device, except when using headphones or earphones that make the sound inaudible to others unless a permit has been issued for usage of such sound device by Metro.

### LACMTA Administrative Code section 6-05-240

#### 6-05-240 Enforcement

##### A. Violations

A person who violates the Code is subject to a notice of violation and imposition of any and all remedies, fines, criminal sanctions, damages, and penalties available by law. Enforcement of any provisions of the Code involving the payment of any fees, penalties or other administrative amounts, or community service, ~~by adults~~ based on California Penal Code section 640 (b) and (c), shall be pursuant to the authority and according to the procedures, herein and as set forth in the California Public Utilities Code including section 99580 et seq. ~~The procedures set forth in section 99580 et seq. shall not apply to minors, whose violations shall be subject to enforcement as criminal matters in Superior~~

~~Court as provided by law.~~ **Parents or guardians shall be responsible for any fees, penalties, or fines incurred by their minor in connection with a citation.**

#### D. Exclusion

1. A person, who violates the Code or a law in a Metro facility or vehicle, may be excluded from all or part of Metro facilities and vehicles either indefinitely or for a period of time specified in the Metro penalty schedule or notice of exclusion provided pursuant to subsection E below.
2. Any person to whom a notice of violation or Penal Code citation **or a written warning** pertaining to an offense which occurred on or in a public transit facility or vehicle, was issued, and a. who has received a citation **or written warning** for the same violation at least 3 times in the prior 12 months; or b. who has failed to pay any applicable fines, fees, penalties or other administrative amounts by the due date, or otherwise resolve the citation ~~or who has otherwise failed to pay any fine, fee, or penalty~~ when such payment was due; or c. who is the subject of any outstanding warrant, **pending trial, or convicted** with respect to any Penal Code offense that is alleged to have occurred on or in a public transit system facility or vehicle, is subject to exclusion, and may receive a notice of exclusion pursuant to Subsection E below.
3. A person excluded under the Code may not enter a Metro facility or vehicle during the period of exclusion. Metro may take any reasonable steps necessary to enforce an order of exclusion, including criminal arrest or such other remedies as may be available at law.

#### F. Review Request

An excluded person may request a review of the exclusion. The exclusion shall be suspended upon Metro's receipt of a request for review of a notice of exclusion, and until the review is decided and **notice of the decision or review is** received by the excluded person. The request for review must be made in writing, and may be submitted by mail, or in person or as otherwise provided in the notice of exclusion, within five (5) days after the Notice of Exclusion is received from Metro. A request for review **or notice of decision or review** is deemed to be received on the date it is personally delivered, or if mailed, five (5) days after the date of the postmark. The excluded person will be notified of the date for public hearing by mail or in person. The excluded person may request that the exclusion be rescinded or waived for good cause, that the places of exclusion be altered, or that the duration of exclusion be reduced **or be permitted to participate in any diversion program available by Metro for which such persons are eligible.** The request should include a copy of the notice of exclusion or the number assigned to the notice, a request for review, the current mailing address and signature of the excluded person, and any written statement (and supporting documentation) to explain why the exclusion should be rescinded, waived, altered, reduced, or otherwise modified.

#### G. Administrative Review

The hearing shall be conducted by a Hearing Officer who is fair and impartial. The excluded person is not required to attend the hearing, and shall have the choice of the hearing being conducted by mail or in person. No Metro representative shall be required to attend the hearing. Metro may submit a copy of the notice(s) of violation,

any notice of exclusion, and any documentation or statement by the Metro representative(s) issuing the notice(s) of violation or notice of exclusion. Any notice(s) of violation and/or notice of exclusion shall be received into evidence. Other relevant evidence submitted may be received into evidence at the determination of the presiding Hearing Officer. Copies of the notice(s) of violation and/or notice(s) of exclusion shall be prima facie evidence of the facts stated therein and shall establish a rebuttable presumption supporting the exclusion of the individual. At the hearing, the Hearing Officer will review the prima facie validity of the Notice of Exclusion. Metro and the excluded person may present evidence including witness testimony to the hearing officer and may question witnesses who are present at the hearing. The Hearing Officer's decision shall be based on a preponderance of the evidence. Hearing officers shall have the discretion to dismiss or reduce the fines or other penalties, cancel the Notice of Exclusion, and make necessary modifications in the interests of justice **including permitting enrollment in an appropriate Metro diversion program for which such person is eligible,** in accordance with any policies or procedures adopted by the Metro Hearing Unit. Continuances of the appeal hearing are disfavored but may be ordered by the hearing officer. The hearing officer may authorize the recording of the hearing. The decision of the hearing officer shall be made in writing. The decision of the Hearing Officer shall be deemed in full effect upon personal service to the excluded person or five days after the mailing of the decision to the address provided by the excluded person.

LACMTA Administrative Code section 6-05 Penalty Schedule

## Metro Customer Code of Conduct Chapter 6-05 Penalty Schedule\*

Code Section	Description	1 <sup>st</sup> Offense**	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense	5 <sup>th</sup> Offense or Greater
6-05-040	Bicycles, Skateboards and Skates					
6-05-040.A	Riding bicycles and skateboards in Metro facility	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> <li>&gt; Exclusion for 30 days</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> <li>&gt; Exclusion for 60 days</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> <li>&gt; Exclusion for 90 days</li> </ul>
6-05-040.C	Tandem, three-wheeled or fuel-powered bicycles are not permitted in Metro facilities	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> <li>&gt; Exclusion for 30 days</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> <li>&gt; Exclusion for 60 days</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> <li>&gt; \$75 fine</li> <li>&gt; <b><u>\$40 fine for Minors</u></b></li> <li>&gt; Ejection</li> <li>&gt; Exclusion for 90 days</li> </ul>
6-05-050	Blocking					
6-05-050.A-1	Blocking, operating or obstructing Metro vehicle, occupying	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Notice of violation</li> </ul>

	more than one seat, impeding safe boarding	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-100	Disorderly Conduct					
6-05-100.A-I, K-N	Spitting, hazardous material, urinating, defecating, throwing an object, gambling, hanging from rails, inciting violence, lewd conduct, prostitution, vandalizing/tampering, littering, injuring person or property	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-110	Food, Alcohol and Drugs					
6-05-110.A	Eating, drinking, smoking, vaping	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-110.B	Placing chewing gum onto Metro property	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-110.C	Drinking alcohol	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-120	Loitering					
6-05-120.A	Loitering	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-150	Noise					
6-05-150.A	Disturbing others	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-150.B	Creating disruptive noise	> Notice of violation	> Notice of violation	> Notice of violation	> Notice of violation	> Notice of violation

		> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-150.C	Playing sound device	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
<b>6-05-090</b>	<b>Commercial Activity</b>					
<b>6-05-090.A, B, C</b>	<b>Permit required, comply with permit rules, no commercial in prohibited area</b>	> <b><u>Notice of violation</u></b> > <b><u>\$75 fine</u></b> > <b><u>\$40 fine for Minors</u></b> > <b><u>Ejection</u></b>	> <b><u>Notice of violation</u></b> > <b><u>\$75 fine</u></b> > <b><u>\$40 fine for Minors</u></b> > <b><u>Ejection</u></b>	> <b><u>Notice of violation</u></b> > <b><u>\$75 fine</u></b> > <b><u>\$40 fine for Minors</u></b> > <b><u>Ejection</u></b> > <b><u>Exclusion for 30 days</u></b>	> <b><u>Notice of violation</u></b> > <b><u>\$75 fine</u></b> > <b><u>\$40 fine for Minors</u></b> > <b><u>Ejection</u></b> > <b><u>Exclusion for 60 days</u></b>	> <b><u>Notice of violation</u></b> > <b><u>\$75 fine</u></b> > <b><u>\$40 fine for Minors</u></b> > <b><u>Ejection</u></b> > <b><u>Exclusion for 90 days</u></b>
<b>6-05-200</b>	<b>Signs</b>					
6-05-200.A-D	Post, destroy, failure to obey signs	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
<b>6-05-210</b>	<b>Solicitation</b>					
6-05-210.A-B	Solicitation	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
<b>6-05-230</b>	<b>Fares</b>					
6-05-230.A, C (1), (5), (6), (8), (10)	Patrons must pay fare; Fare Evasion	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-230.B	Proof of payment	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 30 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 60 days	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b> > Ejection > Exclusion for 90 days
6-05-230.C (2-4), (7), (9)	Misuse of fare media	> Notice of violation > \$75 fine > <b><u>\$40 fine for</u></b>	> Notice of violation > \$75 fine > <b><u>\$40 fine for</u></b>	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b>	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b>	> Notice of violation > \$75 fine > <b><u>\$40 fine for Minors</u></b>

		<b><u>Minors</u></b> > Ejection	<b><u>Minors</u></b> > Ejection	> Ejection > Exclusion for 30 days	> Ejection > Exclusion for 60 days	> Ejection > Exclusion for 90 days
--	--	------------------------------------	------------------------------------	--	--	--

\* Pursuant to the Customer Code of Conduct Section 6-05-240(C) any person who commits a criminal offense, or fails to pay a penalty when due or violates any provisions of the Code, including those not listed above, may be ejected from a Metro vehicle or facility by order of an authorized Metro representative, and may be excluded from all or a portion of Metro vehicles and facilities.

\*\* All violators are subject to all penalties listed above. An individual who received a Notice of Violation is eligible to complete Metro Transit School. Transit School may only be completed, for the purpose of reducing any penalty payable, once in any 12 month period and prior to any second level appeal except by order of a Metro Hearing Officer.

**Violations of the Customer Code that will be addressed through ejection\***

Code Section	Description	1st Offense**	2nd Offense	3rd Offense	4th Offense	5th Offense or Greater
<b><u>6-05-090</u></b>	<b><u>Commercial Activity</u></b>					
<b><u>6-05-090.A, B, C</u></b>	<b><u>Permit required, comply with permit rules, no commercial in prohibited area</u></b>	<b><u>Warning and/or Ejection</u></b>	<b><u>Warning and/or Ejection</u></b>	<b><u>Warning and/or Ejection</u></b>	<b><u>Warning and/or Ejection</u></b>	<b><u>Warning and/or Ejection</u></b>

\* Pursuant to the Customer Code of Conduct Section 6-05-240(C) any person who commits a criminal offense, or fails to pay a penalty when due or violates any provisions of the Code, including those not listed above, may be ejected from a Metro vehicle or facility by order of an authorized Metro representative, and may be excluded from all or a portion of Metro vehicles and facilities.

\*\* All violators are subject to all penalties listed above. An individual who received a Notice of Violation is eligible to complete Metro Transit School. Transit School may only be completed, for the purpose of reducing any penalty payable, once in any 12 month period and prior to any second level appeal except by order of a Metro Hearing Officer.