

Our File/N/Réf. 14-8-2000
Your File/V/Réf.

DATE: 16 June 2000

TO/DEST: Co-ordinator, Transit Services Committee

FROM/EXP. General Manager

SUBJECT/OBJET: **PROPOSED FINE INCREASE FOR FARE EVASION**

DEPARTMENTAL RECOMMENDATION

That the Transit Services Committee recommend the Commission approve an increase of the fine for fare evasion from \$100.00 to \$200.00.

BACKGROUND

Ensuring that the proper fare is collected is an ongoing concern for OC Transpo. Fare payment ensures protection of revenue income. Fines have been introduced for inability to produce proof of payment (POP) to encourage consistent application of the fare instrument to all riders and to deter those who might choose not to pay. Eighty per cent of fines are issued to persons who are unable to produce a valid bus pass, valid transfer slip or other valid receipt of fare payment when requested to do so. The current fine is not a sufficient deterrent as seventy per cent of the summonses issued are to repeat offenders. Since the last fine increase was in 1994, it is timely to revisit this issue.

Today, a first offence fine for not producing proof of payment (of fare) upon request is \$80.00 plus a \$20.00 surcharge levied by the Ministry of the Attorney General. The total fine therefore is \$100.00. Subsequent offences of the same person are issued a summons with the resulting penalty or fine determined by the court.

OC Transpo's most expensive adult Unipass is priced at \$72.50. It is felt that the fine of \$100.00 is inadequate to discourage fare evasion as the fine is little more than the adult Unipass cost. Calgary Transit with their most expensive pass priced at \$50.00 fines \$150.00 for fare evasion. If this ratio of pass to fine (or 1 to 3) was followed in Ottawa, the fine for fare evasion would rise to \$217.50 (or \$72.50 x 3). In addition, the \$20 surcharge is applicable. To limit the increase to a doubling of the existing fine, it is recommended that the fine for fare evasion be increased to \$200.00

To affect an increase in the fine for fare evasion, both the Transit Service Committee and the Commission must approve the Motion. The Regional Regulatory Code By-Law number 252 setting out the new fines would then go forward to a Judge for sign-off on the amendment. Usually this final step before adoption takes approximately six months, since the Judge signs off applications in the order that they are received.

It is recommended that the applicable sections of the Regional Regulatory Code be amended to increase the fine for fare evasion to \$200.00.

*Approved by
Gordon Diamond*