

### Proposed Wording for a Bylaw to Amend Calgary Transit Bylaw 4M81

1. Bylaw 4M81, the Calgary Transit Bylaw, as amended, is further amended.
2. The following is added to the preamble:

“**AND WHEREAS** it is desirable to allow users of the transit system to make payments by way of electronic mobile applications.”
3. In section 2, after subsection 2(b), the following is added:

“(b.01) “*Calgary Transit Mobile Ticketing Services*” - means the *Calgary Transit Mobile Ticketing Website* and the *Calgary Transit My Fare Application*;

(b.02) “*Calgary Transit Mobile Ticketing Website*” - means the Calgary Transit website where individuals can manage mobile ticketing accounts and purchase mobile tickets that can be downloaded and activated through the *Calgary Transit My Fare Application*;

(b.03) “*Calgary Transit My Fare Application*” - means the software application that is downloaded to a mobile device to enable the downloading, purchasing, and activation of *valid mobile tickets* for travel on a *transit vehicle*,”
4. In section 2, after subsection 2(e), the following is added:

“(e.1) “*Officer*” - means a *Peace Officer* or a police officer under the *Police Act*, RSA 2000, c P-17;”
5. Subsection 2(l) is deleted and the following is substituted:

“(l) “*transit vehicle*” - means any vehicle which is operated by the *City* for the use of the passenger public including, without restricting the generality of the foregoing, any *bus* or light rail transit vehicle (also known as C-Train or LRT) operated by the *City* for the passenger public;”
6. In section 2, after subsection 2(l), the following is added:

“(l.1) “*valid mobile ticket*” - means a mobile ticket that has been purchased and activated using *Calgary Transit Mobile Ticketing Services* prior to entering a *Restricted Fare Area* or boarding a *transit vehicle* and is comprised of both:

  - (a) a barcode that has been activated using *Calgary Transit My Fare Application*; and
  - (b) a visual validation display showing the date and time superimposed on the tri-coloured bar current for that day on the *Calgary Transit My Fare Application*;

and is not an unauthorized version created through the use of screenshot or through unauthorized electronic access of *Calgary Transit Mobile Ticketing Services*;

7. Subsection 2(m) is deleted and the following is substituted:

- (m) “*valid ticket*” - means a *valid mobile ticket*, ticket, transfer, permit or pass, other fare media or any of them, which:
- (a) is of a form and type approved pursuant to subsection 4(1), and
  - (b) has been deposited, validated, marked or activated in accordance with the terms and conditions set out for that type of ticket, and
  - (c) is being used in a manner and at a time and place complying with the terms and conditions relating to use contained on the *Calgary Transit My Fare Application*, ticket, transfer, permit or pass or in this Bylaw, and
  - (d) has not been mutilated, screenshotted, defaced, altered from unauthorized electronic access, or otherwise altered.”

8. Subsections 5(1)(a) and 5(1)(b) are deleted.

9. Section 9 is deleted in its entirety and the following is substituted:

**“Fare Evasion**

9. (1) Any person who is found boarding or using a *transit vehicle* or entering or within a *Restricted Fare Area* and who fails to produce to an *Officer* upon demand a *valid ticket* is guilty of an offence.
- (2) Any person who relies on the existence of a *valid mobile ticket* in defence of a charge under this Bylaw has the onus of proving that he or she held a *valid mobile ticket*.
- (3) It is a defence to a charge under subsection (1) that the person is on a *bus* and tendered the exact amount established by Council for the payment of his or her fare to the driver.
- 9.1 (1) An *Officer* is authorized to demand production of, and inspect, a *valid ticket* from any person found using a *transit vehicle* or entering or within a *Restricted Fare Area* including:
- (a) demanding that a person display the *valid mobile ticket* on their personal electronic device to the *Officer* including the barcode;
  - (b) demanding that the person allow the *Officer* to inspect the date and time of the activation of the *valid mobile ticket* to the *Officer*;

- (c) demanding that the person allow the *Officer* to electronically scan the barcode of a *valid mobile ticket*;
- (d) requiring that the person display the date and time setting on their personal electronic device to the *Officer*.”

10. In Schedule “A”, under the headings indicated, the following is deleted:

OFFENCE		MINIMUM PENALTY	SPECIFIED PENALTY
Section	Description		
5(1)(a)	Ride bus without tendering payment or without valid ticket	\$150.00	\$250.00

11. In Schedule “A”, under the headings indicated, the following is deleted:

OFFENCE		MINIMUM PENALTY	SPECIFIED PENALTY
Section	Description		
5(5)	Enter or remain in Restricted Fare Area without valid ticket	\$150.00	\$250.00
9(a)	Board or use a light rail transit vehicle without valid pass	\$150.00	\$250.00
9(b)	Enter or remain in Restricted Fare Area without valid ticket	\$150.00	\$250.00

and the following is substituted:

OFFENCE		MINIMUM PENALTY	SPECIFIED PENALTY
Section	Description		
9(1)	Fare Evasion	\$150.00	\$250.00

### Coming into Force

12. This Bylaw comes into force on the day it is passed.