

4M81 Bylaw Amendments – Early Payment Options

RECOMMENDATION(S):

That the Standing Policy Committee on Transportation and Transit recommend that Council give three readings to the proposed amendments to Calgary Transit Bylaw 4M81 (Attachment 1) to:

- Allow Early Payment Options/Administrative Penalty Notice for all offences under the Transit Bylaw 4M81; and
- Update the bylaw to account for emerging technology, safety issues, and nuisance behaviour.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON TRANSPORTATION AND TRANSIT, 2021 JUNE 16:

That Council give three readings **Proposed Bylaw 57M2021** to the proposed amendments to Calgary Transit Bylaw 4M81 (Attachment 1) to:

- Allow Early Payment Options/Administrative Penalty Notice for all offences under the Transit Bylaw 4M81; and
- Update the bylaw to account for emerging technology, safety issues, and nuisance behaviour.

HIGHLIGHTS

- On 2020 July 26 Council approved amendments to Bylaw 4M81(Attachment 2) to improve the customer experience to allow customers to pay fare-evasion tickets early for a reduced rate. The amendments also changed the definition of a transit violation ticket to an Administrative Penalty Notice (APN) to allowing customers to appeal violation tickets directly to Calgary Transit rather than having to go to provincial court.
- Proposed amendments outlined in (Attachment 1) will expand the early-payment options and an internal Calgary Transit administrative penalties review for all transit violations, instead of just fare-evasion
- The proposed amendments to Transit Bylaw 4M81also include:
 - Specific new technology like e-bikes and e-scooters;
 - Nuisance behaviour such as loud music that broadcast swearing, violence, prejudice, sexual content, etc.;
 - Emerging safety issues such as passengers carrying bear spray to threaten others; and
 - Addressing safety issues with pedestrians and active modes of transportation using the transitway.
- What does this mean to Calgaryans? Will make it easier for Calgary Transit customers to pay and appeal transit bylaw infractions and improve safety of the transit system.

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- Why does this matter? Calgary Transit's is committed to providing safe and easy-to-use transit service.
- Strategic Alignment to Council's Citizen Priorities: A city that moves.
- Background and Previous Council Direction is in Attachment 2.

DISCUSSION

Early-Payment Options and Easier Ticket Appeal Process

The proposed bylaw amendments will enable The City to offer early-payment options for all violation tickets to the Calgary Transit Bylaw 4M81, providing customers with an easy-to-use and quick method to pay a reduced rate and resolve violation tickets if customers do not want to dispute. Calgary Transit has already been offering early-payment options for fare-evasion after Council approved bylaw amendments on 2020 July 26.

Amendments to bylaw will also redefine all transit violation tickets, rather than just fare-evasion, as an Administrative Penalty Notices (APN), enables Calgary Transit to use an internal administrative review process (ARP) that mirrors the provincial court process whereby consideration is given for compassionate reason, financial hardship, and an extension to pay the fine amount. This is in alignment with The City's development of a Penalties Appeal Board (PAB), which will allow Calgarians to appeal minor infraction to City bylaws, instead of having to attend provincial court.

Modernizing payment options and language and update safety concerns

Calgary Transit is committed to providing a safe and clean transit system. Proposed amendments to the bylaw will also reflect modern language and technology, and address emerging safety concerns which include:

- Inclusion of e-bikes, e-scooters, and other modern transport devices on the transit system;
- Additional nuisance behaviour, such as loud music from electronic devices that broadcasts swearing, violence, prejudice, sexual content, etc.;
- Addressing emerging safety issues, such as passengers carrying bear spray for intimidation purposes; and
- Addressing safety issues with the use of transitways by pedestrians and active modes of transportation.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- Public Engagement was undertaken
- Public Communication or Engagement was not required
- Public/Stakeholders were informed

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- Stakeholder dialogue/relations were undertaken

IMPLICATIONS

Social

Providing an early-payment option for all transit bylaw violation tickets allows customers to pay tickets at a reduced amount, in an easy and convenient manner which is already available for fare-evasion tickets (reduced amounts are listed in Attachment 1)

In addition, reclassifying all transit violation tickets to Administrative Penalty Notices (APN), allows for Calgary Transit's internal administrative review process (ARP) to hear appeals instead of customers having to attend provincial court. This is a positive impact for customers, especially low-income, vulnerable and marginalized populations, by providing a least-harm approach allowing them to explain their individual circumstances.

The bylaw amendments also support Calgary Transit's commitment to providing a safe Transit system by addressing emerging safety issues and nuisance behaviour, as well as modernizing language to reflect new mobility options such as e-scooters and e-bikes that help citizens move throughout the city.

Environmental

Not Applicable.

Economic

Not Applicable.

Service and Financial Implications

No anticipated financial impact

Include actual figure

RISK

Due to the shift from violation tickets to Administration Penalty Notice (APN) being new, there is the risk that many customers may not seek the administrative penalty review option, which after the ticket expires, becomes a violation ticket requiring a provincial court appearance. This may delay the immediate fine collection for The City.

This risk can be reduced by increased communication with customers both through Peace Officers issuing the APN's and promotion of the early-payment option and the administrative penalty review option on Calgary Transit's social media and hard media at stations.

ATTACHMENT(S)

1. Proposed Bylaw 57M2021 Transit Bylaw 4M81 Amendments
2. Background, Previous Council Direction

Transportation Report to
SPC on Transportation and Transit
2021 June 16

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Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Doug Morgan	Transportation	Approve