Jurisdictional scan of Canadian transit agencies' bylaws related to transit public safety

A. Introduction

A jurisdictional scan was conducted to review bylaws relating to transit public safety from the following Canadian transit agencies:

Edmonton Transit (ETS)
Metro Vancouver Translink
Ottawa Carleton Regional Transit Commission (OC Transpo)
Societe de Transport de Montreal (STM)
Toronto Transit Commission (TTC)

The scan includes the relevant sections and enforcement related to the following provisions:

- 1. Loitering i.e. non destination use of transit.
 - Definition examples were identified with the goal of managing this behaviour.
- 2. Using paid fare to disguise non destination use.
 - Definition examples were identified with the goal of managing this behaviour.
- 3. Fare Evasion using Fake/altered passes or claiming to be 12 years and under.
 - Comparative language for altering passes and invalid fare examples were identified.
- 4. Harassment, threats, intimidation of operators, passengers and staff.
 - Comparative language for harassment, threats, intimidation was identified.
- 5. Weapons on transit.
 - Comparative language for weapons on transit was identified.
- 6. Bicycles on trains.
 - Comparative language and parameters for bicycles on transit were identified.

Also, included in the scan are proposed amendments to The City of Calgary's Transit Bylaw 4M81.

B. Proposed Calgary bylaw amendments and scan of Canadian transit agencies

1. Loitering on transit property

Agency	Section	Enforcement
Calgary Transit	Proposed Amendment- 14.7 LOITERING - 'No person shall loiter on any transit vehicle or	Penalty / early payment 1 / early
	transit property' –	payment 2
	In section 2, after subsection (e.01), the following is added as subsection (e.02):	\$250 / \$200 / \$150 - No change
	"(e.02) "Loiter" means to linger on or remain on transit property without the express	
	purpose of using the transit system for transportation, regardless of whether the	
	person has a valid ticket;"	
Edmonton	No comparable language identified	
Transit (ETS)		
Metro	TransLink Rules and Regulations	Loitering is prohibited.
Vancouver	No loitering is allowed	Non-compliance is subject to a fine
TransLink	It is also an offence to disobey refusal of access, order to leave or nonentry order.	established under the Offence Act.
Ottawa-Carlton	<u>Transit (By-law No. 2007-268)</u>	
Regional	Section 5 – Conduct / General Prohibitions	Bylaw discourages loitering and
Transit	19.(2) No person shall, in or upon any transit property,	idling without cause for longer than
Commission	(a)loiter without due cause;	30 minutes.
(OC Transpo)	(b)for the purposes of subsection (a), a person "loiters" when such person:	
	(i)idly spends time inside or on transit property without the express purpose of using the	Fine for violation as per Provincial
	transit system; or	Offences Act.
	(ii)lingers, saunters, or remains on transit property without due cause; and	
	(iii)at least thirty (30) minutes have elapsed since initial arrival onto transit property;	
Société de	By-law R-036 Subsection I -	Anyone who contravenes section
transport de	4. No one shall, within or on a building or rolling stock:	commits an offence and is liable to a
Montréal (STM)	(f) refuse to move along when required to do so by an agent;	fine of \$75 to \$500.
	Section III - General Provisions 4. No one shall, within or on a building or rolling stock:	Bylaw indirectly addresses loitering
	(c) lie down or across a bench, on a seat or on the ground, sit on the ground or take the	using description of related
	place of more than one person;	behaviour and/or actions.
	Section VII – Metro Stations	
	14. In a metro station, no one shall:	

Agency	Section	Enforcement
	(a) enter the safety zone set by the Société at the edge of a platform, except to get on or off	
	a metro car;	
Toronto Transit	By-law No.1	Total payable penalty is \$235
Commission	3. Conduct on Transit System	(includes set fine, applicable victim
(TTC)	3.24 No person, unless otherwise authorized, shall loiter in or on TTC property.	fine surcharge and costs).
	"Loiter" means to linger without due cause and includes but is not limited to:	
	idly spending time in or on TTC property without the express purpose of using the transit	Bylaw clearly articulates loitering and
	system;	relevant penalty.
	lingering, sauntering or remaining in or on TTC property without due cause; and	' '
	failing to board the next available TTC vehicle, where possible, for the intended route;	

2. Using valid fare to disguise non-destination use of transit

Agency	Section	Enforcement
Calgary Transit	Proposed Amendment 14.7 LOITERING - 'No person shall loiter on any transit vehicle or transit property' — In section 2, after subsection (e.01), the following is added as subsection (e.02): "(e.02) "Loiter" means to linger on or remain on transit property without the express purpose of using the transit system for transportation, regardless of whether the person has a valid ticket;"	Penalty / early payment 1 / early payment 2 \$250 / \$200 / \$150 - No change
Edmonton Transit (ETS)	Conduct of Transit Passengers S.3, Bylaw 19983, June 8, 2022 No person may inappropriately or unlawfully use, interfere with the intended use of, or cause damage to Transit Property, including but not limited to: (a) remaining on Transit Property while engaging in behaviours or activities other than related to using Edmonton Transit Service; and (b) visibly using a controlled substance, as defined in the Controlled Drug and Substances Act (Canada), while on Transit Property	(a) \$250 for any offence for which a fine is not otherwise established in this section; and (a.1) \$150 for any offence under section 4 or 5; and (b) \$100 for any offence under section 16 or 19. (S.4, Bylaw 19782, July 5, 2021)
Metro Vancouver TransLink	TransLink Rules and Regulations Under this, the following are applicable: No soliciting. No panhandling. No consumption of illegal drugs.	Soliciting, panhandling and commercial sale is prohibited according to TransLink Rules. Non-compliance of the rules and regulations is subject to a fine established under the Offence Act.
Ottawa OC Transpo	Transit (By-law No. 2007-268) Section 5 – Conduct General Prohibitions (2) No person shall, in or upon any transit property (c) administer, possess or sell illegal drugs; (i)sell or attempt to sell any newspaper, magazine, merchandise or any other article or thing, (ii)distribute any pamphlet or literature, or (iii)solicit members of the public for any purpose	Bylaw allows for permitted selling of publications, merchandise etc. but prohibits possession and selling of drugs. Fine for violation as per <i>Provincial Offences Act</i> .

Agency	Section	Enforcement
Société de transport de Montréal (STM)	No comparable language identified	
Toronto Transit Commission	No comparable language identified	

3. Fare evasion using fake/altered passes or claiming to be 12 years old and under and ride free

Agency	Section	Enforcement
Calgary Transit	Proposed Amendment-The following is added after section 9(3) as section 9(4): 9(4)A person must not alter, deface, recreate, screenshot or otherwise change a valid ticket or valid mobile ticket."	Penalty / early payment 1 / early payment 2
	The following is added after section 9.1(1) as sections 9.2 and 9.3: 9.2 (1) An Officer may demand proof of age from a person where: (a) that person provided an Officer with a child or youth fare in response to a demand made by the Officer under section 9.1(1) above; and (b) the Officer has reasonable grounds to believe that the person is not the age associated with the fare category for the valid ticket the person produced. (2) For greater certainty, an Officer may demand proof of age from a person under subsection (1) above even if the fare category is free of charge and does not require purchase of a valid ticket. 9.3 Any person using transit must provide proof of age to an Officer upon receiving a demand for such proof pursuant to section 9.2 above."	\$250 / \$200 / \$150 - No change
Edmonton Transit (ETS)	S. 16-19, Bylaw 19712, "Fare" means the fee established by the City Manager for use of Edmonton Transit Service; (S.6, Bylaw 19712, May 3, 2021) "Proof of Payment" means proof of payment of a required Fare, as demonstrated by: (i) (ii) a valid, unexpired, and unaltered Prepaid Fare Product; or a Payment Card that, when used or contacted with an Edmonton Transit Service Fare validation device, produces confirmation that the Fare has been paid; (S.11, Bylaw 19712, May 3, 2021) Non-transferable: No person may transfer or resell a Prepaid Fare Product to another person unless the Prepaid Fare Product indicates that it is transferable Fraudulent Fare Products: No person may possess or present an altered, fraudulent, or stolen Proof of Payment. (S.19)	(a) \$250 for any offence for which a fine is not otherwise established in this section; and (a.1) \$150 for any offence under section 4 or 5; and (b) \$100 for any offence under section 16 or 19. (.4, Bylaw 19782, July 5, 2021)

Agency	Section	Enforcement
Metro Vancouver TransLink	Bylaw Number: 498-2012 Proof of payment 10 To comply with section 244(1) (b) of the Ac in relation to a fare, a person must (a) obtain and retain any receipt issued by the authority or a related party for the payment of that fare, (b) if a pass that is valid for application to the fare is used, retain the pass, or (S) if under the tariff another form of payment is authorized and that other form of payment is used, retain that form of payment and obtain and retain (i) any receipt issued by the authority or a related party, and ii) any record in the person's power or control, whether in electronic form or otherwise, that confirms that the form of payment was used in payment of the are.	Proof of payment is required as per bylaw. Under TransLink Rules and Regulations, the following are also considered as an offence: 1. Improperly use proof of payment 2. Illegally sell proof of payment Non-compliance is subject to a fine established under the Offence Act.
Ottawa OC Transpo	Transit (By-law No. 2007-268) Section 4 - Fares and Transfers Regulation of Fares and POP (Proof of Payment) Transfers (4) No person shall pay a fare or attempt to pay for a fare by using a transit pass or Smartcard of a fare category to which he or she is not entitled. (5) No person shall apply for or obtain a transit pass or Smartcard of a category to which he or she is not entitled. (6) No person shall fail to provide satisfactory proof that he or she has paid the required fare when requested to do so by a municipal law enforcement officer. Altering or Non-Authorized Use of a Transit Pass, Ticket or Voucher, POP Transfer Or Other Fare Medium 13.(1) No person shall use, produce or have in his or her possession an altered or unauthorized reproduction of a transit pass, ticket or voucher, POP transfer or any other fare medium. (2) No person shall sell, exchange or give away a POP transfer, validated ticket or voucher or a non-transferable transit pass.	Bylaw prohibits travel without prescribed fare medium. Fine for violation as per <i>Provincial Offences Act.</i>
Société de transport de Montréal (STM)	By-law A.33.3 29. It is prohibited to use or attempt to use public transportation services without having paid the fare provided for in article 4; 30. It is prohibited to obtain, attempt to obtain or use without right a Transport Ticket or a compliant Media; 31. It is prohibited to falsify, modify, alter or reproduce a Transport Ticket or a compliant Media;	Bylaw restricts travel using altered proof of fare. The fine for travelling or attempting to travel on the transit system

Agency	Section	Enforcement
	32. It is prohibited to use or attempt to use an expired, falsified, modified, altered or reproduced Transport Ticket or Compliant Media; 33. It is prohibited to be on board the Rolling Stock without having in one's possession, at all times, a valid and validated Transport Ticket, in accordance with article 4 of the Regulations; 34. It is prohibited to be in a Control Area or Zone without having in one's possession, at all times, a valid and validated Transport Ticket	without paying the transit fare is \$150 to \$500.
Toronto TTC	By-law No.1 2.2 No person shall, unless otherwise set out in the conditions of use: a) in any way alter, change or recreate any fare media, other than an employee or agent of the TTC authorized to do so; b) travel or attempt to travel on the transit system with fare media that has been altered, changed, recreated in any way by a person other than an employee or agent of the TTC authorized to do so; c) in any way alter, change, recreate any identification card or photo identification card issued by or on behalf of the TTC, other than an employee or agent of the TTC authorized to do so:	Not paying fare is illegal and could result in a fine of up to \$425. Fare evasion includes: •Illegal entry into a subway station through a bus bay •Entering a fare gate without paying •Boarding a bus or streetcar without paying Using a fare type that one does not qualify for (child, youth, senior or post-secondary student)
	d) travel or attempt to travel on the transit system with any identification card or photo identification card that has been altered, changed, recreated in any way by any person other than an employee or agent of the TTC authorized to do so.	

4. Verbal harassment, threats or intimidation of operator or passenger, transit staff or officer

Agency	Section	Enforcement
Calgary Transit	Proposed Amendment- In section 14(1) the words "any reasonable person" is deleted in both subsection (c) and (d) where it appears and the following is substituted in both places: "any passenger or person".	Penalty / early payment 1 / early payment 2 14 (1) c
	The following is added after subsection 14(1)(d) as subsection 14(1)(e): "(e) disrupt or interfere with a Transit Operator, Transit staff or an officer."	\$300 / \$250 / \$200 - No change 14(1) e - Double the fine of 14(1)c for 14(1)e - ie \$600 / \$500 / \$400
Edmonton Transit (ETS)	(S.2, Bylaw 19782, July 5, 2021) (S.2, Bylaw 19983, June 8, 2022) Inappropriate behaviour: No person may, while on Transit Property, engage in behavior that can reasonably be expected to interfere with the safety or comfort of others, including passengers and Edmonton Transit Service employees.	(a) \$250 for any offence for which a fine is not otherwise established in this section; and (a.1) \$150 for any offence under section 4 or 5; and (b) \$100 for any offence under section 16 or 19. (S.4, Bylaw 19782, July 5, 2021)
Metro Vancouver TransLink	TransLink Rules and Regulations Under this, following are considered as an offence: Foul, insulting, abusive, or inappropriate language. Conduct contrary to public order. Littering or spitting. All litter and recyclables must be placed in the appropriate receptacle. Smoking or vaping. Knowingly make a false or misleading statement, or	TransLink rules and regulations prohibit misconduct on transit property. Non-compliance of the foregoing regulations is subject to a fine
Ottawa OC Transpo	Knowingly make a false or misleading statement, or provide false or misleading information, to a fare officer. Willfully obstruct, interfere with, impede, molest or hinder a fare officer. Transit (By-law No. 2007-268) Section 6 - Conduct (2)No person shall, in or upon any transit property, (g)use profane, indecent, abusive, foul, insulting or obscene language; (h)molest or willfully interfere with the comfort or convenience of any other person; (i)assault or otherwise use threatening behaviour towards any other person; (j)cause a disturbance or nuisance by disorderly conduct; (m)cause a disturbance by being intoxicated; (n)smoke or vape, or ignite a cigarette lighter or match;	Bylaw outlines misconduct and behaviour that not are not permissible on transit property. Fine for violation as per <i>Provincial Offences Act</i> .

Agency	Section	Enforcement
	(11)No person using transit vehicles or transit facilities shall fail to comply with all rules and regulations which are either posted on transit property or are printed on transit vehicle tickets or vouchers, transfers or transit passes.	
Société de transport de Montréal (STM)	By-law R-036 Subsection I - Civic Spirit 4. No one shall, within or on a building or rolling stock: (a) behave in any way that hinders or impedes the free circulation of people. (b) behave in any way that jeopardizes the security of people or of the rolling stock; (h) delay or interfere with the work of an agent of the Société; (i) scream, yell, engage in a quarrel or in any other form of disturbing noise; (q) insult or provoke, with words or with gestures, an agent of the Société performing his duties.	Bylaw prohibits behaviour that interferes with others' experience of transit. Anyone who contravenes section commits an offence and is liable to a fine of \$75 to \$500.
	Subsection III - Asset Integrity 6. No one shall, within a building or rolling stock: (c) cause damage to any property, or disrupt or modify such property so as to prevent or limit its normal operation; (d) throw an object or liquid unto a person or a property, or arrange to have such object or liquid thrown unto a person or property item.	
	Section VI – Rolling Stock 11.1 In the rolling stock, subject to the other restrictions contained in the present By-law, anyone transporting objects, other than carry-on baggage, must ensure their control so as not to: (a) hinder or impede the free circulation of people; (b) jeopardize the security of people or of the rolling stock; (c) delay or interfere with the work of a driver of the Société or another of its agents.	
Toronto TTC	By-law No.1 3. Conduct on Transit System 3.25 No person shall cause a disturbance or act contrary to the public peace on TTC property, including but not limited to:	Provision to discourage unreasonable noise/ disturbance on transit.
	 a) urinating, expectorating or defecating, except in facilities specifically intended for such actions; b) using profane, insulting or obscene language or gestures; c) behaving in an indecent or offensive manner; 	

Agency	Section	Enforcement
	d) shining any type of light at an operator of a TTC vehicle or any other passenger;	Total payable penalty is \$235
	e) fighting; or	(includes set fine, applicable victim
	f) behaving in a manner which would interfere with the ordinary enjoyment of persons using	fine surcharge and costs).
	the transit system.	

5. Weapons on transit

Agency	Section	Enforcement
Calgary Transit	Proposed Amendment- The following is added after section 14(7) as section 14(7.1): "(7.1) No person, other than a Peace Officer, shall carry a visible weapon while on a transit vehicle including but not limited to a visible knife, axe, hatchet, machete, baton, imitation firearm, bat, or saw."	Penalty / early payment 1 / early payment 2 \$500 / \$400 / \$300 – Same penalty as 14.7-Firearm on transit
Edmonton Transit (ETS)	No comparable language identified	
Metro Vancouver TransLink	No comparable language identified	
Ottawa OC Transpo	Transit (By-law No. 2007-268) Section 6 – Conduct (2) No person shall, in or upon any transit property, (p)place large, bulky or sharp objects in a way that would endanger or cause a threat to other passengers or block the aisles in transit vehicles; (q)bring any explosive, flammable or toxic material; (r)bring any firearm, handgun, or any other similar type of weapon or imitation thereof; (s) bring any sword, cross-bow,switchblade, or similar type of weapon or imitation thereof;	Bylaw forbids the possession of weapons, explosives or objects that endanger lives on transit property. Fine for violation as per <i>Provincial Offences Act</i> . Violation will also lead to refusal of service.
Société de transport de Montréal (STM)	By-law R-036 Subsection I 4. No one shall, within or on a building or rolling stock: (j) carry a knife, a sword, a machete or other similar item, without reasonable excuse; (o) carry a sharp or pointed object unless they are equipped with security measures or are inserted into a bag designed for such purposes; or	Bylaw allows sharps objects on transit property if they are secured in a way that does not endanger other passengers; knives or swords are not allowed without reason. Anyone who contravenes section commits an offence and is liable to a fine of \$50 to \$500.

Agency	Section	Enforcement
Toronto TTC	By-law No.1	Bylaw prohibits the possession of
	3. Conduct on Transit System	weapons, sharp objects, and
	3.33 No person, unless authorized, shall enter or remain on any TTC property that is in possession of:	explosive items on transit property.
		Total payable penalty is \$425
	(a) a firearm, air gun, air rifle, pellet gun, pellet rifle, gas charged gun, gas charged rifle,	(includes set fine, applicable victim
	imitation firearm, an offensive weapon or a prohibited weapon; or	fine surcharge and costs).
	(b) explosives, pyrotechnical material, flammable material, offensive or toxic material, or any	
	other dangerous thing, object or material	

6. Bikes on trains

Agency	Section	Enforcement
Calgary Transit	Proposed Amendment- In section 14.1(2), subsections (a) and (b) are deleted.	unchanged
Edmonton Transit ETS	Bylaw 8353 (S.20, Bylaw 18787, July 16, 2019) A person shall not carry a Bicycle, E-Bike, or E-Scooter aboard a Transit Vehicle except: (a) (b) (c) during the hours specified by the City Manager; in the areas specified by the City Manager; and while under control. (2) A person shall not leave a Bicycle, E-Bike, or E-Scooter unattended in a Transit Station or aboard a Transit Vehicle except in a location designed and intended for the storage of Bicycles, E-Bikes, or E-Scooters. (3) A person shall not allow a Bicycle, E-Bike, or E-Scooter under their control to bring dirt, mud or grease into a Transit Station or onto a Transit Vehicle.	Bikes allowed, within certain parameters. (a) \$250 for any offence for which a fine is not otherwise established in this section; and (a.1) \$150 for any offence under section 4 or 5; and (b) \$100 for any offence under section 16 or 19.
Metro Vancouver TransLink	TransLink Rules and Regulations Under this, riding bicycles, skateboards or similar devices on transit property, except on bike paths is not permitted. Bicycles are only permitted on exterior racks of buses and on other transit vehicles as authorized by signage.	In 2023, TransLink updated its rules to restrict bikes on the Expo/Millennium lines during rush hour. Non-compliance of rules and regulations is subject to a fine established under the Offence Act.
Ottawa OC Transpo	Transit (By-law No. 2007-268)	Bylaw prohibits riding on bikes on platforms and in transit. Bikes are accommodated on OC Transport network by:

Agency	Section	Enforcement
		•Rack & Roll program - bike racks on buses throughout the year •Permission to board bikes on Train Line 1 and 2 all year round •Stations that are designed to make bike walking easier Fine for violation as per <i>Provincial Offences Act.</i>
Société de transport de Montréal (STM)	By-law R-036 Subsection III – Bicycles 20. In a metro station or in the first metro car, it is permitted to transport a bicycle, unicycle, tricycle or other similar item from Monday to Friday, between 10 am and 3 pm and after 7 pm, as well as Saturday, Sunday and other holidays set by law or proclamation, or on any other days or portions of days determined by the Société, under the following conditions: (a) must allow other persons priority when getting on or off the metro car; (b) must, if under the age of 14, be accompanied by an adult; (c) must at all times, be in control of the bicycle, unicycle, tricycle or other similar item and not lean it against a metro car, a seat in the metro car or any other equipment or fixture in the metro; (d) subject to the other restrictions in the present By-law. Under any other circumstance or in any other place, it is forbidden to transport a bicycle, unicycle, tricycle or other similar item. 21. No one shall: (a) ride a bicycle, unicycle, tricycle or other similar item; (b) leave permanently or temporarily parked a bicycle, unicycle, tricycle or other similar item; 22. The foregoing subsection does not limit in any way the right of the Société, or of one of its agents, to temporarily prohibit access to a metro station or to a metro car to a person transporting a bicycle, unicycle, tricycle or other similar item to ensure the security or free flow of persons; Section V – Buildings 10. No one shall, within a building or rolling stock: (e) lean a bicycle, a unicycle, tricycle or other similar item, as well as a trailer attached thereto, elsewhere than on the racks, if applicable, provided for such purposes;	Bylaw allows for transportation of bikes on public transit during specified time duration only. Gas-powered bikes are not allowed on OC Transpo vehicles. Anyone who contravenes section commits an offence and is liable to a fine of \$75 to \$500.

Agency	Section	Enforcement
	(f) leave on the premises, for more than forty-eight (48) consecutive hours, a bicycle, unicycle, tricycle, motorcycle, moped or other similar item, or a trailer attached thereto; such property shall be considered a "thing found" within the meaning of section 91 of the Act Respecting Public Transit Authorities (CQLR, c. S-30.01)	
Toronto TTC	By-law No.1	Bylaw prohibits riding/operating a bicycle on TTC property.
	3.10 No person shall operate a bicycle on TTC property except on the portion of the TTC	
	property consisting of a roadway which is intended for public use for the purpose of arriving at or departing from TTC property.	Total payable penalty is \$235 (includes set fine, applicable victim fine surcharge and costs).
	3.11 No person, unless otherwise authorized, shall:	line suicharge and costs).
	 a) save and except as permitted in accordance with Section 3.10, bring or attempt to bring in or on TTC property a bicycle, skis, ski poles, a sleigh, a toboggan or other large object which may inconvenience other passengers or jeopardize the safety of other passengers or TTC employees: (i) during peak hours; or 	
	(ii) during an emergency as determined by a proper authority;	
	b) bring or attempt to bring a vehicle powered by an internal combustion engine into a TTC subway station.	
	3.12 Notwithstanding Section 3.11(a)(i):	
	a) a person may transport the bicycle on a bus at any time provided that the bus is equipped	
	with a bicycle rack and the person properly secures the bicycle to the rack: and b) a person may, without riding or pedalling, walk the bicycle while on TTC property to and from a bus at any time;	