

San Francisco Municipal Transportation Agency Response to the Budget Analyst's Management Audit of the Proof of Payment Program

Recommendation		Agree	Disagree	Action to be Taken/ Comments
1. Proof of Payment Program Performance Management				
The Director and Deputy Director of SFMTA Security and Enforcement and the POP Operations and Investigations Manager should:				
1.1	<p>Develop Proof of Payment Program performance objectives and goals that:</p> <p>a) Include prevention of fare evasion as the primary objective</p> <p>b) Identify secondary objectives (such as safety and security or customer service), as secondary objectives;</p> <p>c) Establish short term quantifiable goals (such as increasing the program's contact rate), and long term quantifiable goals (such as increasing the percentage of riders who pay fare), to help POP focus on and meet its objectives;</p> <p>d) Establish POP implementation strategies for meeting those goals;</p> <p>e) Establish clear, quantifiable, and actionable criteria for evaluating the POP program's efforts toward achieving short- and long-term objectives.</p>	<p>Partially Agree</p> <p>Partially Agree</p> <p>Partially Agree</p> <p>Partially Agree</p> <p>XX</p>		<p>a) and b) The Proof of Payment Program has multiple objectives and it is clear that the success of the program must be evaluated across all these objectives. Therefore, the SFMTA does not agree that the program has a "primary" objective and "secondary" objectives.</p> <p>a) and b) Additionally, while the practices of the program have been aligned to these multiple objectives, we agree that these objectives should be in a written policy statement.</p> <p>c) We agree that goals must be established only to the extent that goals can be measured directly. For example, it will be impossible to determine whether increases or decreases to the percentage of customers who pay fare can be directly attributable to the success or failure of the POP program. For example, as the fare infrastructure is replaced and customers find it easier to pay, then it is likely that the percentage of customers who pay fares will increase. This result could not be claimed by the POP program.</p> <p>d) and e) Having said that, the SFMTA will develop quantifiable goals and implementation strategies for meeting these goals which are directly attributable to the success of the POP program (e.g, the number of customer contacts)</p> <p>d) and e) Measurable goals, implementation strategies and actionable criteria will be fully documented by the end of the calendar year.</p>
1.2	Calculate and communicate inspection rate and fare evasion rate on a monthly basis. Both require reliable passenger contact counts (see Recommendation 3.4.b). The latter can be bolstered with 100 percent sweeps (see Recommendation 3.5).	Partially Agree		The fare evasion methodology offered by the Budget Analyst, warnings plus citations divided by contacts, will not adequately capture the correct fare evasion rate as the ability to determine fare evasion rates requires statistically significant data. Using the number of warnings plus citations divided by passenger

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				<p>contact as the basis of the fare evasion rates is a questionable methodology as the POP program deployment strategies, the productivity of the TFIs and the reliability of passenger contacts will affect the calculation of fare evasion rates.</p> <p>Therefore, correct fare evasion rates are difficult to determine without significant resources requiring manual evaluation. A 2006 study by a consultant indicated that the overall fare evasion rate was approximately 10%. The SFMTA is in the midst of conducting a more comprehensive, statistically significant systemwide fare compliance study involving the survey of at least 15,000 customers – approximately triple the previous 2006 study. With over 8,000 customers surveyed to date, partial results indicate that the fare evasion rate is within several percentage points of the rate identified in the 2006 study, but this estimate may change as more sampling is completed. SFMTA intends to gather enough samples to better understand fare compliance patterns on an individual route/line basis. SFMTA expects that the survey and analysis will be complete over the next few months.</p> <p>Finally, the time and effort spent on data collection and reporting to calculate fare evasion rates must be evaluated on a cost-benefit basis so as to ensure minimal time spent on these efforts while ensuring value added reporting and maximizing customer interaction. Therefore, updating fare evasion statistics can only be completed when resources are available without negatively impacting day-to-day operations. We will continue to use the fare evasion rates determined by the most recent study.</p> <p>We do agree, however, that inspection rates can be calculated and communicated monthly based on passenger contact counts. However, the ability to conduct 100 percent sweeps effectively is dependent on the availability of staff and given the recommendation to discontinue hiring, this effort may not be possible.</p>

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				Additionally, efforts will be made to ensure improvements in the reliability of passenger contact counts.
1.3	<p>Evaluate the nature of the data that is collected by staff, the recording and reporting of that data, and the evaluation of the data.</p> <p>a) Review the metrics collected by TFIs on a daily basis. Keep existing metrics and add additional metrics that would allow the POP program to evaluate its progress toward its goals. Eliminate unnecessary data collection. For example, TFIs currently log the number of walk-aways (passengers who purposefully vacate a fare enforcement zone before a proof of payment check can be conducted or warning or citation issued). However, the walk-away count is not aggregated in any meaningful way.</p> <p>b) Review and audit TFI passenger contact counts. Provide retraining for TFIs who are consistently miscounting passenger contacts.</p> <p>c) Develop a staff performance database for TFIs or their Supervisor/Investigators to log daily performance statistics. Such a database should allow multiple simultaneous users and allow managers to review and analyze performance data.</p>	<p style="text-align: center;">XX</p> <p style="text-align: center;">XX</p> <p style="text-align: center;">XX</p>		<p>As the SFMTA conducts a review of the current metrics, based on the recommendations in this report, all data collected will result in improved monitoring and management of the POP program.</p> <p>a) Walk-aways normally take place as a result of a contact and therefore are recorded as a contact and aggregated. Security and Enforcement will conduct a review of the metrics collected by TFIs daily and conduct random checks through the increase of supervisory oversight by means of announced and unannounced field supervised visits. Finally, Security and Enforcement will recommend modifications to improve activity reports for program monitoring.</p> <p>b) Training for TFIs related to passenger contact counts was completed on May 4, 2009. The training was accompanied with a Bulletin restating the policy and procedures for proper use of the counter and the requirement to carry the counter as part of their mandatory uniform equipment. Additionally, new counters were reissued to all TFIs recently. An audit schedule for passenger contact counts will be developed in fall 2009 and will include the methodology for the audits.</p> <p>c) Presently, the POP program does not have a database system. An upgrade of present spreadsheet system as recommended will enhance our performance monitoring capability. The design and development of a database will require funding. The SFMTA will determine the cost of this effort and will include the project for funding request in the 2011-2012 budget.</p>
1.4	Oversee the implementation of bi-monthly 100 percent sweeps or blitzes to determine and regularly assess Muni's fare evasion rate. These sweeps should occur in coordination with Muni Response Team Members to assure TFI safety and passenger	Partially Agree		The Budget Analyst is defining a total station shut down and 100% proof of payment checking of all customers in the station and on a trains as "100 percent sweep." From an operations and customer relations perspective, this is not feasible without

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	compliance.			negatively impacting service. Therefore, we will continue with our modified version of sweeps and blitzes every two months which do not impact service negatively and are available within the constraints of available TFI, MTAP and MRT staffing. A formal calendar for the bi-monthly sweeps will be completed by fall 2009.
1.5	Work with the SFMTA's Finance and Customer Service Departments to determine performance measures and standards, and arrange for regular data collection and reporting.	XX		We agree with this recommendation and Security and Enforcement will work with Finance and Customer Service to determine performance measures and standards, arrange for regular data collection and reporting.
1.6	Continue to revise the performance review format for TFIs and Supervisors, including specific definitions for performance and emphasis on objectives and goals.	XX		Security and Enforcement will continue to revise the performance review format for TFIs and Supervisors by December 31, 2009.
1.7	Develop a schedule to ensure annual review of TFIs and Supervisors.	XX		As per recommendation, an annual review schedule will be started by December 31, 2009 and Security and Enforcement plans to conduct annual performance reviews.
2. Proof of Payment Staffing Needs				
The SFMTA Board of Directors should:				
2.1	Suspend all POP-related hiring, including hiring currently underway, until the POP program has devised metrics for evaluating the appropriate staffing levels and implemented Budget Analyst recommendations for expanding POP to buses (see Recommendation 9.4).		XX	The additional 14 staff for the expansion to buses is intended to pilot this new effort. Until the pilot is completed for the bus program, comprehensive metrics cannot be devised and appropriate staffing levels cannot be developed. Viable metrics are only possible once the program and the issues with the program are known through a pilot effort. Security and Enforcement will continue to hire as required to conduct a pilot to set the groundwork for a viable expansion to our rubber tire fleet. Once the pilot is completed, the specific goals, strategies and operational standard practices will be developed for the full program. It is critical that the bus program be launched after careful consideration of the issues surrounding our open transit system.

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				Preliminary feedback from the Fare Compliance Study has been overwhelmingly positive from both transit operators and fare-compliant customers.
The Deputy Director of SFMTA Security and Enforcement should:				
2.2	Oversee the development of criteria for evaluating appropriate staffing levels in order to achieve established performance goals and objectives within the POP program.	XX		In conjunction with actions to be taken in response 1.1 (e) criteria for evaluating appropriate staffing levels will be developed.
The Director and Deputy Directors of SFMTA's Security and Enforcement Division, in coordination with the POP Operations and Investigations Manager, should:				
2.3	Establish a target contact rate for the POP program as a whole.	XX		This was addressed in 1.1 (b)
2.4	Calculate, report, and audit the contact rate monthly, as well as individual and team productivity rates.	XX		Contact rates will be tracked individually, by teams and by unit on a monthly basis. Discussions with Finance and Customer Service will take place to establish reporting process and methodology to track productivity.
2.5	Work with Supervisors and TFIs to develop strategies for improving the program's contact rate and achieve established contact rate goals. These strategies should include overall TFI deployment efforts as well as individual work performance.	XX		The SFMTA continuously seeks input from our multiple stakeholders and will continue to include participation from employees, customers, business and advocates.
3. Transit Fare Inspector Deployment				
The SFMTA Board of Directors should:				
3.1	Evaluate designating elevated Muni platforms, including the T Third light rail platforms, as Proof of Payment Zones. Such a designation would allow TFIs to conduct inspections on these platforms, and would exclude non-patrons from these areas, which have had additional problems of graffiti and other vandalism.		XX	<p>The SFMTA does not believe that this is feasible on the T-Third line light rail platforms as customers are not able to purchase fares on the platforms. Additionally, the cost-effectiveness of purchasing, installing and maintaining fare vending machines along the T-Third line platforms is questionable.</p> <p>The platforms along the Embarcadero, however, may present more suitable options for this designation given the ability to purchase fares.</p>

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The Deputy Director of SFMTA Security and Enforcement should:				
3.2	<p>Bolster the program's understanding of its deployments by maintaining ongoing logs of:</p> <ul style="list-style-type: none"> a) Hours assigned to various lines and districts, including specific Metro platforms. b) Areas of high evasion and other safety and customer service needs. c) Team departure and return times. 	XX	XX	<p>As mentioned previously, the time and effort spent on data collection and reporting, particularly manually, must be evaluated on a cost-benefit basis so as to ensure minimal time spent on these efforts while ensuring value added reporting while maximizing customer interaction.</p> <p>The SFMTA currently maintains "Weekly Assignment" worksheets which assigns TFIs to specific Districts, Lines, Special Details, and Buses and includes assigned lunch times.</p> <p>As part of the Fare Compliance Study, SFMTA has been surveying nearly every route/line in the system at different locations and during different times of the day in an effort to achieve as much of a true random sample as logistically possible and not target a specific population. Partial results to date have indicated a wide variation of fare compliance in different areas of the system. When complete, the study data will enable SFMTA to identify areas of high fare evasion and develop an effective fare inspection deployment strategy.</p> <p>Recently, improvements were made by reducing the amount of time spent on briefings and travel times were shortened by 30 minutes.</p> <p>The deployment of handheld devices would dramatically reduce the time spent in the office at the end of a shift by eliminating the need for TFIs to hand tally their daily stats. We are in the process of identifying funds for these handhelds. Security and Enforcement staff attended several Handheld Device demonstrations and are working with our Citation Processing System Vendor to select devices for piloting.</p>
3.3	Develop a staffing and line assignment strategy that:			Security and Enforcement is working collaboratively with Muni Operations to identify target enforcement areas and adjust staff deployment accordingly.

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	<p>a) Is synchronized to Muni ridership patterns and other strategic objectives.</p> <p>b) Minimizes the impact of diminished system coverage due to lunch breaks and shift changes during peak system ridership periods.</p> <p>c) Specifies and coordinates Muni Metro station platform coverage and provides simultaneous coverage of primary and secondary entrances, when appropriate.</p> <p>d) Allows for alternative assignments for TFI pairs and trios during periods of overcrowding or line delays.</p> <p>e) Targets areas known to have high levels of fare evasion.</p> <p>f) Provides sufficient coverage of the evening rush-hour on Mondays and Fridays.</p>	<p>XX</p> <p>XX</p> <p>XX</p> <p>XX</p> <p>XX</p> <p>XX</p>	<p>XX</p> <p>XX</p>	<p>a) This was addressed in 3.2. In addition, we will evaluate and develop plans to maximize shift coverage during peak ridership period.</p> <p>b) Security and Enforcement will evaluate our deployment to maximize coverage during peak ridership periods. This will likely involve a Meet & Confer with each Collective Bargaining Unit due to potential changes in shift times and days off.</p> <p>c) Our current deployment strategy already addresses this issue.</p> <p>d) Our current deployment strategy already addresses this issue.</p> <p>e) This was addressed in 3.2 (b).</p> <p>f) We will evaluate shift alignment structure to provide additional coverage.</p>
3.4	Adjust staff deployment to minimize non-POP transit time and to ensure coverage of the full length of the various transit line districts. The Deputy Director may consider utilizing the existing POP automobile, BART, Muni bus, or other transportation methods to deploy staff to light rail lines terminuses.	Partially Agree		Presently piloting this recommendation via SFMTA non revenue vehicles, i.e., Security vehicles, to see if transporting TFIs to remote transit stops provides any time savings. As the BART system parallels Muni Metro, therefore no added benefit. Buses are presently utilized.
3.5	Work with the POP Operations and Investigations Manager to streamline Supervisor administrative requirements through the implementation of a shared database, as discussed in Section 1, <i>POP Performance Management</i> .	XX		Development of shared database amongst Supervisors will allow multi-user data entry for more current and efficient data collection for management reporting. Discussions with Finance for design analysis and project development will be finalized by December 31, 2009.
3.6	Develop a calendar of periodic 100 percent sweeps or blitzes, in accordance with POP program procedures, varying by time of day and location, and coordinated with the Muni Response Team.	XX		As discussed in the response to recommendation 1.4, SFMTA does not believe that a "100 percent sweep" – defined as a total station shut down and 100% proof of payment checking of all customers in the station and on a trains - is feasible without

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				negatively impacting service.
The POP Operations and Investigations Manager should work with Supervisor/Inspectors to:				
3.7	Continue to emphasize timely departures and discourage early returns in order to maximize the portion of the work day spent in conducting fare inspections.	XX		In the past three months, departure and return times have been shortened by 30 minutes. This will be revisited periodically at staff "all hands" meetings and individually as needed. Security and Enforcement will periodically (every 3-6 months) re-issue the policy through the bulletin process.
3.8	Clarify the break policy, including break times and appropriate break locations, convey this policy clearly, and enforce this policy with formal, documented site checks.	XX		The time limits of breaks are set in the MOU. Breaks are conducted in the field within assigned areas for the day. The Supervisors will continue to re-iterate, re-emphasize and monitor the adherence of the break policy. Security and Enforcement will periodically (every 3-6 months) re-issue the policy through the bulletin process.
4. Complaints and Complaint Handling				
The Deputy Director of Security and Enforcement and the POP Operations and Investigations Manager should:				
4.1	Discontinue the handling of PSRs in hard-copy and transition the POP program to the SFMTA's Trapeze and 311's Lagan systems, when access to those systems becomes available.	XX		The SFMTA is implementing a three-phased plan to more effectively track, classify and report on feedback in order to improve resolution of customer concerns. In phase I (which was completed in January 2009), the Agency completed a comprehensive update to the Passenger Service Report (PSR) categories and types and resolution codes to facilitate better reporting on customer feedback and resolution at the Division level. Phase II - July 1, 2009), Muni Customer Services staff will electronically transmit all Products and Services and Non-Transit Operator Employee Conduct PSRs via the Trapeze application for review. Phase III - will be completed by December 31, 2009. In this phase SFMTA will partner with the 311 Customer Service Center to transition handling of all Products and Services and Non-Transit Operator Employee Conduct related PSRs from the Trapeze application to 311's Lagan Customer Relationship Management (CRM) application.
4.2	Provide training and access to Trapeze and Lagan to all POP Supervisors when access to those systems becomes available.	XX		To be completed by December 31, 2009.

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4.3	Review and sign-off on all PSRs prior to PSRs being designated as closed.	XX		At conclusion of a PSR investigation, we will notify Muni Customer Services of our findings and request closure of the request.
4.4	Develop, maintain, and periodically review an electronic log of PSRs, including date received, date closed, responsible Supervisor (if any), TFI (if any), a standardized action taken, and a standardized incident type.	XX		Security and Enforcement will work with Muni Customer Services to conduct periodic reviews to evaluate PSR trends for standardization and service improvement. Administrative Sergeant presently maintains an in-house log of customer complaints (PSR's, letters, email, and phone calls). Will develop a list of standardized incident types and action taken.
4.5	Create written policies and procedures that codify the above and hold staff accountable.	XX		Existing guidelines for complaint handling are being reformulated into more detailed procedures (including staff accountability requirements) in advance of the transition from Trapeze to Lagan Muni Customer Services and Security.
5. Fare Inspection Safety				
The Deputy Director of Security and Enforcement and the POP Operations and Investigations Manager should:				
5.1	Include a section in the incident report template for TFIs to note police response times and coordination with Central Control. Begin tracking police response trends in order to inform POP program safety procedures and practices.	XX		If police response is necessary and requested, Security and Enforcement will track police response times and will include a specific section in the incident report template to document these times. Any deficiencies discovered during the reporting and response process are presently reviewed, and will continue to be reviewed and addressed jointly by Security, Central Control and SFPD.
5.2	Create a digital incident report log with standardized fields.	XX		SFMTA will develop a digital incident report log with standardized fields to the extent funding is identified for this project in FY 2011-2012 budget.
5.3	Digitally file all incident reports, including relevant police reports, Supervisors' notes detailing any verbal feedback provided, as well as any discipline and formal responses.	XX		SFMTA will develop a computerized filing system by, except for disciplinary materials which are confidential SFMTA HR documents; to the extent funding is identified for this project in FY 2011-2012 budget.
5.4	Analyze incident reports quarterly and annually to identify trends among individuals, teams, locations, times, and incident types, and to inform group retraining needs.	XX		Presently only tracking criminal incidents. Will expand this process to other incidents. Will initiate such analysis and have a working structure started by December 31, 2009.

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5.5	<p>Revise and refine POP policies and procedures concerning POP staff safety, including:</p> <p>a) A policy statement on TFIs' roles and responsibilities in responding to emergency situations and guidelines on identifying emergency situations and notifying police or other emergency responders.</p> <p>b) Guidelines for executing a citizen's arrest, including recommended circumstances for when such an action is appropriate and alternatives to executing a citizen's arrest.</p> <p>c) Guidelines on repercussions resulting from an employee's failure to act in accordance with the POP program policies.</p>	XX	XX	<p>a) This is already covered in the training manuals for TFIs; however, this section needs further clarification and will be completed by December 31, 2009.</p> <p>b) We have discussed this issue during routine briefings with TFIs and provided a general verbal guideline. Expansion of citizen's arrest information training will be provided by the City Attorney.</p> <p>c) Standard progressive discipline applies if an employee fails to act in accordance to POP program policies. Security and Enforcement will expand section 10A of General Rules to include repercussions for not adhering to POP policies and procedures.</p>
5.6	With Supervisors' assistance and input, revise the TFI manual to reflect policy and procedure changes. Include updated policies and verbal judo reference materials.	XX		Security and Enforcement acknowledges that the current manual is out of date and needs a comprehensive revision. Will complete this task by the end of Fiscal Year 2009-2010.
5.7	With Supervisors' assistance and input, prepare a new Supervisor manual that reflects current POP policies, processes, goals, and expectations.	XX		Security and Enforcement acknowledges that the current manual is out of date and needs a comprehensive revision. Will complete this task by the end of Fiscal Year 2009-2010.
5.8	Work with the Safety Division to create a schedule of retraining workshops for TFIs in verbal judo or other conflict resolution techniques. Provide regularly scheduled training updates for all POP program staff.	XX		<p>Will continue to coordinate with the SFMTA Safety Division to review available training classes offered (i.e. Verbal Judo) to schedule and provide annual training.</p> <p>Presently we offer and coordinate continuous training of all Transit Fare Inspectors and Supervisors in Conflict Resolution, Customer Service, CPR/First Aid and Track Safety. For Supervisors, continuous management skill enhancements through leadership training and DHR courses. Report indicates we have not been providing training to the TFI's and Supervisors. However, this is not accurate as the following has been completed:</p> <p>* 2006 ALL staff received customized computer training for</p>

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				<p>spreadsheet updates.</p> <ul style="list-style-type: none"> * -2008 All staff received EEO & LGBT Sensitivity Training * Supervisors Conflict Resolution Training (Oct., 2008) and various DHR Management Classes (Sept. 2008 - to current) = Using Progressive Discipline Successfully, Managing Your Probationary Employee, Performance Evaluation Analysis Part 1 & II: The Performance Review & Plan, 24Plus for New/Experienced Mgr/Supv., 7 Habits for Effective People. * TFI/Supv - On Track Safety & Evacuation provided by Safety Division). Continue with Training Plans for Transit Fare Inspectors and Supervisors: * TFI's/Supv.-CPR/First Aid (May, 2009) * Supvs.-Leadership Training (Aug., 2009) * TFI - Conflict Resolution Training (Nov., 2009) * Subway Station Evacuation Drill (Mar., 2009)
6. Muni Response Team and Station Agents				
The Deputy Director of Security and Enforcement should:				
6.1	Ensure that SFPD Muni Response Team and SFMTA Transit Fare Inspectors have current training and information on all Proof of Payment Program ordinances and regulations.	XX		<p>POP, MTAP and MRT (SFPD) have currently information of the laws and regulations they are enforcing. (Attachment B – SFPD Information Memorandum, 02-01-08)</p> <p>Continuous contact with SFPD Deputy Chief of Field Operations Bureau and the O.I.C. of the Muni Response Team will ensure up to date ordinances and regulations information is shared. SFMTA Security Unit memos will be drafted and disseminated as needed.</p>
6.2	Ensure that a new Memorandum of Understanding for SFPD services includes provisions specifying services to be provided to the Proof of Payment Program, including the role of the SFMTA Muni Response Team in supporting the POP Program 100 percent sweeps of the light rail system.	XX		<p>The revised MOU will include establishing regular meetings between SFMTA and SFPD to address all transit concerns including P.O.P. strategies. The MOU includes the following language: <i>“The MRT shall provide law enforcement services to support the SFMTA's public safety and policing priorities, including the SFMTA's proof of payment ("POP") program. The MRT shall respond to POP deployment requests, as needed, throughout the Public Transit System.”</i></p>
The SFMTA Executive Director should:				
6.3	Staff the Metro Station Operations Unit with 64.0 FTE 9131 Station Agent positions to provide Station Agent coverage of	Partially Agree		<p>Security and Enforcement agree that full staffing of the secondary booth is important not only from a fare evasion</p>

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	primary and secondary Metro Station booths.			reduction point-of-view, but also from a customer service point-of-view. However, additional staff will cost SFMTA roughly \$480,000 for four additional station agents at the four downtown stations as recommended. As a result of our current budget deficit, eight station agent positions have been deleted. The Agency does not foresee any funding available in the immediate term to restore the eliminated positions.
6.4	Develop a plan, budget, and time frame to (a) implement cash machines at the Metro Stations collocated with BART, and (b) install Metro Station signs for use of discount passes.	XX		The SFMTA is currently in the process of repairing, upgrading and installing new change machines at the subway stations. The Agency is currently procuring units with \$40,000 in Federal Stimulus funds to acquire additional change machines in the BART/Muni shared stations. We anticipate the upgrades and installation of change machines by October 1, 2009. Additionally, the signs for use of discount passes will be installed in the stations by the same date.
6.5	Consider reconfiguring access gates for ADA compliance as part of the proposed replacement of fare gates at the Metro Stations.	XX		The planned fare gate replacement project will provide ADA-compliant equipment, most notably through the introduction of accessible, extra-wide fare gates. The project is estimated for completion in 24 months.
7. Fare Evasion Fine Structure				
The Board of Supervisors should:				
7.1	Revert fare evasion to a criminal citation, which requires an action of the State Legislature to amend the California Public Utilities Code, deleting the civil citation, and the Penal Code, adding the criminal citation;		XX	A policy decision was made recently to seek San Francisco and Los Angeles specific legislation to decriminalize these offenses given the lack of attention and lack of understanding of the seriousness of these citations by the Courts.
	OR Increase the base fine for adult fare evasion closer or equal to that of a juvenile fine, including court fees.	XX		Fare evasion/passenger conduct violations are punishable as an infraction subject to a fine not to exceed \$250 in other jurisdictions in California. The City Attorney has advised that civil penalties of up to \$250 are legally defensible and that graduated penalties can be imposed up to a maximum penalty of \$250.

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	<p>AND</p> <p>Create an escalating penalty for repeat offenders and a method of identifying these offenders, at an amount at least twice the base fare evasion fine, as recommended by the Federal Transit Administration's Transit Cooperative Research Program.</p>	XX		See above
The SFMTA Board of Directors should:				
7.2	Develop a policy and program for excluding habitual offenders from the Muni transit system.		XX	Security and Enforcement will consult with the City Attorney's Office and SFPD regarding this recommendation; however, it is unlikely that this recommendation is operationally feasible in the City's transit system. Enforcement of any court ordered banishment for the Muni transit system would have to be administered by local law enforcement in this case SFPD.
7.3	Allow fare evaders to participate in the SFMTA's Project 20 community service alternative sentencing program.		XX	The SFMTA does not believe that this recommendation is feasible given the operational, legal and other potential risks to a program of this type.
The Deputy Director of Security and Enforcement and the POP Operations and Investigations Manager should:				
7.4	Direct and enable TFIs to issue written warnings to adults and juveniles instead of verbal warnings and track written warnings in the same customer service database as written citations.		XX	Creating and issuing written warnings are not value added and, furthermore, will result in additional litter. However, if a verbal warning is given, it is important to capture this data.
The MTAB Government Affairs, Director of Security and Enforcement, in coordination with the City Attorney's Office, should:				
7.5	Correct Section 302 cross references in the Transportation Code.	XX		Section 302 has already been updated and currently contains the correct references to Division I regarding fare evasion, passenger conduct violations, and conversing with the operator violations
7.6	Include provisions for processing juvenile fare evaders in the San Francisco Transportation Code.		XX	Penal code section 640(c) provides that San Francisco may enact an ordinance imposing a civil penalty for fare evasion/passenger conduct violations; however, such penalties shall not apply to minors. Minors are still subject to a criminal citation and adjudicated through the juvenile court system pursuant to state law.

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8. Citation Processing and Collection				
The Board of Supervisors should:				
8.1	Petition the California State Legislature to amend the California Public Utilities Code, authorizing the City and County of San Francisco to implement mechanisms to enforce adult fare evasion fine collections under the PRWT contract, including referral to third party collection agencies, and reporting to the California Franchise Tax Board and the credit bureaus.	XX		The City could sponsor state legislation to provide remedies for adult violators who fail to pay fare evasion/passenger conduct citations. Some of the remedies that could be authorized by such legislation include: (1) requiring payment of outstanding citations before a violator could renew his or her driver's license or vehicle registration; (2) garnishing a violator's state income tax return; or (3) authorizing the city to obtain a civil judgment for unpaid citations and pursue collection actions.
8.2	Consider petitioning the California State Legislature to amend the California Public Utilities Code to authorize the City and County of San Francisco to convert adult fare evasion civil citations to criminal citations if the evader has not paid the fine after 120 days.	Partially Agree		This recommendation will require research by the City Attorney's office to assess the legal ramifications.
The Deputy Director of SFMTA Security and Enforcement should				
8.4	Upon the purchase and implementation of handheld devices, develop written procedures for reconciling citation numbers to ensure that all citations are accounted for.	XX		The SFMTA will ensure that best practices regarding citation numbering and inventory control will be in place as part of the programming of the handheld devices as well as written standard operating practices for the use of handheld devices.
8.5	Discontinue manual counts of issued citations after implementing the use of a handheld device.	XX		Agree that there is no need for manual counts after implementing use of handheld devices.
8.6	Provide training on eTIMS to all POP Supervisors, focusing on citation issuance and collection reporting.	XX		SFMTA will work with eTIMS vendor to develop a training package for TFI Supervisors for access and utilization of eTIMS management reports. This will be completed once handhelds have been purchased and programmed contingent on adequate funding.
8.7	Develop written procedures for generation and use of eTIMS management reports.	XX		SFMTA will work with eTIMS vendor to develop the required management reports as well as a training package for TFI Supervisors for access and utilization of eTIMS management reports. This will be completed once handhelds have been purchased and programmed contingent on adequate funding.

San Francisco Municipal Transportation Agency Response to the Budget Analyst's Management Audit of the Proof of Payment Program

Recommendation		Agree	Disagree	Action to be Taken/ Comments
The Director of SFMTA Security and Enforcement should:				
8.8	Train and evaluate TFIs in collecting accurate adult fare evader names and addresses when issuing citations.	XX		Fare Inspectors are trained in this process during initial training course and supervisors are required to inspect daily issued citation to insure they are completed correctly including names and addresses. Continual lack of this data will be incorporated into the performance feedback to TFIs.
9. Expanding Proof of Payment to the Buses				
The SFMTA Board of Directors should:				
9.1	Direct the Security and Enforcement Division to discontinue the pilot program to expand POP to the SFMTA bus fleet until an implementation plan is approved (see Recommendation 9.4)		XX	See response to Section 2.1
9.2	Suspend hiring of vacant 8121 Supervisor/Investigators and 9132 Transit Fare Inspectors positions until the pilot program implementation plan is completed and approved by the Board of Directors.		XX	See response to Section 2.1
The Director and Deputy Director of Security and Enforcement and the POP Operations and Investigations Manager should:				
9.3	Measure fare evasion on SFMTA buses and compare the evasion rate with other bus systems.	XX		The SFMTA is currently conducting a statistically significant Fare Compliance Study of the entire system, including bus and rail. The study is expected to be completed in the next few months and will be available for public review. Fare evasion on the SFMTA system will be compared with fare evasion rates in other cities, where available.
9.4	Develop an implementation plan for Phase IV of the bus pilot. In doing so, the Security and Enforcement Division should:			(a-d) See response to Section 2.1. At the completion of the pilot, the SFMTA will develop detailed goals, objectives and operational strategies and practice for the POP program on buses and will incorporate all of the issues identified.
	a) Define the main goal(s) of the Phase IV bus pilot (i.e., reduce boarding time through facilitating back door boarding; increase revenue collection from reduced fare evasion);	XX		
	b) Develop criteria for the selection of bus lines that are in concert with the goals of the POP program and any POP bus expansion (i.e., main transfer points, high rider volume, high incidence of fare evasion);	XX		

