[Urging the California State Legislature to Amend State Law for Youth Fare Evasion]

Resolution urging the California State Legislature to amend State law to remove the exclusion of minors from the authority of local jurisdictions; to create an administrative penalty for fare evasion and other minor transit violations; and remove the processing of these violations from the Court system.

WHEREAS, Youth are considered transit-dependent when they are old enough to travel independently, but not yet old enough to drive; and

WHEREAS, According to California department of finance data, the number of individuals below the driving age is expected to grow 42.5% by 2050; and

WHEREAS, Budget cuts to school districts have hampered districts’ ability to provide transportation to students, where youth ridership on schools buses already sits lowest in the nation at 16%; and

WHEREAS, Many transit agencies around California now offer reduced-price or free passes for youth riders, including San Francisco which has made low and moderate income youth eligible for free transit passes, for which approximately 75% (approximately 34,000) of San Francisco’s public school children qualify; and

WHEREAS, In 2006, the San Francisco Municipal Transportation Agency (SFMTA), in conjunction with the Los Angeles Metropolitan Transportation Authority (LAMTA), successfully changed state law (SB 1746-Migden) to create an administrative fine and processing alternative for adults receiving transit related violations, most commonly for fare evasion, shifting the jurisdiction for processing citations written under this code from the Superior Court to an administrative processing agency, similar to parking tickets; and

WHEREAS, SB 1746 did not apply to citations issued to youth under the age of 18; and
WHEREAS, By retaining the jurisdiction for administration of the transit violations for youth in the court system, an undue burden is placed on children and families by requiring them to appear in court during school and/or work hours while adults are able to simply pay or protest their violation by mail, online or by phone; and

WHEREAS, Youth may be subject to criminal penalties and administrative fees, while the failure to appear in court may also result in a warrant being issued and further criminal penalties, increasing the workload of the court system and penalizes youth more significantly than adults for the same violations; and

WHEREAS, The SFMTA is considering the establishment of service-based program in lieu of fines; and

WHEREAS, Considering the evolution and projected future of transit ridership for youth in California, it's time to change the law to reflect this reality and take minor transit citations for youth out of the criminal court system; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the California State Legislature to amend State law to remove the exclusion of minors from the authority of local jurisdictions; to create an administrative penalty for fare evasion and other minor transit violations including eating or drinking in the system, disturbances, and smoking; and remove the processing of these violations from the Court system.
Resolution urging the California State Legislature to amend State law to remove the exclusion of minors from the authority of local jurisdictions; to create an administrative penalty for fare evasion and other minor transit violations; and remove the processing of these violations from the Court system.

January 27, 2015 Board of Supervisors - CONTINUED
Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener and Yee
Excused: 1 - Mar

February 03, 2015 Board of Supervisors - ADOPTED
Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 2/3/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

UNSIGNED

Mayor

2/13/2015

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board