

**SUBJECT:** Allowing Capital Metro to hire fare enforcement officers

**COMMITTEE:** Transportation — committee substitute recommended

**VOTE:** 8 ayes — Pickett, Phillips, Callegari, Dunnam, Guillen, Harper-Brown, T. Smith, W. Smith

0 nays

3 absent — Y. Davis, McClendon, Merritt

**WITNESSES:** For — Rider Scott, Denton Co. Transportation Authority; (*Registered, but did not testify:* Jeff Coffee, Alliance for Public Transportation; Andrea Lofye, Capital Metropolitan Transportation Authority; Sean Mannix, Austin Police Department; Chris Shields, Fort Worth Transit Authority; Charley Wilkison, Combined Law Enforcement Associations of Texas; Glenn Gadbois)

Against — None

**BACKGROUND:** Transportation Code, ch. 451 establishes powers and duties of metropolitan transit authorities in the state.

The Capital Metropolitan Transportation Authority (Capital Metro), which serves the Austin area, is the only transportation authority in the state established before July 1, 1985, that serves a principal municipality with fewer than 750,000 people.

The comptroller manages the state's contract travel services program, through which the state is able to negotiate for business-related travel expenses in a higher volume.

**DIGEST:** CSHB 2469 would allow a metropolitan transportation authority confirmed before July 1, 1985 and serving a principal municipality with a population under 750,000 (Capital Metro) to employ officers to enforce the payment of fares. Fare enforcement officers could request and inspect evidence showing the appropriate fare had been paid and could issue a citation to a person that used the public transportation system and had no evidence of payment. The offense would be a class C misdemeanor

(maximum fine of \$500) and would not be considered a crime of moral turpitude.

A fare enforcement officer would have to complete a 40-hour training course before assuming duties. A fare enforcement officer would not be a peace officer, would have no authority to enforce a criminal law, and could not carry a weapon while performing duties.

CSHB 2469 also would allow an officer or employee of a transportation authority or other transit entity engaged in official business of the authority to participate in the comptroller's contracts for travel services. The comptroller could charge a participating authority a fee not to exceed the costs incurred by the comptroller in providing services, and would periodically review fees and adjust them as needed to ensure recovery of costs incurred in providing services to authorities.

The bill would take effect September 1, 2009.

NOTES:

The companion bill, SB 1263 by Watson, has been referred to the Senate Transportation and Homeland Security Committee.