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Title:	AN ORDINANCE related to regulation of conduct on transit property; amending Ordinance 11950, Section 14, as amended, and K.C.C. 28.96.010 and prescribing penalties.		
Sponsors:	Dave Upthegrove		
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Attachments:	1. Ordinance 18332.pdf, 2. 2016-0237 legislative review form.pdf, 3. 2016-0237 fiscal note.xls, 4. 2016-0237 transmittal letter.docx, 5. 2016-0237 and 2016-0238_SR_Treatment_for_Transit_Violations-Final.docx, 6. 2016-0237 and 2016-0238_ATT4_Motion_14441_Extension_Letter.docx, 7. 2016-0237 and 2016-0238_ATT5_Motion_14441.pdf, 8. Hearing Notice - publish Seattle Times 6-29-16.doc, 9. Affidavit of Publication - 6/29/16 Seattle Times.pdf		

Date	Ver.	Action By	Action	Result
8/15/2016	1	Metropolitan King County Council	Passed	Pass
8/15/2016	1	Metropolitan King County Council	Hearing Held	
6/21/2016	1	Transportation, Economy, and Environment Committee	Recommended Do Pass	Pass
5/9/2016	1	Metropolitan King County Council	Introduced and Referred	

Clerk 05/02/2016

AN ORDINANCE related to regulation of conduct on transit property; amending Ordinance 11950, Section 14, as amended, and K.C.C. 28.96.010 and prescribing penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11950, Section 14, as amended, and K.C.C. 28.96.010 are each hereby amended to read as follows:

A. The following actions are prohibited in, on or in relation to, all transit properties. For conduct not amounting to a violation of another applicable state or local law bearing a greater penalty or criminal sanction than is provided under this section, a person who commits one of the following acts in, on or in relation to

transit property is guilty of a civil infraction to which chapter 7.80 RCW applies.

1. Allowing any animal to occupy a seat on transit property, to run at large without a leash, to unreasonably disturb others or to obstruct the flow of passenger or bus traffic; but animals may occupy a passenger's lap while in a transit vehicle or facility;
2. Allowing his or her animal to leave waste on transit property;
3. Rollerskating, rollerblading or skateboarding;
4. Riding a bicycle, motorcycle or other vehicle except for the purpose of entering or leaving passenger facilities on roadways designed for that use. In tunnel facilities, bicycles must be walked at all times and may not be transported on escalators. However, nothing in this section shall be construed to apply to commissioned peace officers or county employees engaged in authorized activities in the course of their employment;
5. Eating or drinking. However, eating and drinking nonalcoholic beverages are permitted on the mezzanine and exterior plaza levels of tunnel stations and the exterior areas of other passenger facilities. Also, drinking a nonalcoholic beverage from a container designed to prevent spillage is permitted on transit property;
6. Bringing onto a transit passenger vehicle any package or other object that blocks an aisle or stairway or occupies a seat if to do so would, in the operator's sole discretion, cause a danger to passengers or displace passengers or expected passengers;
7. Operating, stopping, standing or parking a vehicle in any roadway or location restricted for use only by transit vehicles or otherwise restricted;
8. Engaging in public communication activities or commercial activities except as authorized under K.C.C. 28.96.020 through 28.96.210;
9. Riding transit vehicles or using benches, floors or other areas in tunnel and other passenger facilities for the purpose of sleeping rather than for their intended transportation-related purposes;
10. Camping in or on transit property; storing personal property on benches, floors or other areas of

transit property;

11. Entering or crossing the transit tunnel roadway or transit vehicle roadways in and about other passenger facilities, except in marked crosswalks or at the direction of county or public safety personnel;

12. Extending an object or a portion of one's body through the door or window of a transit vehicle while it is in motion;

13. Hanging or swinging on bars or stanchions, with feet off the floor, inside a transit vehicle or other transit property; hanging onto or otherwise attaching oneself at any time to the exterior of a transit vehicle or other transit property;

14. Engaging in any sport or recreational activities on transit property;

15. Parking a vehicle in an approved parking area on transit property for more than seventy-two consecutive hours;

16. Using a transit facility for residential or commercial parking or encouraging others to make such a use, except the commercial parking that is authorized under K.C.C. 28.96.220;

17. Performing any nonemergency repairs or cleaning of a vehicle parked on transit property; ~~((and))~~

18. Conducting driver training on transit property; and

19. For those individuals seventeen years of age and under, failing to present a valid, unexpired pass, transfer or ticket or otherwise failing to pay the appropriate fare as required under county ordinance.

B. The following actions are prohibited in, on or in relation to all transit properties. For conduct not amounting to a violation of another applicable state or local criminal law bearing a greater penalty than is provided under this chapter, a person who commits one of the following acts in, on or in relation to transit property is guilty of a misdemeanor.

1. Smoking or carrying a lighted or smoldering pipe, cigar or cigarette while in a transit vehicle or in the platform or mezzanine areas of the tunnel;

2. Discarding litter other than in designated receptacles;

3. Playing a radio, tape recorder, audible game device or any other sound-producing equipment, except when the equipment is connected to earphones that limit the sound to the individual listener. However, the use of communication devices by county employees, county contractors or public safety officers in the line of duty is permitted, as is the use of private communication devices used to summon, notify or communicate with other individuals, such as pagers or portable telephones;

4. Spitting, expectorating, urinating or defecating except in restroom facilities;

5. Carrying flammable liquids, flammable or nonflammable explosives, acid or any other article or material of a type or in a manner that is likely to cause harm to others. However, cigarette, cigar or pipe lighters, firearms, weapons and ammunition may be carried if in a form or manner that is not otherwise prohibited by law or ordinance;

6. Intentionally obstructing or impeding the flow of transit vehicle or passenger movement, hindering or preventing access to transit property, causing unreasonable delays in boarding or deboarding, reclining or occupying more than one seat, or in any way interfering with the provision or use of transit services;

7. Unreasonably disturbing others by engaging in loud, raucous, unruly, harmful, abusive or harassing behavior;

8. Defacing, destroying or otherwise vandalizing transit property or any signs, notices or advertisements on transit property;

9. Drinking an alcoholic beverage or possessing an open container of an alcoholic beverage. However, possessing and drinking an alcoholic beverage is not prohibited in the tunnel facilities if authorized as part of a scheduled special event for which all required permits have been obtained and when said facilities are not in use for transit purposes;

10. Entering nonpublic areas, including but not limited to tunnel staging areas and equipment rooms, except when authorized by the director or when instructed to by county or public safety personnel;

11. Dumping any materials whatsoever on transit property, including but not limited to chemicals and

automotive fluids;

12. Throwing an object at transit property or at any person in transit property;

13. For those individuals eighteen years of age and older, ((F))failing to present a valid, unexpired pass, transfer or ticket or otherwise failing to pay the appropriate fare as required under county ordinance;

14. Possessing an unissued transfer or tendering an unissued transfer as proof of fare payment;

15. Falsely representing oneself as eligible for a special or reduced fare or obtaining any permit or pass related to the transit system by making a false representation;

16. Falsely claiming to be a transit operator or other transit employee; or through words, actions and/or the use of clothes, insignia or equipment resembling department-issued uniforms and equipment, creating a false impression that he or she is a transit operator or other transit employee;

17. Bringing onto transit property odors which unreasonably disturb others or interfere with their use of the transit system, whether such odors arise from one's person, clothes, articles, accompanying animal or any other source;

18. Engaging in gambling or any game of chance for the winning of money or anything of value; ((and))

19. Discharging a laser-emitting device on a transit vehicle, directing such a device from a transit vehicle toward any other moving vehicle or directing such a device toward any transit operator or passenger; and

20. Knowingly entering or remaining unlawfully on transit property.