

By Mr. Clark of Hamilton, petition of Forrester A. Clark, Jr., for legislation to provide for printed receipts for rail line fares for passengers. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT RELATIVE TO PROOF OF PAYMENT OF RAIL FARES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 159 of the General Laws is hereby amended by  
2 inserting after section 33 the following section:

3 Section 101A. The Massachusetts Bay Transportation Authority  
4 shall establish a system for the collection of fares on its rail lines  
5 which provides passengers with a printed receipt for payment of  
6 the scheduled fare. Said receipt will be considered proof of pay-  
7 ment for transportation services. This collection system shall be  
8 monitored by persons designated by the Massachusetts Bay  
9 Transportation Authority to do so, or by police officers of the  
10 Massachusetts Bay Transportation Authority. Such police officers  
11 or persons may inquire of passengers on the train and demand to  
12 see proof of payment of the scheduled fare. Passengers who refuse  
13 to exhibit the proof of payment upon demand, or who have failed  
14 to pay the scheduled fare, shall be deemed to be in violation of  
15 this section. Violators of this section, for the first offense, may be  
16 issued a non-criminal citation by a police officer of the  
17 Massachusetts Bay Transportation Authority or other designated  
18 persons.

19 Said citation shall be completed in triplicate: one copy shall be  
20 delivered to the violator, in hand; one copy shall be forwarded to  
21 the District Court holding jurisdiction where the offense occurred;  
22 and one copy shall be maintained by the Massachusetts Bay  
23 Transportation Authority Police Department.

24 A person who violates this section may, for the first offense, be  
25 issued a written warning or be assessed a fine of \$25.00. Each  
26 subsequent non-criminal violation by the offender, occurring  
27 within one year of the first offense, shall be punished by a fine of  
28 \$100.00. If the fine is paid pursuant to the citation, and within  
29 twenty-one days, the offense shall be deemed non-criminal.  
30 Should the violator not pay the fine within twenty-one days, pur-  
31 suant to this action, the commanding officer shall ensure that a  
32 criminal complaint is issued against the violator and a summons  
33 issued. Should the violator not answer to said summons the Clerk  
34 of the District Court shall ensure that a warrant for the arrest of  
35 the violator is issued and said warrant entered into the Warrant  
36 Management System.

37 Any passenger who does not exhibit proof of payment upon  
38 demand and refuses to identify himself, or falsely identifies him-  
39 self, may be arrested by a police officer authorized to serve crim-  
40 inal process. If said offender is arrested for failing to identify  
41 himself, for falsely identifying himself, or as the result of a war-  
42 rant for his non-payment of the non-criminal citation, the penalty  
43 for the first offense shall be a fine of not more than \$100.00, nor  
44 less than \$50.00, and for each subsequent offense imprisonment  
45 for a period not exceeding three months, or a fine of not more than  
46 \$500.00 nor less than \$200.00; and the court may assess costs in  
47 conformance with section 6 of Chapter 180 of the Massachusetts  
48 General Laws. Fines imposed hereunder shall be paid over to the  
49 general fund of the Massachusetts Bay Transportation Authority  
50 and the State Treasurer and the treasury of the city or town where  
51 the offense occurs, in accordance with the following formula: 50  
52 percent of the fine will be sent to the general fund of the  
53 Massachusetts Bay Transportation Authority, 25 percent of the  
54 fine will be sent to the State Treasurer, and 25 percent of the fine  
55 will be sent to the treasury of the city or town.