

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 2231**

**STATE OF NEW JERSEY**

DATED: JANUARY 9, 1997

The Assembly Transportation and Communications Committee favorably reports an Assembly Committee Substitute for Assembly Bill No. 2231.

This bill would establish a specific statutory framework for dealing with the matter of fare evasion on rail passenger services operated by, or under contract with, the New Jersey Transit Corporation (the corporation). Currently, the corporation relies upon the general theft of services provisions of Title 2C, the New Jersey Criminal Code.

This bill would make it unlawful for any person using these rail passenger services to fail or refuse to pay the prescribed fare, or to evade or attempt to evade payment of the prescribed fare. A passenger who has paid the prescribed fare is also required to retain proof of payment. If payment of the prescribed fare is required in advance of using a rail passenger service, the bill makes it a violation for a person to enter a prepaid area or to use such a rail passenger service without having previously paid the prescribed fare.

Further, the bill makes it a violation if a person who enters a prepaid area or travels on a rail passenger service for which advance payment is required does not immediately exhibit proof of payment upon request.

A person who violates the provisions of the bill or the regulations adopted pursuant to its provisions would be issued a complaint and summons by a fare enforcement officer and would be subject to a civil penalty not exceeding \$500.

The bill authorizes the executive director of the corporation to appoint fare enforcement officers who would be employees of the corporation and would receive appropriate training pertaining to their duties.

An employee, a fare enforcement officer or a transit police officer carrying out his duty under this bill would not be civilly or criminally liable for false arrest, false imprisonment, slander or unlawful detention unless such action is unreasonable under all the circumstances.

This bill will enable the corporation to better handle fare evasion on its current rail transportation systems, as well as on the proposed light rail line system where the payment of fares may be required in advance of entering or using the line.

The substitute bill narrows the scope of the bill to deal with fare evasion only for rail passenger service. The amendments also make language changes suggested by the Department of Law and Public Safety, including referring to fare enforcement officers rather than fare inspectors.