

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1394

STATE OF NEW JERSEY

DATED: OCTOBER 7, 1996

The Senate Transportation Committee favorably reports Senate Bill No. 1394.

This bill would establish a specific statutory framework for dealing with the matter of fare evasion on public transportation 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 public transportation 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 public transportation service, the bill makes it a violation for a person to enter a prepaid area or to use such a public transportation 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 public transportation 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 inspector and would be subject to a penalty not exceeding \$500.

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

An employee, a fare inspector 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 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.