

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

ORDINANCE NO. 2

(as adopted 6/8/81, and as amended through 6/18/2026)

An Ordinance Requiring Proof of Fare Payment by Passengers

The Board of Directors of the San Diego Metropolitan Transit System (MTS) do ordain as follows:

SECTION 1

Section 2.1: Findings

In 1979 by Resolution No. 79-2, MTS adopted a self-service, barrier-free fare collection system for use with respect to the Light Rail Transit System, after finding that such a fare collection system would maximize overall productivity. Those findings are hereby reaffirmed for the MTS Trolley service. In order to make the self-service, barrier-free fare collection system as productive and efficient as possible, it is necessary to adopt this Ordinance pursuant to Sections 120105 and 120450 of the Public Utilities Code requiring proof of fare payment by passengers using the MTS Trolley service. Similarly, fare enforcement efforts are required on fixed route bus services. The Board finds consistent fare enforcement rules are important for fairness and effective customer education and engagement.

(Section 2.1 amended 6/18/2026)

Section 2.2: Definitions

The following terms as used in this Ordinance shall have the following meaning:

A. Inspector - An officer(s) or employee(s) of MTS or authorized by Ordinance by MTS or a peace officer(s) designated by MTS, to check passengers for valid proof of fare payment with the authority to arrest and issue a Citation of Fare Evasion to passengers not possessing or exhibiting valid proof of fare payment and to otherwise enforce the provisions of this Ordinance.

B. Proof of Fare Payment - Proof of fare payment means any of the following:

1. A Monthly Pass (Adult, Youth, or Senior/Disabled/Medicare), Day Pass or other time-delimited pass valid for use on the MTS Bus and Trolley, purchased by or for the passenger, and valid for the time of use. A monthly pass includes a monthly pass that has been achieved through fare capping.

2. A single-ride pass (e.g., one-way ticket), purchased by or for the passenger, valid for use on the MTS Bus or Trolley, that has been validated using a Trolley fare vending/validating machine or an onboard Bus Validator. This single-ride pass is valid provided the passenger in possession is qualified for the fare category on the pass, the passenger is on a trolley or bus traveling in a direction away from the boarding station or bus stop in which the pass was validated, and the passenger is using the pass within two (2) hours of the date and time on the pass. The single-ride pass must be valid for the entire length of time that the passenger in possession is onboard the Bus or Trolley.

3. A multi-ride pass valid for use on the MTS Bus or Trolley (e.g., day pass or special event pass) that has been validated using a Trolley fare vending/validating machine or an onboard Bus Validator. This pass is valid provided the passenger possessing the pass is on a trolley or bus traveling

in a direction away from the boarding station or bus stop in which the pass was most recently validated , and the passenger possessing the pass is using the pass within two (2) hours of the date and time most recently validated. The multi-ride pass must be valid for the entire length of time that the passenger in possession is onboard the Bus or Trolley. A multi-ride pass includes a day pass that has been achieved through fare capping.

4. A debit or credit card, smartphone, or wearable (e.g. watch) equipped with contactless payment, that has been validated at a Trolley fare vending/validating machine or an onboard Bus Validator. Contactless payment is valid provided the passenger possessing the contactless payment is using it within two (2) hours of validation.

C. Citation for Nonpayment of a Fare - Means the written notice to appear issued by an Inspector to a passenger arrested for violating this Ordinance whereby the passenger is released on his promise to appear in court at the date, time, and place specified in the written notice.

D. Passenger - any person occupying, riding or using any trolley vehicle, boarding or deboarding such a vehicle or waiting within a designated paid fare zone at a Trolley station.

E. Designated Paid Fare Zone – Means any enclosed or unenclosed portion of a Trolley Station that begins at the Trolley boarding curb and extends approximately 15 feet deep to the back of the station boarding area. The outside edge of the Designated Paid Fare Zone is marked with painted lines, change in concrete or paver pattern, and/or signs. The Designated Paid Fare Zone extends the width of the Trolley boarding area, including any designated pedestrian crossing points at each end of the Trolley Station.

(Section 2.2 amended 6/18/2026)
(Section 2.2 adopted & amended 1/19/12)

Section 2.3: Proof of Payment

No unauthorized person shall board, occupy, ride in, use or deboard any trolley or bus vehicle or stand within a designated paid fare zone at a Trolley station without possessing and exhibiting, upon demand of an Inspector, valid proof of fare payment.

(Section 2.3 amended 6/18/2026)
(Section 2.3 amended January 14, 1993)

Section 2.4: Agreement

The use of any bus or trolley vehicle shall constitute an agreement by the user to pay the applicable fare in accordance with the effective fare Ordinance established by MTS and to have in their immediate possession proof of fare payment.

(Section 2.4 amended 6/18/2026)

Section 2.5: Proof of Fare Payment Procedures

A. Upon demand of an Inspector, every passenger occupying, riding or using any bus or trolley vehicle, boarding or deboarding such a vehicle or waiting within a designated paid fare zone at a Trolley station shall exhibit proof of fare payment to the Inspector as required by this Ordinance.

B. If a passenger does not possess or exhibit valid proof of fare payment, the Inspector shall arrest such passenger and, if the passenger does not demand to be taken before a magistrate, the

Inspector shall deliver to that passenger a Citation for Nonpayment of a Fare. The Citation for Nonpayment of a Fare shall contain the name and address of the passenger, the date the citation was issued, a description of the violation, the date, time, and place when and where such passenger shall appear in court, the name of the Inspector, and the signature of the passenger to whom this citation is delivered, which signature shall indicate the passenger's promise to appear in court at the date, time, and place specified in the citation.

C. The failure or refusal of any passenger to exhibit proof of fare payment, provide positive identification as to their full name and address, or sign the citation for Nonpayment of a Fare shall subject the passenger to all other provisions and remedies provided by law.

D. Failure of or refusal by the passenger to sign the Citation for Nonpayment of a Fare shall not affect the enforceability of this Ordinance.

(Section 2.5 amended 6/18/2026)

(Section 2.5 amended January 14, 1993)

Section 2.6: Penalties

Any violation of Section 2.3 of this Ordinance shall be an infraction punishable by a fine not exceeding seventy-five dollars (\$75), except that such a violation by a person, after the second conviction under the Ordinance, shall be a misdemeanor punishable by a fine not exceeding five hundred dollars (\$500) or by imprisonment not exceeding six months, or by both such fine and imprisonment. For purposes of this section, a bail forfeiture shall be deemed to be a conviction of the offense charged.

(Section 2.6 adopted & amended 1/19/12)

Amended: 6/18/2026

Adopted & Amended: 1/19/2012

Amended: 7/13/2000

Amended: 9/26/96

Amended: 1/14/93

Repealed & Readopted: 2/27/84

Adopted: 6/8/81