

CITY OF EDMONTON
BYLAW 8353 (as amended)
CONDUCT OF TRANSIT PASSENGERS

A Bylaw to Regulate and Control the Conduct of
Passengers Using Vehicles, Stations and Facilities of
Edmonton Transit

DELETED (S.2, Bylaw 19712, May 3, 2021)

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

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| PURPOSE | 1 | The purpose of this bylaw is to regulate the conduct and activities of people using the Edmonton Transit Service in order to promote the safety and welfare of other users of the Edmonton Transit Service.
(S.3, Bylaw 19712, May 3, 2021) |
| DEFINITIONS | 2 | In this bylaw: <ul style="list-style-type: none">(a) “Bicycle” means a vehicle consisting of two wheels propelled by human power but does not include motor powered bicycles, mopeds, recumbent bicycles, tandem bicycles, or bicycles with training wheels;(b) “City” means the municipal corporation of the City of Edmonton;(c) “City Manager” means the City’s chief administrative officer or delegate;
(S.4, November 3, 2021)(c.1) “E-Bike” means a bicycle that:<ul style="list-style-type: none">(i) is a power-assisted bicycle as defined in subsection 2(1) of the <i>Motor Vehicle Safety Regulations</i> made under the <i>Motor Vehicle Safety Act</i>, SC 1993, c 16 (Canada);(ii) Has affixed to it pedals that are operable; and is capable of being propelled by muscular power. |

- (c.2) **”E-Scooter”** means a vehicle that:
- (i) Has steering handlebars;
 - (ii) Is designed to travel on not more than three wheels in contact with the ground;
 - (iii) Is equipped with a standing surface and is designed to be operated by a single occupant from a standing position;
 - (iv) Is not equipped with a seating surface, and is not designed to be operated from a seated position;
 - (v) Is capable of being propelled by muscular power;
 - (vi) Has one or more electric motors that have, singly or in combination, the following characteristics:
 - (a) The total continuous power rating, measured at the shaft of each motor, of 500W or less; and
 - (b) Power assistance immediately ceases when the brakes are applied; and
 - (vii) Has been granted a permit to operate by the Province of Alberta under the Traffic Safety Act, RSA 2000, c. T-6.
(S.18, Bylaw 18787, July 16, 2019)

(c.3) **“Edmonton Transit Service”** means the City’s municipal passenger transportation service;
(S.5, Bylaw 19712, May 3, 2021)

(d) **“Light Rail Transit Vehicle”** means a Transit Vehicle that operates on fixed tracks;

(e) **“Fare”** means the fee established by the City Manager for use of Edmonton Transit Service;

(S.6, Bylaw 19712, May 3, 2021)

- (f) “**Municipal Tag**” has the same meaning as defined in the Enforcement Bylaw, Bylaw 16368;
(S.7, Bylaw 19712, May 3, 2021)
- (f.1) “**Payment Card**” means a credit card, debit card, or Arc Card;
(S.8, Bylaw 19712, May 3, 2021)
- (g) “**Peace Officer**” has the same meaning as defined in the *Provincial Offences Procedure Act*, RSA 2000, c P-34;
(S.9, Bylaw 19712, May 3, 2021)
- (g.1) “**Prepaid Fare Product**” means proof of prepayment of a required Fare, and includes a validated Edmonton Transit Service ticket, monthly or annual pass, transfer, or other fare medium issued by Edmonton Transit Service;
(S.10, Bylaw 19712, May 3, 2021)
- (h) “**Proof of Payment**” means proof of payment of a required Fare, as demonstrated by:
 - (i) a valid, unexpired, and unaltered Prepaid Fare Product; or
 - (ii) a Payment Card that, when used or contacted with an Edmonton Transit Service Fare validation device, produces confirmation that the Fare has been paid;
(S.11, Bylaw 19712, May 3, 2021)
- (i) “**Proof of Payment Area**” means
 - (i) a Transit Vehicle; and
 - (ii) any portion of Transit Property identified as a Proof of Payment Area;
(S.11, Bylaw 19712, May 3, 2021)
- (j) “**Transit Property**” means any property owned or controlled by Edmonton Transit Service, including Transit Vehicles and property licensed to be present on

Transit Property;
(S.13, Bylaw 19712, May 3, 2021)

- (k) “**Transit Station**” means a place where people are picked up or dropped off from a Transit Vehicle and includes light rail transit stations, bus terminals, bus stops, and bus shelters;
- (l) “**Transit Vehicle**” means a vehicle offered for public transportation and operated as part of Edmonton Transit Service and includes buses, light rail transit vehicles, and all vehicles operated by or on behalf of the City’s Disabled Adult Transit Service;
(S.14, Bylaw 19712, May 3, 2021)
- (m) “**Vehicle**” has the same meaning as in the *Traffic Safety Act*, R.S.A. 2000, c. T-6; and
- (n) “**Violation Ticket**” has the same meaning as in the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended.

RULES FOR INTERPRETATION 3 The marginal notes and headings in this bylaw are for reference purposes only.

PART II - PAYMENT OF FARE

FARE PAYMENT 4 (1) A person must pay the required Fare prior to entering, or immediately upon entry to, a Proof of Payment Area.
(2) A person carrying a valid, unexpired, and unaltered Prepaid Fare Product is deemed to be in compliance with subsection (1).
(S.15, Bylaw 19712, May 3,2021)

PROOF OF PAYMENT 5 A person in a Proof of Payment Area must present Proof of Payment when requested to do so by a Peace Officer. (S.16, Bylaw 19712, May 3, 2021)

RESTRICTED FARE OPTIONS 6 No person may present a Proof of Payment for a Fare that is subject to restrictions if the person does not qualify for that Fare.
(S.17, Bylaw 19712, May 3, 2021)

NON-TRANSFERABLE 7 No person may transfer or resell a Prepaid Fare Product to another person unless the Prepaid Fare Product indicates that it is

transferable
(S.18, Bylaw 19712, May 3, 2021)

FRAUDULENT FARE PRODUCTS 8 No person may possess or present an altered, fraudulent, or stolen Proof of Payment.
(S.19, Bylaw 19712, May 3, 2021)

PART III - CONDUCT OF PASSENGERS

SPITTING 9 A person shall not spit on Transit Property.

INAPPROPRIATE BEHAVIOUR 10 (1) No person may, while on Transit Property, engage in behavior that can reasonably be expected to interfere with the safety or comfort of others, including passengers and Edmonton Transit Service employees.
(S2 Bylaw 19782)

(2) No person may inappropriately or unlawfully use, interfere with the intended use of, or cause damage to Transit Property, including but not limited to:

- (a) remaining on Transit Property while engaging in behaviours or activities other than related to using Edmonton Transit Service; and
- (b) visibly using a controlled substance, as defined in the *Controlled Drug and Substances Act* (Canada), while on Transit Property.

CLIMBING OR INTERFERING 11 A person shall not climb, damage or interfere with any Transit Property.
(S.20, Bylaw 19712, May 3, 2021)

LOITERING 12 DELETED
(S3 Bylaw 19782)

DISPLAY FOR SALE 13 A person shall not sell or display for sale any goods or services on Transit Property unless a permit authorizing the sale or display has been issued by the City.

PRINTED MATERIAL 14 A person shall not distribute any printed material or other goods on Transit Property unless a permit authorizing the distribution has been issued by the City.

PERFORMANCES	15	A person shall not offer or stage a live musical performance on Transit Property unless a permit authorizing the performance has been issued by the City.
FOOD AND DRINK	16	<p>(1) A person shall not consume a drink while aboard a Transit Vehicle unless the drink is in a sealed or sealable container and under control.</p> <p>(2) A person shall not consume food while aboard a Transit Vehicle unless the food is in a container designed for travel and under control.</p> <p>(3) A person shall not spill or permit to be spilt any food or drink in a Transit Vehicle.</p>
FEET ON THE SEAT	17	A person shall not place their feet upon any seat in a Transit Vehicle.
AISLE	18	A person shall not place or permit to be placed any item in the aisle of a Transit Vehicle.
ANIMALS	19	<p>A person shall not bring any animal on Transit Property except:</p> <p>(a) service dogs, as defined in the <i>Service Dogs Act</i>, SA 2007, c S-7.5; or (S.21, Bylaw 19712, May 3, 2021)</p> <p>(b) animals housed within a confined structure such as a cage or kennel.</p>
MOVING VEHICLES	20	A person shall not enter or leave or attempt to enter or leave a Transit Vehicle while the Transit Vehicle is in motion or when the operator of the Transit Vehicle has declared it unsafe to do so.
SAFETY LINE	21	A person shall not cross the safety line near the edge of a platform except for the purpose of entering or leaving a Transit Vehicle.
TRESPASS	22	<p>A person shall not pass upon:</p> <p>(a) the tracks used by a Light Rail Transit Vehicle, except where a traffic control device permits crossing of the tracks;</p> <p>(b) any right-of-way for Light Rail Transit Vehicles,</p>

including any tunnels; or

- (c) any other area on Transit Property designated as closed to the public by the City Manager.

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| CROSSING GATE | 23 | A person shall not pass around, through or under a crossing gate or barrier while the gate or barrier is closed or while the gate or barrier is in the process of being opened or closed. |
| PROJECTION | 24 | A person shall not project any part of his body or any other thing through any window, closed door, or door in the process of closing of a Transit Vehicle. |
| VEHICLES | 25 | <ul style="list-style-type: none">(1) A person shall not bring a Vehicle into a Transit Station or aboard a Transit Vehicle.(2) A person shall not bring a Vehicle into any location where Vehicles are prohibited unless the Vehicle has been authorized to enter that location by the City Manager.(3) This section does not apply to Bicycles, E-Bikes, or E-Scooters. (S.19, Bylaw 18787, July 16, 2019) |
| CYCLING AND SKATEBOARDING | 26 | A person shall not ride a Bicycle, E-Bike, E-Scooter, skateboard, rollerblade or similar item on Transit Property, in a Transit Station, or aboard a Transit Vehicle.
(s.20, Bylaw 18787, July 16, 2019) |
| BICYCLES | 27 | <ul style="list-style-type: none">(1) A person shall not carry a Bicycle, E-Bike, or E-Scooter aboard a Transit Vehicle except:<ul style="list-style-type: none">(a) during the hours specified by the City Manager;(b) in the areas specified by the City Manager; and(c) while under control.(2) A person shall not leave a Bicycle, E-Bike, or E-Scooter unattended in a Transit Station or aboard a Transit Vehicle except in a location designed and intended for the storage of Bicycles, E-Bikes, or E-Scooters.(3) A person shall not allow a Bicycle, E-Bike, or E-Scooter under their control to bring dirt, mud or grease into a Transit Station or onto a Transit Vehicle.
(S.21, Bylaw 18787, July 16, 2019) |

PART IV - ENFORCEMENT

OFFENCE	28	A person who contravenes this bylaw is guilty of an offence.
CONTINUING OFFENCE	29	In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each day that the offence continues.
VICARIOUS LIABILITY	30	For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent's exercising the powers or performing the duties on behalf of the person under their agency relationship.
FINES AND PENALTIES	31	<p>(1) A person who is guilty of an offence is liable to a fine in an amount not less than that established in this section and not exceeding \$10,000 and to imprisonment for not more than six months for non payment of the fine.</p> <p>(2) Without restricting the generality of subsection (1) the following fine amounts are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered:</p> <p>(a) \$250 for any offence for which a fine is not otherwise established in this section; and</p> <p>(a.1) \$150 for any offence under section 4 or 5; and</p> <p>(b) \$100 for any offence under section 16 or 19. (S4 Bylaw 19782)</p>
MUNICIPAL TAG	32	If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify the fine amount established by this bylaw for the offence.
PAYMENT IN LIEU OF PROSECUTION	33	A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

- VIOLATION TICKET** 34 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) specify the fine amount established by this bylaw for the offence; or
 - (b) require the person charged to appear in court without the alternative of making a voluntary payment.
- VOLUNTARY PAYMENT** 35 A person who commits an offence may:
- (a) if a Violation Ticket is issued in respect of the offence; and
 - (b) if the Violation Ticket specifies the fine amount established by this bylaw for the offence;
- make a voluntary payment equal to the specified fine.
- OBSTRUCTION** 36 A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this bylaw.

PART V - GENERAL

- POWERS OF THE CITY MANAGER** 37 Without restricting any other power, duty or function granted by this bylaw the City Manager may:
- (a) carry out any inspections to determine compliance with this bylaw;
 - (b) take any steps or carry out any actions required to enforce this bylaw;
 - (c) take any steps or carry out any actions required to remedy a contravention of this bylaw;
 - (d) establish regulations regarding the use of Bicycles on Transit Property including permitted hours and locations;
 - (e) establish areas where activities restricted by this bylaw are permitted;
 - (f) establish forms for the purposes of this bylaw;

- (g) issue permits with such terms and conditions as are deemed appropriate;
- (h) establish criteria to be met for a permit issued pursuant to this bylaw; and
 - (h.1) certify a record of the City as a true copy of the original; (S.22, Bylaw 19712, May 3, 2021)
 - (h.2) establish Fares, including any restrictions on classes of Fares (S.23, Bylaw 19712, May 3, 2021)
- (i) delegate any powers, duties or functions under this bylaw to an employee of the City.

PROOF OF PERMIT	38	The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted or prohibited by this bylaw is on the person alleging the existence of such a permit on a balance of probabilities.
CERTIFIED COPY OF RECORD	39	A copy of a record of the City, certified by the City Manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.
PAYMENT CARD PRESUMPTION	40	<p>In a prosecution under this bylaw, where a certified copy of a record of the City containing a list of Payment Cards provided as payment of a Fare on or about the date and time of the alleged offence is tendered:</p> <ul style="list-style-type: none"> (a) the Court may conclude that, in the absence of a Payment Card being found in the record, the required Fare has not been paid; and (b) where the Payment Card is absent from the record, the onus of proving a person has paid the required Fare is on the person alleging the required Fare has been paid on a balance of probabilities. (S.24, Bylaw 19712, May 3, 2021)

(NOTE: Consolidation made under Section 69 of the Municipal Government Act, R.S.A. 2000, c.M26 and Bylaw 16620 Section 16, and printed under the City Manager's authority)

Bylaw No. 8353 passed by Council March 10, 1987

Amendments:

Bylaw 18787, July 16, 2019

Bylaw 19712, May 3, 2021

Bylaw 19782, July 5, 2021