

THE CITY OF EDMONTON
BYLAW 19712
CONDUCT OF TRANSIT PASSENGERS BYLAW Amendment No. 12

Edmonton City Council enacts:

1. Bylaw 8353, Conduct of Transit Passengers Bylaw, is amended by this bylaw.
2. The preamble is deleted.
3. Section 1 is amended by deleting and replacing “Edmonton Transit System” with “Edmonton Transit Service” wherever it appears.
4. Section 2(c) is deleted and replaced with
 - (c) “**City Manager**” means the City’s chief administrative officer or delegate;
5. Section 2(c.3) is added following section 2(c.2):
 - (c.3) “**Edmonton Transit Service**” means the City’s municipal passenger transportation service;
6. Section 2(e) is deleted and replaced with:
 - (e) “**Fare**” means the fee established by the City Manager for use of Edmonton Transit Service;
7. Section 2(f) is deleted and replaced with:
 - (f) “**Municipal Tag**” has the same meaning as defined in the Enforcement Bylaw, Bylaw 16368;
8. Section 2(f.1) is added following section 2(f):
 - (f.1) “**Payment Card**” means a credit card, debit card, or Arc Card;

9. Section 2(g) is deleted and replaced with:

(g) “**Peace Officer**” has the same meaning as defined in the *Provincial Offences Procedure Act*, RSA 2000, c P-34;

10. Section 2(g.1) is added following section 2(g):

(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;

11. Section 2(h) is deleted and replaced with:

(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;

12. Section 2(i) is deleted and replaced with:

(i) “**Proof of Payment Area**” means

(i) a Transit Vehicle; and

(ii) any portion of Transit Property identified as a Proof of Payment Area;

13. Section 2(j) is deleted and replaced with:

(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;

20. Section 11 is amended by deleting “, including Transit Vehicles”.
21. Section 19(a) is deleted and replaced with:
 - (a) service dogs, as defined in the *Service Dogs Act*, SA 2007, c S-7.5; or
22. Section 37(h.1) is added following section 37(h):
 - (h.1) certify a record of the City as a true copy of the original;
23. Section 37(h.2) is added following section 37(h.1):
 - (h.2) establish Fares, including any restrictions on classes of Fares;

24. Section 40 is added following section 39:

**PAYMENT CARD
PRESUMPTION** 40 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:

(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.

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

THE CITY OF EDMONTON

MAYOR

CITY CLERK