

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;

14. Section 2(l) is deleted and replaced with:

- (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;

15. Section 4 is deleted and replaced with:

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| 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). |

16. Section 5 is deleted and replaced with:

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| 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. |
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17. Section 6 is deleted and replaced with:

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| 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. |
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18. Section 7 is deleted and replaced with:

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| 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. |
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19. Section 8 is deleted and replaced with:

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| FRAUDULENT FARE PRODUCTS | 8 | No person may possess or present an altered, fraudulent, or stolen Proof of Payment. |
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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**

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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