

COUNCIL BILL NO. 16-037  
ORDINANCE NO. 4574

AN ORDINANCE AMENDING ARTICLE X, MISCELLANEOUS, OF CHAPTER 54, MOTOR VEHICLES AND TRAFFIC, OF THE CITY CODE OF THE CITY OF ARVADA, COLORADO BY ADDING SECTION 54-291, FARE EVASION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. That Article X, Miscellaneous, of Chapter 54, Motor Vehicles and Traffic, of the Arvada City Code, is hereby amended by adding Section 54-291, Fare Evasion, to read as follows:

**ARTICLE X. – MISCELLANEOUS**

**Section 54-291. Fare evasion.**

- (a) A person commits theft of public transportation services by fare evasion if the person occupies, rides in, or uses a public transportation vehicle without first having paid the applicable fare or having in their possession and producing upon demand a valid transit pass.
- (b) No person shall occupy, ride in, or use a public transportation vehicle without paying the applicable fare at the time of boarding the public transportation vehicle or without having possession of proof of prior fare payment. A person shall present proof of prior fare payment upon demand of a transit service officer, peace officer, or any other employee or agent of a public transportation entity.
- (c) Failure to present proof of prior fare payment upon demand shall constitute prima facie evidence of a violation of subsection (1) of this section.
- (d) As used in this section, unless the context otherwise requires:
  - (1) *Proof of prior fare payment* means:
    - (i) A valid transit pass issued by a public transportation entity valid for the day and time of use;
    - (ii) A receipt showing payment of the applicable fare for use of a public transportation vehicle during the day and time specified in the receipt; or
    - (iii) A prepaid ticket or series of tickets showing cancellation by a public transportation entity used within the day and time specified in the ticket.

- (2) *Public transportation entity* means a mass transit district, mass transit authority or any other public entity authorized under the laws of this state to provide mass transportation services to the general public.
- (3) *Public transportation vehicle* means a bus, train, light rail or commuter rail vehicle or any other mode of transportation used by a public transportation entity to provide transportation services to the general public.
- (4) *Transit pass* means any pass, coupon, transfer, card, identification, token, ticket or other document, issued by a public transportation entity or issued pursuant to an agreement with a public transportation entity, used to obtain public transit.

(e) A violation of this section is a non-criminal traffic infraction punishable by a fine not to exceed the limits established in section 1-5 of this Code.

Section 2. All provisions not amended or repealed herein will remain unchanged.

Section 3. This ordinance shall be effective five days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 3rd day of October, 2016.

PASSED, ADOPTED, AND APPROVED this 17th day of October, 2016.



  
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Marc Williams, Mayor

ATTEST:

  
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City Clerk

APPROVED AS TO FORM:

Christopher K. Daly, City Attorney

By:    
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Publication Dates: October 6, 2016  
October 20, 2016

