

**To:** Metrolinx Board of Directors  
**From:** Ian Smith, Chief Operating Officer  
**Date:** February 20, 2020  
**Re:** **Fare Enforcement on UP Express – By-Law No. 2 and By-Law No. 2A Amendments**

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## **EXECUTIVE SUMMARY**

Metrolinx is changing its fare program to align GO Transit (“GO”) and UP Express (“UPX”) fare enforcement policies to reduce confusion and provide more consistency in customer experience. In addition, Metrolinx continues to see high volumes of ridership on UPX, with nearly half of ridership volume occurring during peak periods. 38% of peak period trips are above seated capacity which makes it operationally difficult to conduct full fare validation onboard, as was the original intent of the customer experience design. This results in less than optimal fare enforcement and protection.

In April 2019, GO adopted a zero tolerance policy, requiring valid fare prior to boarding. We are now extending this policy to UPX, so fare payment requirements are clearer and simpler for UPX. As an initial step in implementing this policy change, Metrolinx staff are recommending to eliminate the practice of selling onboard tickets and moving to a proof-of-payment model of fare validation and enforcement similar to GO. Follow-up work will be required to further identify, define, and mitigate enforcement risks on UPX, and implement additional improvements to the Corporation’s enforcement capabilities across the system at large.

Administrative amendments to Metrolinx By-laws No. 2 and No. 2A are required to implement the proposed policy changes and support enforcement activities. Pending approvals, the amended By-laws will come into effect on February 22, 2020.

## **RECOMMENDATION**

Resolved:

**THAT** as more fully described in the February 20, 2020 report from the Vice President, Customer Service Delivery (the “Report”), staff be authorized to revise By-law No. 2 and By-law No. 2A (the “By-Laws”), to:

- a. Reflect updates to the Tariff of Fares, which sets out the fares to be charged on the transit system for travel between identified points or fare zones, simplifying the fare structure of GO Transit and formally including UP Express zones and base fares to support enforcement activities as described in the Report; and
- b. Implement additional administrative revisions to the By-laws, including to clarify and streamline existing provisions and ensure seamless application of the By-Laws to both GO Transit and UP Express for enforcement purposes;

**AND THAT** By-law No. 2 be repealed and replaced with By-law No. 2 attached to the Report as Appendix A, effective as of February 22, 2020;

**AND THAT** By-law No. 2A be repealed and replaced with By-law No. 2A attached to the Report as Appendix B, effective as of February 22, 2020;

**AND THAT** the Chairman and Secretary be authorized to sign the By-laws.

## **BACKGROUND**

### *Fare Protection*

Currently, fare protection is enforced on GO under a specified framework set out in Metrolinx By-law No. 2, leveraging a set fine regime pursuant to the Ontario *Provincial Offences Act*. To combat fare evasion on UPX a combination of trespass orders and criminal fraud charges is currently used. The proposed amendments would allow Metrolinx to address and enforce fare payment obligations on UPX in the same manner as on GO, and extend the Corporation's ability to recover revenue while providing customers with a standard and consistent administrative fee process across both GO and UPX.

### *Onboard Ticket Sales*

While onboard sales were introduced to differentiate the UPX customer experience, they only represent 0.8% of all UPX fare revenue, or .08% of transactions per month. On average, UPX sells 12 onboard tickets per day out of 12,000 average daily boardings. Onboard sales account for the lowest volume of UP fare media - with most UP customers using PRESTO and paper or e-tickets to pay for their fare. The popularity and ease of use for both PRESTO and other ticketing options made onboard sales nearly obsolete.

Onboard sales have been observed to impede efforts to validate fares onboard busy trains. Consequently, in 2018 a decision was made to restrict onboard sales to off-peak travel periods. However, the current policy means customers still expect onboard sales during off-peak travel with traditionally high volume periods, such as March break and sporting/cultural events, which leaves the Corporation vulnerable to fare evasion. The inconsistency of selling onboard tickets and impediments to validate fares during high volume periods make onboard ticket sales option less desirable and somewhat confusing to customers.

## **EXPECTED BENEFITS**

The recommendation to eliminate onboard sales at all times will reduce customer confusion around fare payment options and clearly set the expectation for customers to pay their fare prior to boarding UPX trains. The zero tolerance fare policy on GO,

which requires valid payment prior to boarding, has drawn positive feedback from our regular customers who are reassured that their fare revenues are directed towards system improvements and not subsidizing the cost of those who do not pay. This will allow for a more consistent and effective approach to fare enforcement and the recapturing of lost fare revenue. It will also allow Guest Service Representatives (“GSRs”) to focus on other valuable customer services, especially important to first-time airport travellers.

## **IMPLEMENTATION**

Pending approvals, UPX fare enforcement changes will come into effect February 22, 2020. The amendments proposed to the By-Laws are designed to support the consistent implementation and application of enforcement activities across UPX and GO services by simplifying and clarifying existing language, including with respect to the structure of the Tariff of Fares, e-ticketing, concessions, and special fares.

A comprehensive marketing and communication plan has been developed to ensure UPX customers are kept informed on the changes to their transit experience and to help them transition to the zero tolerance fare policy. Metrolinx staff and GSRs will receive appropriate training to ensure operational readiness and enable staff and GSRs to support customers through the changes.

For a transitional period, GSRs will continue to validate fares onboard. However, February 22, 2020 customers will no longer be able to purchase fares onboard and Revenue Protection Officers will begin fare inspections on UPX in the same way they do on GO Transit today.

Post-transition staff will continue to work on identifying, defining, and mitigating enforcement risks on UPX and GO, and implement additional improvements to the Corporation’s enforcement capabilities across the system at large – including through staffing and training in the near term, and technological and potential infrastructure solutions in the longer term.

## **CONCLUDING REMARKS**

According to Subsection 8.1(3) of the Metrolinx Act, 2006, S.O. 2006, c.16 (the “Act”), the Board is required to pass changes to by-laws establishing fares charged for transit services. Before passing any by-law changing the fares or definitions resulting in fare changes, the Act requires Metrolinx to hold a meeting of the Board open to the public (subsection 11(3)) and to provide written notice to the Minister of Transportation (the “Minister”) (subsection 8.1(4)). In accordance with the Act, Metrolinx has advised the Minister of its intent to align Fare enforcement across GO and UPX, and amend By-laws No. 2 and No. 2A as necessary and described in this Report, effective February 22, 2020.

The By-law attached at Appendix A will replace the existing By-law No. 2 and become the new By-law No. 2, effective February 22, 2020.

The By-law attached at Appendix B will replace the existing By-law No. 2A and become the new By-law No. 2A, effective February 22, 2020, subject to staff appending an updated table of fares.

Respectfully submitted,

Trish Colley  
*Vice President, Customer Service Delivery*

**APPENDICES**

**APPENDIX A: BY-LAW NO. 2 (revised)**

**APPENDIX B: BY-LAW NO. 2A (revised)**

## BY-LAW NO. 2

### METROLINX (the "Corporation")

A by-law regulating the use of the regional transit system.

BE IT ENACTED as a by-law of the Corporation as follows:

By-Law No. 2 of the Corporation is hereby repealed and the by-law contained herein shall become the by-law of the Corporation for the subject matter contained herein.

#### 1. INTERPRETATION

The Corporation provides an interregional public transit system, linking Toronto with the surrounding regions of the Greater Toronto and Hamilton Area (GTHA). The fare structure of the Corporation is based predominantly on the "honour system" ~~which involves enforced by random~~ proof-of-payment fare inspections. The system is barrier free to improve efficiency and reduce costs to passengers. The fare structure is based on a pay by distance model. The primary object of this by-law is to protect the integrity of the transit system and to establish appropriate rules of conduct for passengers and users of Corporation property ~~and/or services~~.

#### Definitions

- 1.1 In this by-law and in all other by-laws of the Corporation, unless otherwise defined or the context otherwise requires:
- (a) Words defined in the *Metrolinx Act, 2006* shall have the meaning assigned to them for purposes of the *Metrolinx Act, 2006*;
  - (b) "bicycle" includes a tricycle and unicycle but does not include a motor assisted bicycle, except a motor assisted bicycle designated pursuant to Section 2(1) of the *Canada Motor Vehicle Safety Regulations*. The Corporation reserves the right to refuse any bicycle that in the sole opinion of a proper authority may pose a safety risk or otherwise inconvenience any other person;
  - (c) "Cardholder" means the person who has in their possession the fare card for travel on the regional transit system;
  - (d) "Child" means a person who has not yet reached thirteen (13) years of age;
  - (e) "concession-fare" means a discount on fares that applies to a classification of persons ~~to whom a fare discount applies~~ based on criteria established by the Corporation from time to time and published on the applicable Public Websites in accordance with By-Law No. 2A;
  - (f) "Corporation property" means all owned, leased, used or maintained lands, facilities, structures, trains and vehicles of the Corporation;
  - (g) "designated area" means a single parking spot designated by painted markings for the parking of one vehicle on the property of the Corporation;
  - (h) "designated reserved area" means a single parking spot designated by painted markings for the parking of one vehicle on the property of the Corporation and a sign designating the parking spot as reserved;

- (i) “designated accessible area” means a parking spot on the property of the Corporation designated by painted markings and a sign consisting of the international symbol for accessible parking for persons with disabilities designating the parking space for the sole use of vehicles operated by or on behalf of physically disabled persons, and for the purposes of this paragraph, the parking spot includes the adjacent area marked by hatch marks intended to be used by mobility assistance devices such as lifts or ramps;
- (j) “designated smoking area” means an area designated with a sign and painted markings clearly indicating the area within which smoking is permitted;
- (k) “fare” means the amount to be paid for travel on the transit system as determined by the Corporation [from time to time, in accordance with By-law No. 2A](#);
- (l) “*Metrolinx Act, 2006*” means the *Metrolinx Act, 2006*, S.O. 2006, c. 16, as it may be amended from time to time;
- (m) “period pass” means any ticket sold by the Corporation from time to time for travel by one or more persons and/or over a specified period, the additional conditions pertaining to which shall be posted on the [Corporation’s applicable Public Websites](#) in accordance with section 2.5 of this By-Law. For greater certainty a period pass may include [concessions and/or](#) special fares.
- (n) “person” includes an individual, sole proprietorship, partnership, unincorporated association, unincorporated syndicate, unincorporated organization, trust, body corporate, and a natural person in the capacity of trustee, executor, administrator, or other legal representative;
- (o) “proper authority” means any employee of the Corporation carrying an identification card issued by the Corporation, [or any other person, including employees of third party operators, duly authorized by the Corporation](#);
- ~~(p)~~ [“Public Websites” means the Corporation’s public facing websites, as developed and maintained from time to time, including but not limited to \[www.gotransit.com\]\(#\) and \[www.upexpress.com\]\(#\);](#)
- ~~(p)~~ [“senior citizen” means a person 65 years of age or over;](#)
- (q) “smoke” includes the carrying of a lighted cigar or cigarette, pipe or any other lighted material, or the use of any electronic nicotine delivery system including without limitation electronic cigarettes, e-cigarettes, or other products that are designed to deliver nicotine or other substances to a user in the form of a vapor;
- (r) “special fares” means those fares established by the Corporation from time to time and posted on the ~~Corporation’s website~~ [applicable Public Websites](#) in accordance with By-Law [No. 2A](#);
- (s) “specifically designated for pedestrian crossing” means an area or path marked by a sign or signs, painted markings, guideways, or any combination thereof showing it is permissible to cross rail tracks, lands or other areas so marked;
- ~~(t)~~ [“student” means a person living in an area served by a transit system who is,](#)
  - ~~(i)~~ [thirteen \(13\) years of age or more but not yet twenty \(20\) years of age and in full daytime attendance at a public or private elementary or secondary school; or](#)
  - ~~(ii)~~ [in full time attendance for a minimum period of eight consecutive weeks](#)

~~and not earning a salary from full time employment while attending a post-secondary educational institution, or a post-secondary vocational institution that is either public or registered under the *Private Career Colleges Act, 2005* S.O. 2005, Chapter 28;~~

~~(u)~~(t) “ticket” means any ticket, pass or other fare media (whether physical or electronic, or some combination of both) issued by or on behalf of and acceptable to the Corporation for travel on the transit system, and includes, without limitation, any single or multi ride ticket, a pass, an electronic fare card or any other period pass, but does not include a ticket purchase receipt, proof of payment, or any form of refund remittance such as but not limited to a credit voucher. Any ticket remains the property of the Corporation and is subject to confiscation without refund if the holder violates any conditions of its use. Any reference to information ~~printed~~marked on the face of a ticket includes information electronically stored or encoded on an electronic fare card;

~~(v)~~(u) “transit corridor” means a single route or a combination of routes connected by a transfer point where a transit service is provided by the Corporation, either by train or by bus;

~~(w)~~(v) “transit system” means a transit system operated by or on behalf of the Corporation;

~~(x)~~(w) “transit system vehicles” means any motorized transportation equipment operated by or on behalf of the Corporation and includes but is not limited to buses, trains, rapid transit trains, light rail vehicles and automobiles;

~~(y)~~(x) “valid” means,

- (i) in reference to a single ride ticket, a ticket for a one-way trip between the origin and the destination as marked on the ticket which commences within four hours of the date and time of issuance;
- (ii) in reference to a multi-ride ticket or other special fares, a ticket for transportation on the next scheduled trip after being validated between the origin and the destination as marked on the ticket and for a one-way trip only, a return trip requires a subsequent validation;
- (iii) in reference to an electronic fare card with pre-programmed default origin and destination, a ticket for transportation on the next scheduled trip after being validated between the origin and the destination as encoded on the fare card and for a one-way trip only, a return trip requires a subsequent validation;
- (iv) in reference to an electronic fare card without pre-programmed default origin and destination, a cardholder is required to validate the origin prior to commencing the trip and validate the destination upon completing the trip; and
- (v) in reference to a period pass, a ticket for transportation between the origin and destination as marked on the ticket, applicable for the date or period for which a passenger using the pass is taking the trip;

~~(z)~~(y) “valid accessible parking permit” means that the accessible parking permit meets the requirements of issuance and use as described in the *Highway Traffic Act*, including, without limitation, the requirement that the permit only be displayed on a vehicle if and when the vehicle is being used to pick up or transport the holder

of the permit;

~~(aa)~~(z) “validate,” “validated” or “validating” means: (i) for paper-based tickets, marking a ticket for use for transportation in a device provided by the Corporation for the purpose of validating the payment of a fare; ~~and~~ (ii) for electronic tickets, issued by or on behalf of the Corporation, electronically activating a ticket for use for transportation with a mobile device through the online process provided by the Corporation, or through a device provided by the Corporation for the purpose of validating the payment of a fare; and (iii) for electronic fare cards issued by the Corporation, touching the fare card to the device provided by the Corporation for the purpose of electronically debiting the payment of the fare. Any reference on any sign, ticket or other media to “cancel” a ticket shall be deemed a reference and synonymous to the term “validate” and any reference to “validation” shall be deemed a reference and synonymous to the act of validating.

~~(bb)~~(aa) “vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*, R.S.O. 1990, c. M-44, as amended, and any vehicle drawn, propelled or driven by any kind of power but does not include a streetcar, motorized wheelchair or medical scooter;

~~(cc)~~(bb) “zone” means a geographic area to distinguish an origin and destination defined by the Corporation which is used to determine the fare required to be paid for travel between, through, within or any combination thereof.

## 2. REQUIREMENT TO PAY FARE – CONDITIONS OF USE

*Requirement to pay and carry a valid ticket*

- 2.1 Subject to section 2.2 of this By-law, no person shall travel or attempt to travel on the transit system without:
- (a) paying the appropriate fare for travel on the transit system, as determined by the Corporation, in accordance with By-Law No. 2A; and
  - (b) having in their possession while on the transit system or any transit system vehicle a valid ticket issued by and acceptable to the Corporation.

*Exceptions to requirement to pay and carry a valid ticket*

- 2.2 (a) -A child may ride the transit system free of charge and without a ticket;
- (b) If a proper authority is satisfied that a passenger has a disability that hinders his or her ability to travel on the transit system alone, where the passenger is a child the attendant accompanying him or her may ride the transit system free of charge without a ticket.

*altered or counterfeit ticket or pass*

- 2.3 No person shall:
- (a) in any way alter, change, recreate any ticket in any fare medium, other than an employee or agent of the Corporation authorized to do so;
  - (b) travel or attempt to travel on the transit system with a ticket that has been altered, changed, recreated in any way by any person other than an employee or agent of the Corporation authorized to do so;
  - (c) in any way alter, change, recreate any student identification card in any fare medium, other than an employee or agent of the Corporation authorized to



do so;

- (d) travel or attempt to travel on the transit system with a student identification card that has been altered, changed, recreated in any way by any person other than an employee or agent of the Corporation authorized to do so.

**Rules relating to Period Passes**

2.4 Deleted.

*period pass*

2.5 The Corporation may from time to time establish period passes. Conditions pertaining to period passes shall be posted on the Corporation's applicable Public Websites and may include:

- (a) the period of time over which the pass is valid;
- (b) the person(s) for whom the pass is valid;
- (c) the number of rides for which the pass is valid;
- (d) the zone(s) and corridor(s) for which the pass is valid; and
- (e) conditions pertaining to identification required by the holder of the pass.

2.6 Deleted.

*senior proof of age required for concessions and special fares*

2.7 In order for a passenger to enjoy the benefit of a concession or special fare and claim senior citizen their ticket to be valid, a senior citizen such passengers must carry, and present when asked by a proper authority, reasonable proof of age, identity, membership, or other classification, as may be required by and acceptable to the Corporation pursuant to the terms and conditions of the relevant concession or special fare for presentation when asked by a proper authority.

*senior citizens*

2.8 ~~The following class of persons may travel together on a valid adult single ride ticket, and a valid adult day pass: Deleted.~~  
two senior citizens

*cancellation of period pass*

2.9 A period pass is subject to cancellation, without refund, by the Corporation if the holder of the pass:

- (a) wilfully causes damage to Corporation property; or
- (b) fails to comply with the conditions under which the pass is sold.

*group pass*

2.10 A group pass ~~is may be made~~ available by the Corporation to ~~a groups~~ consisting of a maximum of five persons of whom at least one but not more than two are 18 years of age or over. Such group passes and is are valid,

- (a) on the date printed marked on the face of the pass for an unlimited number of rides on the transit system between the zones within the same transit corridor for which the pass is issued; and
- (b) for a trip that begins before 3:00 a.m. on the day after the date printed marked on the face of the pass to the originating point of the holder of the

pass.

day pass

- 2.11 A day pass is valid for the personal use of the purchaser of the pass and,
  - (a) on the date ~~printed~~ marked on the face of the pass for an unlimited number of rides on the transit system between the zones within the same transit corridor for which the pass is issued; and
  - (b) for a trip that begins before 3:00 a.m. on the day after the date printed marked on the face of the pass to the originating point of the holder of the pass.

~~31 day limitation period~~

~~2.12 Deleted. No pass shall be sold more than 31 days in advance of the date printed on the face of the pass.~~

2.13 Deleted.

2.14 Deleted.

2.15 Deleted.

user responsibility

2.16 No person shall travel on a multi-ride or special fare ticket that has more than the allowed number of validations, the ticket holder bears responsibility to ensure the ticket is validated in accordance with these provisions and any posted instructions.

**Validation and Inspection of Tickets and Passes**

~~user responsibility~~

~~2.17 Ticket and pass holders bear responsibility for ensuring eligibility for concessions and/or special fares claimed, and that their tickets and passes are validated as required in accordance with the Corporation's by-laws and any other published or posted instructions from the CorporationDeleted.~~

2.18 Deleted.

requirement to show valid ticket

2.19 Subject to section 2.2 of this By-law, when requested to do so by a proper authority, a person travelling on the transit system shall immediately surrender for inspection the valid ticket under which the person is travelling.

2.20 Deleted.

conditions of use

2.21 A valid ticket must be used for a continuous trip, without stop-overs, from the date and time of issuance or validation, as the case may be, on a train or bus scheduled to stop at the destination printed, marked or encoded on the ticket.

terms and conditions general

- 2.22 It is a term and condition of use of the transit system, and every ticket or pass issued by the Corporation that:
  - (a) the Corporation and its employees and agents are not liable to patrons for lost or stolen tickets or passes;
  - (b) the Corporation and its operators are not liable for delays or cancellations

caused by accidents, road or track conditions, snow storms, labour disruptions, Acts of God or other conditions beyond their control or for failure to depart from or arrive at any point, station or destination at the time shown in timetables published by the Corporation;

- (c) trains and buses shall be required to make stops only as provided by the timetables established by the Corporation except for accidents, road or track conditions, snow storms, labour disruptions, acts of God or other conditions beyond their control or where for reasons of safety an alternate stopping place is required;
- (d) the Corporation and its employees and agents shall have the right, whenever operating circumstances require it, to transfer a passenger from a train to a bus or from a bus to a train or to another train or bus, as the case may be; and
- (e) the Corporation, its employees and agents are not responsible for loss of or damage to property of passengers carried on the transit system, including but not limited to vehicles while on Corporation property and the contents therein.

*Exception*

2.23 Notwithstanding Section 2.22 (b), the Corporation reserves the right in its sole discretion to respond to and address service delays or disruptions in any manner it sees fit in an effort to ensure the highest standards of customer service.

**Rules Relating to PRESTO Fare Cards**

*User  
Responsibility*

2.24 Any cardholder who presents a PRESTO fare card for travel on the transit system bears the responsibility to ensure that they comply with all rules related to tickets in this by-law and the terms and conditions provided in the cardholder agreement for PRESTO users.

**3. CONDUCT ON THE REGIONAL TRANSIT SYSTEM**

*animals*

3.1 No person shall bring an animal on the transit system unless it is in an enclosed container that must be secured and does not inconvenience other passengers.

*exception*

3.2 Section 3.1 does not apply to prohibit:

- (a) a seeing-eye dog from accompanying a blind passenger;
- (b) a hearing-ear dog from accompanying a deaf passenger;
- (c) a special skills dog from accompanying any other disabled passenger; or
- (d) any animal expressly authorized to accompany a passenger or class of passengers pursuant to and in accordance with a written policy published by the Corporation and made available to the general public on ~~its~~[the applicable Public website Websites \(www.gotransit.com\)](#) or other medium.

*proper entry  
and exit*

3.3 No person shall enter or leave a station or station grounds or other facility of the transit system except through a designated entrance or exit, as the case may be.

*crossing tracks*

- 3.4 No person shall:
- (a) cross any railway tracks on ~~the~~ Corporation property except where specifically designated for pedestrian crossing; or
  - (b) enter or remain on any transit system tracks, bridges, guideways, tunnels, roads, or rights of way, including any Corporation property adjacent thereto, used or intended for use only by the transit system or transit system vehicles

*crossing platform edge safety markings*

- 3.5 Except as permitted by Section 3.4, every person shall remain a safe distance behind the platform edge or ~~if marked the~~ platform safety markings (where marked) until it is safe to enter or leave the train or bus as the case may be. For greater certainty, no person shall encroach, enter or cross an area beyond the platform edge or ~~if marked the~~ platform safety markings (where marked) unless such action is in compliance with the above subsection, or upon the direction of a proper authority.

*railway crossings*

- 3.6 No person, whether a pedestrian or the driver of a vehicle as defined in the *Highway Traffic Act* or the operator of a motorized snow vehicle, shall:
- (a) attempt to enter a railway crossing while the electrical or mechanical crossing warning devices are activated; or
  - (b) go through, around or under a railway crossing gate or barrier while the gate or barrier is closed or is being opened or closed; or
  - (c) cross a railway crossing while the electrical or mechanical crossing warning devices are activated; or
  - (d) disobey instructions of a flagperson or proper authority in control of a railway crossing,
- until such time as the warning devices have ceased to operate and it is safe to proceed, or when permission to proceed is given by a flagperson or proper authority in control of the railway crossing.

*safe operation of vehicle*

- 3.7 No person shall operate a vehicle on the Corporation property in an unsafe or reckless manner.

*incidental to transit system*

- 3.8 No person shall operate a vehicle on Corporation property unless the operation is incidental to the use of the transit system.

*operation of vehicles in proper areas*

- 3.9 No person shall operate a motor vehicle on Corporation property except upon roadways, parking areas or any other areas designated for use by motor vehicles.

*unlicensed vehicles or improper use of vehicle permits prohibited*

- 3.10 No person shall operate, park, stand, stop or store
- (a) an unlicensed, unregistered or un-plated vehicle, save and except for a transit system vehicle, on Corporation property; or
  - (b) a vehicle in a designated accessible area unless in accordance with section 4.10 below.

*roller-skates,  
skate boards,  
etc*

3.11 No person shall roller-skate, in-line skate or skate-board on any Corporation property.

*not to be worn  
on system*

3.12 No person shall wear roller-skates or in-line skates while in a train or other vehicle operated by or on behalf of the Corporation.

*operating  
bicycle*

3.13 No person shall:

- (a) operate a bicycle on Corporation property except on a roadway or a designated bicycle path for the purpose of arriving at or departing from a station or terminal of the Corporation; or
- (b) leave a bicycle in an undesignated area on a transit system vehicle or on Corporation property; or
- (c) while on a train, leave a bicycle unattended or outside of arms reach of the user so as to be unable to immediately control its movements.

*bicycles  
prohibited on  
trains*

3.14 No person shall:

- (a) bring or attempt to bring a bicycle on a train that is scheduled to arrive at Union Station between 6:30 a.m. and 9:30 a.m., Monday through Friday, regardless of origin station boarding;
- (b) bring or attempt to bring a bicycle on a train that is scheduled to depart from Union Station between 3:30 p.m. and 6:30 p.m., Monday through Friday, regardless of origin station boarding.

*bicycles  
prohibited at  
Union Station*

3.15 No person shall bring a bicycle into Union Station, or attempt to board or disembark from a train at Union Station with a bicycle, between 6:30 a.m. and 9:30 a.m. and between 3:30 p.m. and 6:30 p.m., Monday through Friday.

*exceptions*

3.16 The prohibitions stated in Sections 3.14 and 3.15 do not apply on a statutory holiday. The Corporation reserves the right to provide further exceptions for operational or promotional reasons from time to time. Any such exemption will be posted on the [Corporation's applicable Public Websites](#).

*following  
instructions*

3.17 No person shall do any act in contravention of instructions,

- (a) indicated on any sign erected on Corporation property [by or for the Corporation](#); or
- (b) indicated on any painted markings on Corporation property; or
- (c) of a proper authority who considers them necessary to,
  - (i) ensure orderly movement of persons;
  - (ii) prevent injury to persons;
  - (iii) prevent damage to the Corporation's property;
  - (iv) make available a seat in the designated priority seating area to a person who is disabled or has a physical limitation requiring priority seating, ~~or~~ [or](#)

(v) permit proper action in an emergency.

*obstruction*

3.18 No person shall wilfully obstruct or interfere with a proper authority in the performance of his or her duties or the exercise of his or her rights, powers and privileges under this By-law.

*provide false information*

3.19 No person shall knowingly provide any false or misleading information in any statement, whether in writing or otherwise, made to a proper authority investigating an offence under this or any by-law of the Corporation.

*distribute material*

3.20 No person shall distribute or place handbills, signs, notices or any form of written or printed matter on Corporation property without express written permission of the Corporation.

*solicit, sell on Corporation property*

3.21 No person shall sell or solicit or attempt to sell or solicit any service, merchandise, article or other thing for any purpose on a transit system vehicle or Corporation property without the express written permission of the Corporation.

3.22 Deleted.

*exemption*

3.23 Nothing in this by-law prohibits the posting of signs, official notices and information or the use of any camera, video recording device, movie camera or any similar device by the Corporation on Corporation property.

*litter*

3.24 No person shall litter or deposit any waste on Corporation property.

*audio devices*

3.25 No person shall, without authorization, operate any audio device, musical instrument, or similar device in or upon any transit system vehicle or the premises of the Corporation unless the sound conveyed from the device by an earphone is at a volume that does not disturb other passengers.

*spitting*

3.26 No person shall expectorate in or upon any vehicle or premises of the Corporation.

*loitering*

3.27 No person shall:

- (a) loiter without due cause on Corporation property
- (b) For the purposes of paragraph (a), a person 'loiters' when such person:
  - (i) idly spends time inside or on Corporation property without express purpose of using the transit system; or
  - (ii) lingers, saunters, or remains on Corporation property without due cause, and;
  - (iii) at least fifteen minutes have elapsed upon initial arrival onto Corporation property.

*public order*

3.28 No person shall commit an act contrary to public order on Corporation property, including but not limited to:

- (a) urinating or defecating, except in facilities specifically intended for such actions; or

- (b) using profane, insulting or obscene language; or
- (c) behaving in an indecent or offensive manner; or
- (d) fighting; or
- (e) behaving in a manner which does or is likely to interfere with the ordinary enjoyment of persons using the transit system.

*Behaviour*

3.29 No person shall commit an act contrary to respectful and customary behaviour which may detract from the overall enjoyment of the transit system, including but not limited to:

- (a) placing his or her foot or feet on a vehicle seat or laying thereon any object that may soil it; or
- (b) lying down on a bench, seat or floor of any transit system vehicle or property of the Corporation; or
- (c) while on the Corporation's property, not wearing shoes, boots, sandals or other similar footwear; or
- (d) riding, hanging or standing on any exterior portion of a transit system vehicle; or
- (e) leaning out of or projecting any part of his or her body through any window or opening of any transit system vehicle; or
- (f) boarding or leaving or attempting to board or leave any transit system vehicle while the transit system vehicle is in motion or when prohibited by a proper authority for safety reasons; or
- (g) boarding or leaving a transit system vehicle except by using the appropriately identified doors or as instructed by a proper authority; or
- (h) interfering with the operation of a window, door, apparatus or any other equipment of a transit system vehicle doors, ~~capable of~~ delaying or preventing the departure of the transit system vehicle or causing a concern for safety, whether the transit system vehicle is in motion or not;

*interfere with operator*

3.30 No person shall place himself or herself in a position or perform an action likely to interfere with the operator of a vehicle of the Corporation having proper control of the vehicle or likely to obstruct the vision of the operator:

*use of equipment*

3.31 No person shall, without authorization, handle or operate any part of the mechanical, electrical or electronic equipment of any vehicle or any part of the transit system operated by the Corporation, except devices which are intended for passenger use, and then only in accordance with posted instructions.

*passenger assistance alarm*

3.32 No person shall interfere with or activate the passenger assistance alarm devices on the Corporation's vehicles or property without reasonable cause.

*smoking*

3.33 No person shall smoke on Corporation property, except in areas designated as smoking areas.

*cause damage to Corporation property*

3.34 No person shall wilfully or recklessly cause damage to any Corporation property.

*refusal of passage*

3.35 A proper authority may refuse passage on or remove from the transit system;

- (a) a person in possession of explosives, a firearm, a dangerous weapon, flammable material or any other dangerous thing or material; or
- (b) a person under the influence of drugs or alcohol; or
- (c) a person whose conduct is or is likely to be objectionable to other passengers; or
- (d) a person carrying hand luggage, a parcel or any object or thing that does inconvenience or is likely to inconvenience other passengers; or
- (e) a person who fails to comply with the instructions of a proper authority; or
- (f) a person who fails to comply with the provisions of this by-law.

#### **4. PARKING**

*parking generally*

4.1 Except as otherwise provided parking shall be provided on a first come first served basis and the Corporation does not warrant the availability of parking.

*parking and use of transit system*

4.2 No person shall park or operate any vehicle on Corporation property unless the parking or operation of the vehicle is incidental to the use of the transit system by the driver or a passenger of the vehicle.

*48 hour limitation*

4.3 No person shall park a vehicle for a period of more than 48 hours on Corporation property.

*exception*

4.4 Section 4.3 does not apply to a person who has received prior authorization from the Corporation.

*weight restriction*

4.5 No person shall park a vehicle having a gross weight in excess of 4,536 kilograms on Corporation property.

*park, stand, stop in designated areas only*

4.6 No person shall park, stand or stop any vehicle on Corporation property unless the parking, standing or stopping of the vehicle is within an area so designated for parking, standing or stopping.

*reserved parking spaces*

4.7 No person shall park, stand or stop any vehicle on Corporation property in an area designated and marked as "reserved" except the vehicle or class of vehicles for whom such designated area is reserved.

*one space only*

4.8 No person shall park a vehicle on Corporation property that occupies more than one designated area at a time.

*interfere with*

4.9 No person shall park in such a manner as to interfere with the movement of traffic or otherwise prevent the safe removal of any other vehicle previously parked or left



- traffic* standing.
- designated accessible area* 4.10 No person shall park, stand or stop a vehicle in a designated accessible area unless:
- (a) a valid accessible parking permit issued under the authority of the *Highway Traffic Act* is displayed on the vehicle, clearly visible from the outside of the vehicle and showing the permit number and expiry date of the permit; and
  - (b) the vehicle, while in use, contains the permit holder identified in the valid accessible parking permit described in 4.10(a) above.
- inspection of permit* 4.11 Every person having possession of an accessible parking permit shall, upon the demand of an officer appointed for carrying out the provisions of this By-law, surrender the permit for reasonable inspection to ensure that the provisions of this [Byby](#)-law are being complied with.
- retain permit* 4.12 An officer to whom an accessible parking permit has been surrendered may retain it until disposition of the case if the officer has reasonable grounds to believe that the permit:
- (a) was not issued under the authority of the *Highway Traffic Act*;
  - (b) was obtained under false pretences;
  - (c) has been defaced or altered;
  - (d) has expired or been cancelled; or
  - (e) is being or has been used in contravention of this By-law.
- emergency access and fire routes* 4.13 No person shall park, stand or stop a vehicle in an area designated as a fire route or an emergency access route.
- exemption* 4.14 Nothing in Part 4 shall prevent any vehicle operated by or on behalf of the Corporation from standing, stopping or parking on Corporation property where it is safe to do so for the purpose of carrying on the business of the Corporation.
- towing* 4.15 In addition to the penalties provided for herein, the Corporation may tow or cause to be towed any vehicle which is parked in any location on Corporation property other than as authorized in this by-law, at the cost and risk of the owner and/or operator of such vehicle.

## **5. PENALTIES AND ENFORCEMENT**

- contravention of by-law* 5.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Corporation's administrative fees program or the *Provincial Offences Act*, whichever may apply.
- enforcement* 5.2 The provisions of this by-law shall be enforced by an officer as defined in the *Metrolinx Act, 2006*, or a police officer as defined in Section 2 of the *Police Services Act* (Ontario).

require  
identification

5.3 Where a proper authority has reasonable grounds to believe an offence under this by-law has been committed by a person, the proper authority may require the name, address and proof of age, identity of that person, and/or fulfilment of any pre-condition to or requirement of a concession or special fare, and the person shall provide the required information to the proper authority at the time of request.

Offences of  
Absolute  
Liability

5.4 A breach of the following sections of this ~~By~~by-law are deemed to be absolute liability offences for which a defence of due diligence does not apply: 2.1, 2.19, 3.10 and all subsections under Section 4 Parking.

The forgoing by-law is hereby consented to and passed as a by-law of the Corporation by the Members of the Board of Directors, effective as of the 22<sup>nd</sup> 9<sup>th</sup>-day of ~~March~~February, ~~2019~~2020 pursuant to Subsection 21(1) of the *Metrolinx Act*, 2006.

\_\_\_\_\_  
Don Wright, Chair

\_\_\_\_\_  
Alba Taylor, Corporate Secretary

c/s

## BY-LAW NO. 2A

### **METROLINX** (the "Corporation")

A by-law to establish the fares that shall be charged for transit services and establish the approximate routes, locations and frequencies of the transit services provided

BE IT ENACTED as a by-law of the Corporation as follows:

By-law No. 2A of the Corporation is hereby repealed and the by-law contained herein shall become the by-law of the Corporation with respect to the subject matter contained herein.

#### 1. DEFINITIONS

- 1.1 In this by-law and in all other by-laws of the Corporation, unless otherwise defined or the context otherwise requires:
- (a) "Child" or "children" means a person or group of persons who individually have not yet reached thirteen (13) years of age;
  - (b) "Minor" means a child who has not yet reached six (6) years of age;
  - (c) "Tariff of Fares" means the Tariff of Fares attached hereto, setting out the amount to be paid for single one-way travel on the transit system within the enumerated zones, as determined by the Corporation from time to time in accordance with By-law 2A, approved by the Board of Directors the ~~10<sup>th</sup>-20th~~ day of ~~April~~February, ~~2019-2020~~ with effect as of ~~April 20~~February 22, ~~2019-2020~~ pursuant to Subsection 8.1(3) of the *Metrolinx Act*, 2006.
  - (d) Terms ~~otherwise~~ not defined herein shall bear the meanings associated with such term as set out in By-law No. 2.

#### 2. FARES

##### Fares to be charged

*available to the public*

- 2.1 ~~The~~ Tariff of Fares may be read by members of the public at the head office of the Corporation during regular business hours and on the Corporation's ~~public~~Public website ~~Websites~~([www.gotransit.com](http://www.gotransit.com)).

*one-way ride base fare*

- 2.2 Except as otherwise provided in this by-law, the amount to be paid for a single one-way ride on a transit system operated by or for the Corporation is the applicable amount set out in the Tariff of Fares for travel between enumerated zones.

concessions and special fares

- 2.3 The Corporation may establish concessions and special fares for:
- (a) passengers that qualify as children/youths, students, ~~or~~ senior citizens, or any other class of passenger, as determined by the Corporation in accordance with this by-law;
  - (b) package trips provided that the portion of the special fare applicable to transportation is not less than 77% of the regular fare otherwise provided in this by-law;

~~-2-~~

- (c) multi-ride or volume -based discounts for passengers or groups of passengers applying to a limited or unlimited number of rides per ticket occurring within a specified time period;
- (d) discounted marketing programs or loyalty programs;
- (e) encouraging additional commuter or other ridership;
- (f) promoting special or seasonal events; or
- (g) promoting piloting, and/or implementing new or revised programs, services or technologies.

The Corporation reserves the right to change, modify or cancel such concessions and special fares as necessary. The terms and conditions of and information information on about such concessions and special fares shall be published on the applicable Corporation's pPublic website Websites(www.gotransit.com).

*Children*

- 2.4 A child may ride the transit system free of charge and without a ticket.

*Minors*

- 2.5 No minor may ride on the transit system unaccompanied.

*passengers over 13 years of age*

- 2.6 The amount to be paid for a single one-way ride on a transit system fare payable by a passenger 13 years of age or over is the fare amount that would be payable by an adult passenger as determined under pursuant to Section 2.2.

*police officers exempt*

- 2.7 No fare is required to be paid by a police officer as defined in Section 2 of the *Police Services Act*, R.S.O. 1990, Chapter P.15 or a police officer of the Royal Canadian Mounted Police who is in possession of the official identification issued by the police services engaging such officer. For greater certainty, the benefit of this provision does not extend to any special constable, by-law enforcement officer, or any auxiliary or civilian member of a police force.

*veterans*

- 2.8 On days that are for National or Provincial recognition of war veterans, no fare is required to be paid by: (i) a war veteran and any person accompanying him or her; or (ii) the immediate family of a deceased veteran, provided that such individual is carrying something that identifies his or her relation to the deceased veteran, including an identification card or service papers.

*passengers with  
disabilities*

- 2.9 If a proper authority is satisfied that a passenger has a disability that hinders his or her ability to travel alone, the passenger may purchase a ticket at the rate for that passenger as ~~set out in the Tariff of Fares~~[determined pursuant to this by-law](#), that is endorsed by the proper authority as a party ticket for the carriage of both the passenger and an attendant accompanying him or her. For greater certainty, where the passenger is a child and a proper authority is satisfied that the child has a disability that hinders his or her ability to travel alone, the attendant accompanying him or her may ride the transit system free of charge and without a ticket.

*premium fare* 2.10 Where more than one transit service is provided between two places by the Corporation, a local transit system, or a combination thereof, the Corporation may charge a premium on any such service operated by it ~~a premium fare~~ and the amount of the premium ~~fare~~ shall be set out on the Corporation's ~~applicable public~~ Public website Websites(www.gotransit.com).

*Premium Fare Niagara Falls* 2.11 For excursion trips that have an origin or destination or any combination thereof ~~within the Niagara Falls service area~~, the Corporation may charge in addition to the fare set out in the Tariff of Fares, a premium fare up to a maximum of \$3.00 per single one-way ~~fare~~ticket.

*refunds* 2.12 No refunds of fares shall be made except in accordance with Metrolinx fare refund administrative policy, as amended from time to time, and as posted on the ~~Corporation's applicable Public website~~Websites.

**3. TARIFF OF FARES**

3.1 Tariff of Fares is as appended to this by-law.

**4. ROUTES AND SCHEDULES**

*schedules* 4.1 The Corporation's Board of Directors may establish the approximate location, routes and frequencies of the transit services provided by or on behalf of the Corporation.

*available on Internet* 4.2 The approximate location, routes and frequencies of the transit services provided by or for the Corporation shall be as published in any schedule whether in paper or electronic form. The official version shall be the version as published on the ~~Corporation's public web site~~applicable Public Websites from time to time (~~www.gotransit.com~~).

*rights reserved* 4.3 The Corporation reserves the right to change, modify or deviate from any posted schedule as necessary.

The foregoing by-law is hereby enacted as a by-law of the Corporation by the Board of Directors effective as of ~~April 20~~February 22, 2019~~2020~~, pursuant to Subsection 8.1(3) of the *Metrolinx Act, 2006*.

\_\_\_\_\_  
Don Wright, Chair

\_\_\_\_\_  
Alba Sandre Taylor, Corporate Secretary

**METROLINX**  
**(the "Corporation")**

**Tariff of Fares**  
**(Effective ~~April 20~~February 22, 2020)**

1. This Tariff of Fares shall be maintained at the head office of the Corporation, 97 Street West, Toronto, and shall be available for public review during the regular business hours of the Corporation.
2. This Tariff of Fares sets out the base fares applicable for a single one-way ride ~~for an Adult or a Senior, as defined herein, on the transit system within the enumerated zones~~, including all applicable taxes.
3. Passengers who use a PRESTO card to pay for their fares, or otherwise qualify for a concession pursuant to a criteria determined and published by the Corporation in accordance with By-law No. 2A, will receive a discount from the base fare amount set out on this Tariff of Fares. Details of ~~this and other~~ applicable discounts ~~/concessions~~ are available ~~online at~~ www.gotransit.com on the applicable Public Websites.
4. When a passenger travels on the transit system from a point outside the City of Toronto to another point outside the City of Toronto, and can only do so by travelling through the City of Toronto by means of more than one transit service provided by the Corporation, the following rules apply in determining the total fare payable:
  - (a) If there is more than one transit service available between the passenger's point of departure and the City of Toronto or between the City of Toronto and the passenger's destination point, the fare payable for each transit service shall be the lowest fare available for the trip, regardless of which transit service the passenger actually takes.

## Schedule of Amount Between Zones - GO Train

<sup>1</sup>The Adult single fare applies to any passenger thirteen (13) years of age or older.

<sup>2</sup>The Senior fare applies to any senior that is sixty-five (65) years of age or older (a "Senior").

[Revised Schedule of Amount Between Zones to be incorporated after approval by the Board]

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Schedule of Amount Between Zones - Union Pearson Express

[Revised Schedule of Amount Between Zones to be incorporated after approval by the Board]