



To: Metrolinx Board of Directors

From: Mary Martin
*General Counsel and
Corporate Secretary*

Robert Siddall
Chief Financial Officer

Date: June 21, 2012

Re: **Amendments to By-Laws 2 and 2A**

Executive Summary

Staff are recommending administrative revisions to By-Laws 2 and 2A to remove fare structures no longer in place, such as two and ten ride tickets which the Corporation has stopped offering effective May 31, 2012.

In addition, the revisions to By-Law 2A will allow the Corporation to establish “special fares” for limited purposes, including multi ride or volume discounts, which will facilitate the continuation of the Corporation’s existing period passes (including group and monthly passes), while allowing the Corporation the flexibility to establish new fare structures which may now be possible through PRESTO or otherwise be desirable for new transit services.

At this time, however, no other changes to the fare structures currently in place by the Corporation are anticipated.

Recommendations

RESOLVED:

THAT By-law No. 2 and By-Law No. 2A be repealed and replaced with By-Law No. 2 and By-Law No. 2A attached to the General Counsel and Corporate Secretary’s report to the Board dated June 21, 2012 to:

1. remove fare structures no longer in place;
2. delete the existing Table of Fares, and substitute in its place a new Table of Fares in the form attached to the new By-law No. 2A; and
3. provide the Corporation with the ability to establish special fares for limited purposes as described in By-Law No. 2A.

AND FURTHER THAT the Chairman and Secretary be authorized to sign the By-law.

Background

Fares charged for transit services must be established by by-law approved by the Board of Directors pursuant to Subsection 8.1(3) of the *Metrolinx Act, 2006*, S.O. 2006, c.16 (the “Act”). Metrolinx By-Law No. 1 provides further that by-laws of the Corporation may only be amended or repealed by approval of the Board.

In addition to establishing single ride base fares for travel between two points on the regional transit system, By-Law 2A also established certain fare structures which the Corporation has now stopped offering. These fare structures offered multi ride or volume discounts as compared to the single ride base fare otherwise set out in the By-Law. Although the fare structures themselves are proposed to be removed from the draft By-Law 2A attached as Appendix “B”, they in fact will continue to be offered by the Corporation either through the PRESTO loyalty program and/or the continuation of certain period passes as described on the Corporation’s website.

The removal of these fare structures from By-Law 2A requires that additional administrative changes be made to By-Law 2, which regulates the use of the regional transit system. Accordingly, a revised draft of By-Law 2 is attached to this report as Appendix “A”.

Prior to the passing a by-law changing the fares, Metrolinx is required by Subsection 8.1(4) of the Act to provide written notice to the Minister of Transportation (the “Minister”). Metrolinx has advised the Minister of its intent to revise By-Law 2A, effective June 21 2012.

Attachments

Appendix “A” Draft By-Law 2 (revised)

Appendix “B” Draft By-Law 2A (revised)

Respectfully submitted,

Mary Martin
General Counsel and
Corporate Secretary

Robert Siddall
Chief Financial Officer

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 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.

Definitions

1.1 In this by-law and in all other by-laws of the Corporation, unless 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 is six (6) years of age or more but has not yet reached thirteen (13) years of age;
- (e) “concession fare” means a classification of persons to whom a fare discount applies based on criteria established by the Corporation from time to time;
- (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 conveying 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;
- (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 website in accordance with section 2.4 of this By-Law. For greater certainty a period pass may include 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;
- (p) “senior citizen” means a person 65 years of age or over;
- (q) “special fares” means those fares established by the Corporation from time to time and posted on the Corporation’s website in accordance with By-Law 2A;
- (r) “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;
- (s) “ticket” means any ticket, pass or other fare media issued by and acceptable to the Corporation, and includes, without limitation, any single or multi ride ticket, a pass, an electronic fare card or any other period pass. 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 on the face of a ticket includes information electronically stored or encoded on an electronic fare card;

- (t) “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;
- (u) “transit system” means a transit system operated by or on behalf of the Corporation;
- (v) “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 validation 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 validation 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;
- (w) “validate” 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 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”.
- (x) “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;
- (y) “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

- 2.1 No person shall travel or attempt to travel on the transit system without paying the appropriate fare:
- (a) Where the amount of the fare charged for passage on a transit system is disputed, the passenger shall pay the amount requested by a proper authority;
 - (b) A passenger who refuses to pay the amount of fare requested by a proper authority shall be refused passage on the transit system.

requirement to carry a ticket

- 2.2 No person shall travel or attempt to travel on the transit system without having in their possession a valid ticket issued by and acceptable to the Corporation during their entire trip on the transit system.

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 website 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

2.7 In order for a senior citizen ticket to be valid, a senior citizen must carry reasonable proof of age for presentation when asked by a Proper Authority.

seniors and children

2.8 The following class of persons may travel together on an valid adult single-ride ticket, a valid adult day pass:

- (a) two senior citizens,
- (b) two children under 13 years of age,
- (c) a senior citizen and one child

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 available to a group consisting of a maximum of five persons of whom at least one but not more than two are 18 years of age or over and is valid,

- (a) on the date printed 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 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 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 on the face of the pass to the originating point of the holder of the pass.

31 day limitation period

2.12 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

validate tickets

2.17 No person shall enter the transit system without activating the device to validate tickets so as to validate the appropriate ticket for the intended trip.

exception

2.18 Section 2.17 does not apply to a person who,

- (a) enters the transit system at a location where a cash fare may be paid for a specific service as designated by the Members of the Corporation and who pays the prescribed fare for that service; or
- (b) has a ticket that is not intended to be validated.

requirement to show ticket

2.19 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.

exception

2.20 Section 2.19 does not apply to a person who has paid a cash fare pursuant to Section 2.18.

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 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 required 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 seeing-eye dog from accompanying a blind passenger, a hearing-ear dog from accompanying a deaf passenger or a special skills dog from accompanying any other disabled passenger.

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 cross any railway tracks on the Corporation property except where specifically designated for pedestrian crossing.

crossing platform edge safety markings

- 3.5 Every person shall remain a safe distance behind the platform edge or if marked the platform safety markings 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 platform edge or if marked the platform safety markings unless such action is in compliance with the above subsection, or upon the direction of a proper Corporation.

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 Corporation 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 Corporation in control of the railway crossing.

speed limitation

- 3.7 No person shall operate a vehicle on the Corporation property at a speed in excess of 25 kilometres per hour.

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 prohibited

- 3.10 No person shall operate, park or store an unlicensed, unregistered or un-plated vehicle on Corporation property.

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 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.

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;
 - (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.

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 website.

following instructions

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

- (a) indicated on any sign erected on Corporation property; 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;
 - (v) permit proper action in an emergency.

obstruction

3.18 No person shall wilfully obstruct or interfere with a proper Corporation 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 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 attempt to sell any merchandise, article or other thing or solicit members of the public for any purpose on Corporation property without the express written permission of the Corporation.

commercial photography and recording devices prohibited

3.22 No person shall operate any camera, video recording device, movie camera or any similar device for commercial purposes upon the transit system without the express written permission of the Corporation.

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 radio, tape recorder, musical instrument, or similar device in or upon any vehicle or the premises of the Corporation unless the sound therefrom is conveyed to that person by an earphone at a sound level 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) behave 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 vehicle or property of the Corporation; or
- (c) riding, hanging or standing on any exterior portion of a vehicle; or
- (d) leaning out of or project any part of his or her body through any window or opening of any vehicle.

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 the transit system to;

- (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 traffic

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 standing.

designated accessible area

4.10 No person shall park, stand or stop a vehicle in a Designated Accessible Area unless a valid accessible parking permit is displayed on the vehicle so that such permit is reasonably visible to a person standing outside the vehicle.

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 By-law are being complied with.

retain permit

4.12 An officer to whom a 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 *Provincial Offences Act*.

enforcement

5.2 The provisions of this by-law shall be enforced by an officer as defined in the *Metrolinx Act, 2006*, S.O. 2006, c. 16 or a police officer as defined in Section 2 of the *Police Services Act* (Ontario).

The forgoing By-law No. 2 is hereby consented to and passed by the Members of the Corporation, this 21st June 2012, pursuant to Subsection 21(1) of the *Metrolinx Act, 2006*.

J. Robert S. Prichard, Chair

Mary E. Martin, 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

1.2 In this by-law and in all other by-laws of the Corporation, unless the context otherwise requires:

- (z) "Child" means a person who is six (6) years of age or more but has not yet reached thirteen (13) years of age;
- (aa) "senior citizen" means a person 65 years of age or over;
- (bb) "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;
- (cc) "Table" means the Table of Fares attached hereto, dated June 21, 2012 with effect as of June 21, 2012; and
- (dd) "Tariff of Fares" means the Tariff of Fares No. 1 attached hereto, approved by the Board of Directors the 9th day of January, 2012 with effect as of February 18, 2012 pursuant to subsection 8.1(3) of the *Metrolinx Act, 2006*.

2. FARES**Fares to be charged**

- 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 at 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.

special fares

2.3 The Corporation may establish special fares for:

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

The Corporation reserves the right to change, modify or cancel such special fares as necessary. Information on such special fares shall be published on the Corporation's public website (www.gotransit.com).

children

2.4 Children under the age six years may ride free of charge. No Child may ride on the transit system unaccompanied.

more than one child under 6 years of age

2.5 Notwithstanding Section 2.4, where an adult passenger is accompanied by more than one child under the age of six (excluding children under the age of 12 months), the adult shall pay, in addition to his own fare, the full Child's fare prescribed in the Table on behalf of each additional child.

child over 13 years of age

2.6 The fare payable by a child 13 years of age or over is the fare that would be payable by an adult passenger as determined under Section 2.2.

children's group ticket

2.7 Subject to 24 hours' notice and space availability, a children's group ticket may be sold for the carriage of children as a group on the basis of half-fare of a one-way fare per child provided that:

- (a) each child is under the age of 13 years or in full daytime attendance at an elementary school;
- (b) the group consists of at least 20 children;
- (c) the group is under adult supervision; and
- (d) the group ticket is purchased at least 15 minutes prior to scheduled departure time;
- (e) each adult accompanying the group will be required to pay the full adult fare as applicable.

The Corporation may from time to time modify or prescribe additional rules pertaining to the availability of children's group tickets. Such modified or additional rules shall be available on the corporation's website: www.gotransit.com.

*group pass
exception*

2.8 A group pass shall not be sold in conjunction with children's group ticket.

group pass

2.9 A group pass is available to a group consisting of a maximum of five persons of whom at least one but not more than two are 18 years of age or over and is valid;

(a) on the date printed 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 on the face of the pass to the originating point of the holder of the pass.

*police officers
exempt*

2.10 No fare is required to be paid by a police officer as defined in Section 2 of the *Police Services Act* (Ontario) 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, First Nations Constable, by-law enforcement officer, or any auxiliary or civilian member of a police force.

veteran's

2.11 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

*accessible
passengers*

2.12 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, 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.

premium fare

2.13 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 on any such service operated by it a premium fare and the amount of the premium fare shall be:

(a) for a single one-way fare, \$1.30 plus the amount of the fare set out in the Tariff of Fares; and

(b) for a pass, the amount in the applicable column of the Table that corresponds to the amount in the applicable single fare column of the Table that is equal to 60 cents plus the single one-way fare payable under Section 2.2.

*Premium Fare
Niagara Falls*

2.14 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.

refunds

2.15 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 website.

3. TARIFF OF FARES

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

4. TABLE OF FARES

4.1 Table of Fares is as appended to this by-law.

5. ROUTES AND SCHEDULES

schedules

5.1 The Corporation's Board of Directors may establish the approximate location, routes and frequencies of the transit services provided.

*available on
Internet*

5.2 The approximate location, routes and frequencies of the transit services provided by 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 from time to time. (www.gotransit.com)

rights reserved

5.3 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 this 21st day of June, 2012 pursuant to Subsection 8.1(3) of the *Metrolinx Act, 2006*.

J. Robert S. Prichard, Chair

Mary E. Martin, Secretary

c/s