

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: JANUARY 21, 2009

SUBJECT: AMENDED TTC BY-LAW NO. 1 – UPDATE

ACTION ITEM

RECOMMENDATION

It is recommended that:

- 1) The Commission approve the revised new by-law as set out in Schedule "A" regulating use of the TTC transit system;
- 2) The Commission approve the set fine amounts and forward a copy of the set fine amounts to the Senior Regional Judge for approval in accordance with the *Provincial Offences Act*;
- 3) The current By-law No. 1, dated December 7, 1990 be repealed effective on the date that the new by-law (Schedule "A") comes into force and effect and that the new amended by-law (Schedule "A") be referred to as "By-law No. 1" as of the date that it comes into force and effect; and
- 4) Authorize the Chair and Vice-Chair of the Commission to approve any other modifications to the by-law or set fine schedules, if any, that arise from a further review by the Ministry of the Attorney General.

FUNDING

There is no funding impact related to the approval and implementation of the new by-law.

BACKGROUND

At the August 27, 2008 Commission meeting a revised TTC by-law regulating the use of the Toronto Transit Commission transit system was approved, and was to come into effect on the date the Set Fine Schedule was approved by the Senior Regional Judge. As part of the TTC application for approval of the Set Fine Schedule, a review was conducted by the Ministry of the Attorney General and the Ministry of the Attorney General has requested a few modifications/amendments.

In addition at the August 27, 2008 Commission meeting the Commission also directed staff to take into consideration comments that have been received by the Commission relating to the new by-law and report back on future revisions to the by-law.

DISCUSSION

As a result of the Ministry of the Attorney General’s review and previous comments received by the Commission, we have amended the by-law and Set Fine Schedule as set out in Schedules A and B. The following is a list of some of the significant amendments relating to the previously adopted new by-law:

- The term “vehicle” has been re-defined as “TTC vehicle”;
- The term “TTC property” has been re-defined to exclude a public highway;
- Sections 2.10 and 2.11 have been amended to clearly state that an offence is being created by improperly taking a transfer;
- Section 2.14 has been amended by limiting the restriction on the sale of fare media to TTC property, unless otherwise authorized;
- Section 3.4 relating to a prohibition of crossing tracks has been amended by substituting “railway tracks” with the term “subway tracks”;
- Sections 3.11 and 3.12 have been amended to reflect the current TTC practices relating to use of bicycle racks on vehicles;
- The prohibition of causing damage to TTC property has been deleted as this is addressed in the *Criminal Code* (i.e. Public Mischief);
- General exclusion clauses allowing the TTC to authorize certain activities or exempt TTC personnel have also been added throughout the amended by-law.

The set fines as set out in Schedule B are consistent with the amounts as previously approved by the Commission on August 27, 2008.

JUSTIFICATION

In order to ensure that the TTC by-laws regulating use of the TTC system better reflect the current transit environment, the by-law should be revised. The revisions take into account the comments received from the Ministry of the Attorney General as well as some of the comments received from the public.

January 13, 2009

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Attachments – Schedule A

- Schedule B