

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

House Bill 1142 (Delegate Stukes)  
Environmental Matters

---

**Mass Transit - Failure to Vacate Seat Designated for Elderly or Handicapped -  
Penalty**

---

This bill increases the maximum penalty, from \$500 to \$1,000, for failing to vacate a seat designated for the elderly or handicapped in a Maryland Transit Administration (MTA) transit vehicle or facility.

---

**Fiscal Summary**

**State Effect:** Potential minimal general fund revenue increase due to increasing the maximum penalty applicable to this offense. Expenditures are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** A person is prohibited from engaging in 12 unlawful acts in MTA and Maryland Area Regional Commuter (MARC) transit vehicles and facilities. Unlawful acts include, among other things, smoking, consuming food or beverages, improperly disposing of litter, and failing to vacate a seat designated for the elderly or handicapped when requested to do so by the transit vehicle operator, train conductor, or a police officer. Any person who commits any of these acts is guilty of a misdemeanor and upon conviction is subject to a maximum fine of \$500 for each offense. Generally, prohibited acts on MTA or MARC transit vehicles and facilities carry a prepayable fine of \$50, which includes court costs.

A “transit vehicle” is a mobile device used in rendering transit service. A “transit facility” is one or more or combination of tracks, rights-of-way, bridges, tunnels, subways, rolling stock, stations, terminals, ports, parking areas, equipment, fixtures, buildings, structures, other real or personal property, and services incidental to or useful or designed for use in connection with providing transit service by any means, including rail, bus, motor vehicle, or other mode of transportation but excluding railroad facilities.

**Background:** MTA is one of the largest multi-modal transit systems in the United States. In fiscal 2012, MTA annual ridership totaled 73.6 million for core bus service, 15.4 million for Metro subway, 8.5 million for MARC train, and 8.5 million for light rail. MTA had an operating budget of \$646.8 million in fiscal 2012. Among other things, MTA (1) manages bus services in Baltimore City and surrounding counties, including operation of fixed route and paratransit lines and contracts with commuter and paratransit service providers; (2) operates the Baltimore Metro heavy rail line and the Baltimore area light rail lines; (3) provides technical assistance and operating grants to local jurisdictions’ transit services; and (4) contracts with private carriers to operate commuter bus services throughout the State.

All State peace officers are authorized to issue citations for violations of the motor vehicle laws. The MTA police force is made up of more than 150 sworn officers and approximately 80 civilian employees, dedicated to providing law enforcement. The MTA police force is multijurisdictional, as they patrol Baltimore City and the surrounding counties.

In fiscal 2012, there were no charges issued in District Court for failing to vacate a seat designated by the elderly or handicapped.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2013  
mc/lgc

---

Analysis by: Amanda Mock

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

