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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **2045**

02/20/2023 Authored by Tabke, Hornstein, Petersburg, Noor, Sencer-Mura and others
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy
03/09/2023 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to transit; amending requirements governing transit enforcement;
1.3 establishing a transit service intervention project; requiring a report; appropriating
1.4 money; amending Minnesota Statutes 2022, section 609.855, subdivision 3;
1.5 proposing coding for new law in Minnesota Statutes, chapter 473.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [473.4065] TRANSIT PASSENGER ACTIVITIES.

1.8 Subdivision 1. Code of conduct. (a) The council must adopt a rider code of conduct for
1.9 transit passengers. The council must post a copy of the code of conduct in a prominent
1.10 location at each light rail transit station and each park-and-ride station.

1.11 (b) The code of conduct must not prohibit sleeping in a manner that does not otherwise
1.12 violate conduct requirements.

1.13 Subd. 2. Prohibited activities; removal from premises. A peace officer, as defined in
1.14 section 626.84, subdivision 1, paragraph (c), may order a person to depart a transit vehicle
1.15 or transit facility for a violation as follows:

1.16 (1) violating the rider code of conduct established under subdivision 1;

1.17 (2) smoking, as defined in section 144.413, subdivision 4;

1.18 (3) urinating or defecating;

1.19 (4) consuming an alcoholic beverage, as defined in section 340A.101, subdivision 2;

1.20 (5) damaging a transit vehicle or transit facility, which includes but is not limited to
1.21 vandalism, defacement, and placement of graffiti, as defined in section 617.90, subdivision
1.22 1;

2.1 (6) throwing or depositing litter; or

2.2 (7) engaging in disorderly conduct as specified in section 609.72, subdivision 1, clause
 2.3 (3).

2.4 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 2.5 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 2.6 Scott, and Washington.

2.7 Sec. 2. Minnesota Statutes 2022, section 609.855, subdivision 3, is amended to read:

2.8 Subd. 3. **Prohibited activities; misdemeanor.** (a) A person is guilty of a misdemeanor
 2.9 who, while riding in a vehicle providing public transit service:

2.10 ~~(1) operates a radio, television, tape player, electronic musical instrument, or other~~
 2.11 ~~electronic device, other than a watch, which amplifies music, unless the sound emanates~~
 2.12 ~~only from earphones or headphones and except that vehicle operators may operate electronic~~
 2.13 ~~equipment for official business;~~

2.14 ~~(2)~~ (1) smokes or carries lighted smoking paraphernalia; or

2.15 ~~(3) consumes food or beverages, except when authorized by the operator or other official~~
 2.16 ~~of the transit system;~~

2.17 ~~(4)~~ (2) throws or deposits litter; ~~or.~~

2.18 ~~(5) carries or is in control of an animal without the operator's consent.~~

2.19 (b) A person is guilty of a violation of this subdivision only if the person continues to
 2.20 act in violation of this subdivision after being warned once by an authorized transit
 2.21 representative to stop the conduct.

2.22 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 2.23 applies to violations committed on or after that date.

2.24 Sec. 3. **TRANSIT SERVICE INTERVENTION PROJECT.**

2.25 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
 2.26 the meanings given.

2.27 (b) "Council" means the Metropolitan Council established under Minnesota Statutes,
 2.28 chapter 473.

2.29 (c) "Intervention project" means the Transit Service Intervention Project established in
 2.30 this section.

3.1 Subd. 2. **Establishment.** A Transit Service Intervention Project is established to provide
3.2 coordinated, high-visibility interventions on light rail transit lines that provide for enhanced
3.3 social services outreach and engagement, code of conduct regulation, and law enforcement.

3.4 Subd. 3. **Project manager.** By March 13, 2023, the governor must appoint a project
3.5 manager to implement the intervention project. The project manager must have managerial
3.6 experience in social services, transit service, or law enforcement.

3.7 Subd. 4. **Participating organizations.** The project manager must seek the participation
3.8 of the following entities to provide for coordination on the intervention project:

3.9 (1) the Department of Human Services;

3.10 (2) the Department of Public Safety;

3.11 (3) the Metropolitan Council;

3.12 (4) each county within which a light rail transit line operates;

3.13 (5) each city within which a light rail transit line operates;

3.14 (6) the National Alliance on Mental Illness Minnesota;

3.15 (7) the exclusive representative of transit vehicle operators; and

3.16 (8) other interested community-based social service organizations.

3.17 Subd. 5. **Duties.** (a) In collaboration with the participating organizations under subdivision
3.18 4, the project manager must:

3.19 (1) establish social services intervention teams that consist of county-based social services
3.20 personnel and personnel from nonprofit organizations having mental health services or
3.21 support capacity to perform on-site social services engagement with (i) transit riders
3.22 experiencing homelessness, (ii) transit riders with substance use disorders or mental or
3.23 behavioral health disorders, or (iii) a combination;

3.24 (2) establish coordinated intervention teams that consist of personnel under clause (1),
3.25 community service officers, and peace officers;

3.26 (3) implement interventions in two phases as follows:

3.27 (i) by April 3, 2023, and for a period of three weeks, deploy the social services
3.28 intervention teams on a mobile basis on light rail transit lines and facilities; and

3.29 (ii) beginning at the conclusion of the period under item (i), and for a period of at least
3.30 nine weeks, deploy the coordinated intervention teams on a mobile basis on light rail transit
3.31 lines and facilities, utilizing both social services and law enforcement partners; and

4.1 (4) evaluate impacts of the intervention teams related to social services outreach, code
4.2 of conduct violations, and rider experience.

4.3 (b) Social services engagement under paragraph (a) includes but is not limited to outreach,
4.4 preliminary assessment and screening, information and resource sharing, referral or
4.5 connections to service providers, assistance in arranging for services, and precrisis response.

4.6 Subd. 6. **Administration.** Using existing resources, the council must provide staff
4.7 assistance and administrative support for the project.

4.8 Subd. 7. **Reports.** By the 15th of each month, the project manager must submit a status
4.9 report to the chairs and ranking minority members of the legislative committees with
4.10 jurisdiction over transportation policy and finance. At a minimum, each report must include:

4.11 (1) a summary of activities under the intervention project;

4.12 (2) a fiscal review of expenditures; and

4.13 (3) analysis of impacts and outcomes related to social services outreach, violations under
4.14 Minnesota Statutes, section 473.4065, and rider experience.

4.15 Subd. 8. **Expiration.** This section expires June 30, 2024.

4.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.17 **Sec. 4. APPROPRIATION; TRANSIT SERVICE INTERVENTION PROJECT.**

4.18 (a) \$1,050,000 in fiscal year 2023 is appropriated from the general fund to the
4.19 Metropolitan Council for implementation of the duties of the Transit Service Intervention
4.20 Project under section 3. Of this amount:

4.21 (1) \$50,000 is for the project manager under section 3; and

4.22 (2) \$1,000,000 is for grants as specified by the project manager to participating
4.23 organizations under section 3, subdivision 4, to provide reimbursements for project
4.24 implementation, including but not limited to intervention teams, labor, and other expenses.

4.25 (b) This is a onetime appropriation and is available until June 30, 2024.

4.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.