



1 WHEREAS, many security incidents happen at bus stops rather than on the  
2 buses themselves; and

3 WHEREAS, the City Council previously committed one million dollars to  
4 increase Transit Security and desires to renew that commitment.

5 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
6 ALBUQUERQUE:

7 SECTION 1. The following amounts are hereby adjusted to the following  
8 programs and funds from fund balance, working capital balance, and/or  
9 revenue for operating City government in Fiscal Year 2023:

10 GENERAL FUND – 110

11 Transit Department

12 Transfer to Transit Operating Fund (661) 1,000,000

13 \$1,000,000 is designated for the purpose of improving Transit Security  
14 through increased personnel and improved operations.

15 SECTION 2. The Administration is directed to investigate options for  
16 allowing Sun Van users to self-attest regarding ADA paratransit eligibility and  
17 to reduce burdens on users when applying for and using Sun Van.

18 SECTION 3. Section § 7-2-2-1 is amended as follow:

19 “(A) Public transit boarding areas, including bus stops, ~~located within a~~  
20 ~~street median~~ are reserved for passengers only. It shall be a violation of this  
21 section for any person to be present in these boarding areas except for:”

22 (1) A passenger boarding or exiting the designated public transit  
23 vehicle who has already paid the applicable fare for the public transit service;  
24 or

25 (2) A passenger waiting in the designated boarding area who has  
26 already paid the applicable fare in advance with the intent to board the next  
27 designated public transit vehicle to arrive in the direction of travel.

28 (3) City-authorized persons.

29 (4) An individual passing through the boarding area.

30 (B) It shall be a violation of this section for any person to be present in  
31 these boarding areas at times outside the designated public transit service  
32 hours except for city-authorized persons, except for the designated cross-

1 walk areas in the median for a reasonable amount of time to continue crossing  
2 the street, and individuals passing through a boarding area.”

3 SECTION 4. At the end of SECTION 12-2-5 add the following:

4 “ (H) Failure to obey the instructions of a motor coach operator.”

5 SECTION 5. Section §12-1-4 is amended as follows:

6 The definition of “PEACE OFFICER” shall be amended as follows:

7 “*PEACE OFFICER*. Campus security officers, police officers, transit  
8 security, metro security, and any other public official or public officer vested  
9 by law with a duty to maintain public order or to make arrests for crime,  
10 whether that duty extends to all crimes or is limited to specific crimes.”

11 SECTION 6. Section 12-2-19 is amended as follows:

12 “RESISTING, OBSTRUCTING OR REFUSING TO OBEY AN PEACE  
13 OFFICER.”

14 SECTION 7. Section 7-2-1-2 is hereby amended as follows:

15 “§ 7-2-1-2:

16 (1) The fares designated in § 7-2-1-1, shall be suspended during the  
17 implementation of a ~~twelve calendar month~~ the “Zero Fare” Pilot,

18 (2) The Zero Fare Pilot ~~is to commence no later than January 1<sup>st</sup> 2022.~~ will  
19 continue until the initial twelve-month period is completed, a full analysis and  
20 recommendations have been presented to the City Council, and the Council  
21 has ordained to continue or eliminate the program.”

22 SECTION 8. Section 7-2-1-3 is hereby amended as follows:

23 “§ 7-2-1-3:

24 It shall be a violation of § 7-2-1-1 for any person using the transit system to  
25 fail to pay the applicable fare. Any person in violation of § 7-2-1-1 is guilty of a  
26 misdemeanor and subject to the penalty provisions set forth in § 1-1-99 ROA  
27 1994. Enforcement of § 7-2-1-3 is suspended during the implementation of a  
28 ~~twelve calendar month~~ the Zero Fare Pilot.”

29 SECTION 9. Section 7-2-1-1 is hereby amended as follows:

30 “The following fares shall be charged by the City for transportation  
31 services by the Albuquerque Transit System, with the exception of the  
32 Albuquerque Rapid Transit Line which will have a zero fare:”

1       **SECTION 10. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,  
2 clause, word or phrase of this ordinance is for any reason held to be invalid or  
3 unenforceable by any court of competent jurisdiction, such decision shall not  
4 affect the validity of the remaining provisions of this ordinance. The Council  
5 hereby declares that it would have passed this ordinance and each section,  
6 paragraph, sentence, clause, word or phrase thereof irrespective of any  
7 provision being declared unconstitutional or otherwise invalid.

8       **SECTION 11. COMPILATION.** Sections 2-6 of this ordinance shall be  
9 incorporated in and made part of the Revised Ordinances of Albuquerque,  
10 New Mexico, 1994.

11       **SECTION 12. EFFECTIVE DATE.** This ordinance takes effect five days after  
12 publication by title and general summary.

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