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1 WHEREAS, the people of Albuquerque, through the City of
2 Albuquerque, completed a significant investment to develop an easily
3 accessible rapid transit bus system along Central Avenue, and the best way
4 for them to benefit from its services is by offering them free access; and

5 WHEREAS, a zero-fare model alleviates the need to staff the rear-door of
6 an ART Motor-coach to verify passengers have paid their fares; and

7 WHEREAS, the City of Albuquerque has provided free transit service on
8 Albuquerque Rapid Transit for most of the line's operation since its initial
9 operation date of November 30, 2019 and the City Council has determined that
10 permanent free transit service should be offered to riders on this route; and

11 WHEREAS, to ensure that transit service is equally accessible to
12 people of all abilities, the City Council and Transit Department have
13 determined that Sun Van services should also be free; and

14 WHEREAS, the City Council and Transit Department have identified
15 strategies for streamlining the qualification process for accessing Sun Van
16 services that remains in compliance with Federal Transit Administration
17 Americans with Disabilities Act Para-Transit requirements and standards; and

18 WHEREAS, offering a zero-fare paratransit service is critical to ensuring
19 access for disabled persons to medical care, economic opportunities, and
20 socializing events and such a service helps foster an equitable community by
21 increasing access to jobs, activities, and commerce for individuals who are
22 unable to access these opportunities otherwise; and

23 WHEREAS, as more zero-fare bus service is offered throughout the City,
24 there will likely be a greater demand for adequate security officer staffing,
25 along with proper enforcement mechanisms in order to ensure public safety;
26 and

27 WHEREAS, as security officers assume more duties and responsibilities
28 on buses, at bus stops, and at bus stations, they will also be subject to a wider
29 variety of disturbances that require a broader range of enforcement
30 procedures that are allowed within their authority as security officers.

31 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
32 ALBUQUERQUE:

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1 SECTION 1. Section §7-2-1-1 ROA 1994, "FARES AND PASSES," is
2 amended by inserting new paragraphs (A) and (B) and re-lettering all
3 subsequent paragraphs accordingly:

4 "(A) The Albuquerque Rapid Transit Lines shall be free.

5 (B) Regular Fare Sun Van, shall be a free fare upon qualification for the
6 service through the Transit Department's Qualification Process."

7 SECTION 2. Section §12-2-19 ROA 1994, "RESISTING, OBSTRUCTING OR
8 REFUSING TO OBEY AN OFFICER," is amended by inserting paragraph (B)
9 and re-lettering all subsequent paragraphs accordingly:

10 "(B) Knowingly obstructing, resisting or opposing any individual employed
11 by the City for the purposes of maintaining security within the city, City
12 facilities and/or the City's transit system, including City buses and bus stops."

13 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
14 clause, word or phrase of this ordinance is for any reason held to be invalid or
15 unenforceable by any court of competent jurisdiction, such decision shall not
16 affect the validity of the remaining provisions of this ordinance. The Council
17 hereby declares that it would have passed this ordinance and each section,
18 paragraph, sentence, clause, word or phrase thereof irrespective of any
19 provision being declared unconstitutional or otherwise invalid.

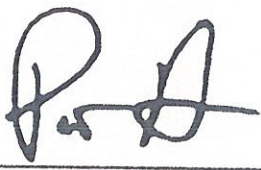
20 SECTION 4. COMPILATION. Sections 1-2 of this ordinance shall be
21 incorporated in and made part of the Revised Ordinances of Albuquerque,
22 New Mexico, 1994.

23 SECTION 5. EFFECTIVE DATE. This ordinance takes effect five days after
24 publication by title and general summary.

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1 PASSED AND ADOPTED THIS 3rd DAY OF April, 2023
2 BY A VOTE OF: 7 FOR 2 AGAINST.

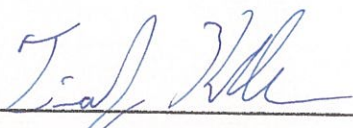
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4 For: Bassan, Benton, Davis, Fiebelkorn, Jones, Peña, Sanchez
5 Against: Grout, Lewis
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10 _____
11 Pat Davis, President
12 City Council
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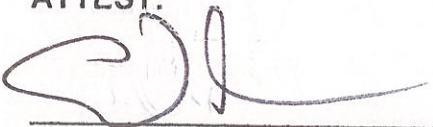
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16 APPROVED THIS 17 DAY OF April, 2023
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19 Bill No. C/S O-23-71
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22 _____
23 Timothy M. Keller, Mayor
24 City of Albuquerque
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28 ATTEST:

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30 _____
31 Ethan Watson, City Clerk
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