

Rules of Conduct and Fines

[Click here](#) for the full text of the New York City Transit Rules of Conduct. The following indicates the fine amounts applicable to a number of the types of Rule of Conduct violations for which summonses are issued:

Fare Evasion: \$100 Fine

Individuals are not permitted to enter the New York City Transit subway system or buses without payment of the fare. This includes instances when your MetroCard is not functioning properly.

Littering: \$100 Fine

Individuals are not permitted to litter, dump garbage or liquids in the transit facility or conveyance including, but not limited to the bus, subway car, subway platform or subway tracks, except in designated waste receptacles.

Interference with Movement: \$100 Fine

Riders are not allowed to obstruct movement of trains by means of preventing subway doors from closing, activating the emergency brake cord in a non-emergency or other interference that will create delays or accidents.

Smoking: \$50 Fine

Riders may not smoke anywhere on New York City Transit property which includes outdoor stations.

Unauthorized movement between subway cars: \$75 Fine

Riders may not move between subway cars even if the train is not in motion, except in an emergency or when directed by police officer, conductor, or authorized New York City Transit employee.

Seat Obstruction: \$50 Fine

Riders may not lie down or place feet on the seat of a train, bus or platform bench or occupy more than one seat. Riders may not place bags or personal items on seats in circumstances when doing so, will interfere with transit operation or otherwise impede the comfort of other passengers.

Other violations include:

Commission of Harmful Acts:	\$100	Sleeping where hazardous:	\$50
Vandalism or Obstruction of Traffic	\$100	Gambling:	\$50
Carrying Weapons:	\$100	Unnecessary noise:	\$50
Use of unauthorized/substitute Metrocard:	\$75	Drinking Alcohol:	\$50
Graffiti/Scratchitti or other defacement:	\$75	Impairment by alcohol or drugs:	\$50
Throwing Objects:	\$75	Breach of Peace:	\$50
Riding Outside of Vehicle:	\$75	Entering restricted areas:	\$50
Extend body/Item outside Vehicle:	\$75	Unauthorized parking:	\$50
Carrying long objects:	\$75	Unauthorized entrance/exit:	\$50
Carrying obstructive objects:	\$75	Posting notices or signs:	\$25
Carrying hazardous objects:	\$75	Unauthorized non-transit use:	\$25
Unauthorized sale of Metrocard:	\$60	Activity in prohibited area:	\$25
Non-transit use of facilities:	\$50	Interfere with passenger movement:	\$25
Unauthorized Commercial activity/solicitation:	\$50	Activity near construction:	\$25
Violating Transit Authority orders:	\$50	Excessive noise:	\$25

Violating Transit Authority sign/notice:	\$50	Media Device:	\$25
Failure to provide requested information:	\$50	Sound production device:	\$25
Interference w/wheelchair facilities/conveyances:	\$50	Misrepresent affiliation:	\$25
Misrepresentation as a Transit employee:	\$50	Carrying liquid in open containers:	\$25
Littering, urinating, spitting, or unauthorized trash removal:	\$100	Unauthorized photography, filming:	\$25
		Unauthorized animal	\$25

[back to top](#)

Transit Adjudication Bureau

Rules of Conduct & Fines

Rules governing the conduct and safety of the public in the use of the facilities of the New York City Transit Authority and Manhattan and Bronx Surface Transit Operating Authority

These rules are posted on this site as a convenience to members of the public. Official text of the New York City Transit Rules of Conduct can be found at 21 NYCRR, Chapter XXI, Part 1050. To view Rules of Conduct, click on the categories below.

Rules Governing the Conduct and Safety of the Public in the Use of the Facilities of New York City Transit Authority and Manhattan and Bronx Surface Transit Operating Authority

Authorization and Purpose	Disorderly Conduct
Definitions	Weapons and Other Dangerous Instruments
Construction	Restricted Areas and Activities
Payment of Fare/Access to Authority Facilities	Fines and Penalties
Property and Equipment	Ejectment
Use of the Transit System	Persons Authorized to Issue Notices of Violation
	Unauthorized Sale of Certain Transportation Services

Section 1050.1

Authorization and Purpose.

- (a) The provisions of sections 1203-a(3) and 1204(5-a) of the Public Authorities Law provide the New York City Transit Authority and Manhattan and Bronx Surface Transit Operating Authority with the power to make rules governing the conduct and safety of the public in the use and operation of the transit facilities of those authorities.
- (b) These rules are established by the New York City Transit Authority and Manhattan and Bronx Surface Transit Operating Authority to promote safety, to facilitate the proper use of the transit facilities of the authorities, to protect those transit facilities and their passengers, and to assure the payment of fares and other lawful charges for the use of their systems.
- (c) These rules may be amended or added to, from time to time, at the sole discretion of the

New York City Transit Authority or Manhattan and Bronx Surface Transit Operating Authority in accordance with law.

[← Back to Top](#)

Section 1050.2

Definitions.

The following terms as used in these rules shall have the following meanings:

- (a) “Authority” means collectively the New York City Transit Authority and its subsidiary, Manhattan and Bronx Surface Transit Operating Authority, public benefit corporations of the State of New York, except if the context in which the word Authority is used indicates that it is either (but not both) New York City Transit Authority or Manhattan and Bronx Surface Transit Operating Authority to which reference is being made.
- (b) “Facilities” includes all property and equipment, including, without limitation, rights of way and related trackage, rails, signal, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices and other real estate or personally used or held for or incidental to the operation, rehabilitation or improvement of any rapid transit railroad or omnibus line of the Authority.
- (c) “Service animal” means a guide dog, signal dog, or other animal individually trained to perform tasks for the benefit of a person with a disability that such person is unable to perform due to such disability, such as guiding persons with impaired vision, alerting persons with impaired hearing to sounds, pulling a wheelchair, retrieving dropped items or providing rescue assistance. The term service animal does not include a therapy animal or animal used for emotional support.
- (d) “Sound production device” includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, compact disc player, speaker device or system, and any sound amplifier or any sound-producing device of similar nature.
- (e) “Conveyance” includes any subway or rapid transit car or train, locomotive, omnibus or other vehicle previously used or held for use by the Authority as a means of transportation of passengers.
- (f) “Rules” means these rules.
- (g) “Person” means any individual, firm, partnership, corporation, association or company.
- (h) “Fare” means the lawful charges established by the Authority for the use of its facilities.
- (i) “Fare Media” means the various instruments issued by or on behalf of the Authority to use for the payment of fare, including, but not limited to, farecards, passes, transfers, tickets, and vouchers.
- (j) “Farecards” include, but are not limited to, (i) value-based, magnetically encoded cards (frequently referred to as pay-per-ride MetroCards) containing stored monetary value from which a specified amount of value is deducted as payment of a fare, and (ii) time-based, magnetically encoded cards (frequently referred to as unlimited ride MetroCards) which permit entrance into facilities and conveyances for a specified period of time.
- (k) “Payment of the fare” includes the use at a fare collection device of a time-based farecard for purposes of gaining lawful entry into a facility or conveyance.

[← Back to Top](#)

Section 1050.3

Construction.

In interpreting or applying the rules, the following provisions shall apply:

- (a) The Authority reserves the right from time to time to suspend, modify or revoke the application of any or all of the rules as it deems necessary or desirable.
- (b) Any act otherwise prohibited by any of the rules is lawful if specifically authorized by agreement, permit, license, or other writing duly signed by an authorized officer of the Authority or if performed by an officer, employee or designated agent of the Authority acting within the scope of his or her employment or agency.
- (c) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules.
- (d) The order or judgment of a court or other tribunal of competent jurisdiction that any provision of the rules is invalid shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate any other provision of the rules or the application of any part of the rules to any other person or circumstances; the provisions of the rules are declared to be severable.
- (e) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

[← Back to Top](#)

Section 1050.4

Payment of fare and access to Authority facilities.

- (a) No person shall use or enter upon the facilities or conveyances of the Authority, for any purpose, without the payment of the fare or tender of other valid fare media used in accordance with any conditions and restrictions imposed by the Authority. For the purposes of this section, it shall be considered an entrance into a facility or conveyance whenever a person passes through a point at which a fare is required or collected. No person shall, for purposes of gaining entry into a facility, proceed over or under any turnstile or otherwise proceed in any other unauthorized manner through an exit gate or through or past any other point at which a fare is required or collected and it shall be no defense to a charge of a violation of this subdivision that fare media, a fare media sales device or a fare collection device was malfunctioning.
- (b) Reserved.
- (c) Except for employees of the Authority acting within the scope of their employment or other expressly authorized agents of the Authority, no person shall sell, provide, copy, reproduce or produce, or create any version of any fare media or otherwise authorize access to or use of the facilities, conveyances or services of the Authority without the written permission of a representative of the Authority duly authorized by the Authority to grant such right to others.
- (d) No person shall put or attempt to put any paper, article, instrument or item, other than fare media issued by the Authority and valid for the place, time and manner in which used, into any farebox, turnstile, pass reader or other fare collection instrument, receptacle, device, machine or location.
- (e) Fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with the rules shall be

confiscated.

[← Back to Top](#)

Section 1050.5

Property and equipment.

- (a) No person shall destroy, mark, soil or paint, or draw, inscribe, write, spray paint or place graffiti upon, or remove, injure or tamper with any facility, conveyance, sign, advertisement, notice or other property of the Authority, or attempt to commit any of the aforementioned acts, except that this subdivision shall not apply to any work within the scope of any contract made by or on behalf of the Authority.
- (b) No person shall post, distribute or display any sign, poster, notice, advertisement or other printed or written matter in or on any facility or conveyance without the permission of the Authority, except as otherwise provided by law or these rules.
- (c) Except as an incident to travel on Authority facilities for which a fare has been paid or which has otherwise been duly authorized by the Authority, no conveyance or facility may be occupied, used or handled, except by permit, agreement, license or other authorization of the Authority duly made.

[← Back to Top](#)

Section 1050.6

Use of the transit system.

- (a) No person may perform any act which interferes with or may tend to interfere with the provision of transit service, obstructs or may tend to obstruct the flow of traffic on facilities or conveyances, or interferes with or may tend to interfere with the safe and efficient operation of the facilities or conveyances of the Authority.
- (b) No person, unless duly authorized by the Authority, shall engage in any commercial activity upon any facility or conveyance. Commercial activities include (1) the advertising, display, sale, lease, offer for sale or lease, or distribution of food, goods, services or entertainment (including the free distribution of promotional goods or materials); and (2) the solicitation of money or payment for food, goods, services or entertainment. No person shall panhandle or beg upon any facility or conveyance.
- (c) Except as expressly permitted in this subdivision, no person shall engage in any nontransit uses upon any facility or conveyance. Nontransit uses are noncommercial activities that are not directly related to the use of a facility or conveyance for transportation. The following nontransit uses are permitted by the Authority, provided they do not impede transit activities and they are conducted in accordance with these rules: public speaking; campaigning; leafletting or distribution of written noncommercial materials; activities intended to encourage and facilitate voter registration; artistic performances, including the acceptance of donations; solicitation for religious or political causes; solicitation for charities that: (1) have been licensed for any public solicitation within the preceding 12 months by the Commissioner of Social Services of the City of New York under section 21-111 of the Administrative Code of the City of New York or any successor provision; (2) are duly registered as charitable organizations with the Attorney General of New York under section 172 of the New York Executive Law or any successor provision; or, (3) are exempt from Federal income tax under section 501(c)(3) of the United States Internal Revenue Code or any successor provision. Solicitors for such charities shall provide, upon request, evidence that such charity meets one of the preceding qualifications.

(1) Permitted nontransit uses may be conducted in the transit system except: (A) when on or within: a subway car; an omnibus; or, any area not generally open to the public; (B) within a distance of 25 feet of a station booth, or a fare media sales device including but not limited to a fare media vending machine; or, (C) within a distance of 50 feet from the marked entrance to an Authority office or tower. (D) The following activities are not subject to the minimum distance requirements as set forth in subparagraphs (B) and (C) of this paragraph: public speaking; leafletting or distribution of written noncommercial materials; campaigning; and, activities intended to encourage and facilitate voter registration, provided, that with respect to any of the activities described in this subparagraph, no sound production device is used and no physical obstruction, such as a table or other object, is present within a distance of 25 feet of a station booth or fare media sales device, or 50 feet from the marked entrance to an Authority office or tower.

(2) Notwithstanding any other provision of this section, any activity in a location which interferes with the access onto or off of an escalator, stairway or elevator, or otherwise interferes with or impedes transit services or the movement of passengers, is prohibited.

(3) No activity permitted by the authorization contained in this section shall be conducted on a subway platform where construction, renovation or maintenance work is underway on or near the platform, or on or near the staircases, escalators, or elevators leading to such platform and including any such work in or near track areas.

(4) No activity is permitted which creates excessive noise or which emits noise that interferes with transit operations. The emission of any sound in excess of 85 dBA on the A weighted scale measured at five feet from the source of the sound or 70 dBA measured at two feet from a station booth is excessive noise and is prohibited. Notwithstanding any other provision of this section, the use on subway platforms of amplification devices of any kind, electronic or otherwise, is prohibited.

(5) No person shall use media devices such as films, slides or videotapes.

(6) Where an activity permitted by the authorization contained in this section includes the use of a sound production device, no person shall begin or continue the use of such sound production device during any announcement made over the public address system or by a New York City police officer or by an Authority employee.

(7) No person shall misrepresent through words, signs, leaflets, attire or otherwise such person's affiliation with or lack of affiliation with or support by any organization, group, entity or cause, including any affiliation with or support by the Authority or the Metropolitan Transportation Authority or any of their programs, such as Music Under New York or Arts for Transit.

(8) Any person using the transit system for nontransit activities permitted pursuant to this rule does so at his or her own risk, and the Authority assumes no liability by the grant of this authorization.

(d) All persons on or in any facility or conveyance of the Authority shall:

(1) comply with all lawful orders and directives of any New York City police officer or Authority employee acting within the scope of his or her employment;

(2) obey any instructions on notices or signs duly posted on any Authority facility or conveyance; and

(3) provide accurate, complete and true information or documents requested by New York City police officers or Authority personnel acting within the scope of their employment and otherwise in accordance with law. A farecard issued according to specified eligibility criteria that entitles the lawful holder thereof to a reduced fare or free transportation must have the name of the eligible holder clearly visible on the card and any person holding such farecard must comply with a request of Authority personnel or a New York City police officer to physically inspect such farecard.

(e) No person shall refuse or fail to relinquish a seat on a conveyance which has been designated as "PRIORITY SEATING," "WHEELCHAIR PRIORITY SEATING" or words of similar import, if requested to do so by or on behalf of a person with a disability, or occupying any location on a conveyance designated for use by persons using wheelchairs

if such location is required to accommodate a person using a wheelchair. Further, passengers aboard buses equipped with wheelchair lift devices shall not conduct themselves in a manner which will impede the operation of such lifts, impede the securing of wheelchairs in the tie-down devices located on such buses or impede the exit of passengers using wheelchairs.

- (f) No person shall bring or carry onto a conveyance any liquid in an open container.
- (g) No person shall falsely represent himself or herself as an agent, employee or representative of the Authority or falsely represent himself or herself as a member of the New York City Police Department.

[← Back to Top](#)

Section 1050.7

Disorderly conduct.

No person on or in any facility or conveyance shall:

- (a) litter, dump garbage, liquids or other matter, create a nuisance, hazard or unsanitary condition (including, but not limited to, spitting, or urinating, except in facilities provided). Trash and other waste materials contained in waste receptacles shall not be removed, except by persons duly authorized by the Authority;
- (b) smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch;
- (c) sleep or doze where such activity may be hazardous to such person or to others or may interfere with the operation of the Authority's transit system or the comfort of its passengers;
- (d) engage in any form of gambling, except as specifically authorized as, for example, at OTB parlors;
- (e) create any sound through the use of any sound production device, except as specifically authorized by 1050.6(c) of these rules. Use of radios and other devices listened to solely by headphones or earphones and inaudible to others is permitted;
- (f) throw, drop or cause to be propelled any stone, projectile or other article at, from, upon, in or on a facility or conveyance;
- (g) drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;
- (h) enter or remain in any facility or conveyance while his or her ability to function safely in the environment of an Authority transit system is impaired by the consumption of alcohol or by the taking of any drugs;
- (i) conduct himself or herself in any manner which may cause or tend to cause annoyance, alarm or inconvenience to a reasonable person or create a breach of the peace;
- (j) (1) occupy more than one seat on a station, platform or conveyance when to do so would interfere or tend to interfere with the operation of the Authority's transit system or the comfort of other passengers; (2) place his or her foot on a seat on a station, platform or conveyance; (3) lie on the floor, platform, stairway, landing or conveyance; or (4) block free movement on a station, stairway, platform or conveyance; or
- (k) commit any act which causes or may tend to cause harm to oneself or to any other person including, but not limited to:

1. riding a bicycle or straddling a bicycle while it is in motion, or riding a scooter, or any other self-propelled vehicle or any motor-propelled vehicle;
2. wearing roller skates or in-line skates; or
3. riding or otherwise standing on a skateboard.
4. Paragraph one of this subdivision does not apply to the proper use of self-propelled or motor propelled wheelchairs or similar devices by a nonambulatory individual.

[← Back to Top](#)

Section 1050.8

Weapons and other dangerous instruments.

- (a) No weapon, dangerous instrument, or any other item intended for use as a weapon may be carried in or on any facility or conveyance. This provision does not apply to law enforcement personnel and persons to whom a license for such weapon has been duly issued and is in force (provided in the latter case the weapon is concealed from view). For the purposes hereof, a weapon or dangerous instrument shall include, but not be limited to, a firearm, switchblade knife, gravity knife, boxcutter, straight razor or razor blades that are not wrapped or enclosed in a protective covering, sword, shotgun or rifle.
- (b) No explosives or other highly combustible materials, or radioactive materials, may be carried on or in any facility or conveyance, except as authorized by the Authority.
- (c) Subject to other provisions of the law, this section shall not apply to a rifle or shotgun which is unloaded and carried in an enclosed case, box or other container which completely conceals the item from view and identification as a weapon.

[← Back to Top](#)

Section 1050.9

Restricted areas and activities.

- (a) No person, except as specifically authorized by the Authority, shall enter or attempt to enter into any area not open to the public, including but not limited to train operator's cabs, conductor's cabs, bus operator's seat location, station booths, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, catwalks, emergency stairways (except in cases of an emergency), tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment.
- (b) No vehicle, except as specifically authorized, may be parked on Authority property.
- (c) Photography, filming or video recording in any facility or conveyance is permitted except that ancillary equipment such as lights, reflectors or tripods may not be used. Members of the press holding valid identification issued by the New York City Police Department are hereby authorized to use necessary ancillary equipment. All photographic activity must be conducted in accordance with the provisions of this Part.
- (d) No person may ride on the roof, platform between subway cars or on any other area outside any subway car or bus or other conveyance operated by the Authority. No person may use the end doors of a subway car to pass from one subway car to another except in an emergency or when directed to do so by an Authority conductor or a New York City police officer.
- (e) No person shall extend his or her hand, arm, leg, head or other part of his or her person, or extend any item, article or other substance outside of the window or door of a subway car, bus or other conveyance operated by the Authority.

(f) No person shall enter or leave a subway car, bus or other conveyance operated by the Authority except through the entrances and exits provided for that purpose.

- (g) No person may carry on or bring to any facility or conveyance any item that:
- is so long as to extend outside the window or door of a subway car, bus or other conveyance;
 - constitutes a hazard to the operation of the Authority, interferes with passenger traffic, or impedes service; or
 - constitutes a danger or hazard to other persons.

Nothing contained in this section shall apply to the use of wheelchairs, crutches, canes or other physical assistance devices.

(h)

1. Except as otherwise provided in paragraph (2) of this subdivision, no person may bring any animal on or into any conveyance or facility unless enclosed in a container and carried in a manner which would not annoy other passengers.
2. Paragraph (1) of this subdivision does not apply to working dogs for law enforcement agencies, to service animals, or to animals which are being trained as service animals and are accompanying persons with disabilities, or to animals which are being trained as service animals by a professional trainer. All service animals and animals being trained as service animals must be harnessed or leashed.
3. Upon request by a police officer or designated employee of the Authority, a trainer must display proof of affiliation with a professional training school and that the animal is a licensed service animal or an animal being trained as a service animal. Upon request of a police officer or designated Authority personnel, a passenger must provide evidence that an animal claimed to be a service animal and thus exempt from the provisions of paragraph (1) of this subdivision qualifies as such or is being trained as a service animal. Such evidence may be supplied through: the display of a service animal license issued by the Department of Health of the City of New York or by other governmental agencies in New York or elsewhere authorized to issue such licenses, the display of an identification from a professional training school that the animal is a trained service animal, the presence of a harness or a marking on a harness, or the credible verbal assurances of the person with a disability using the service animal or animal being trained as such. For purposes of this paragraph, credible verbal assurances may include a description of one or more tasks that the animal performs or is being trained to perform for the benefit of the person with a disability.
4. As an alternative to any of the methods described in paragraph (3) of this subdivision for providing evidence that an animal meets the definition of service animal, persons with disabilities who use service animals who do not have a service animal license or other written documentation that the accompanying animal is a service animal may apply to the Metropolitan Transportation Authority for a service animal identification card.
5. Law enforcement officers or designated Authority personnel have the right to refuse admission to or eject any passenger accompanied by an animal, including a service animal, which poses a direct threat to the safety of other passengers.

[◀ Back to Top](#)

Section 1050.10

Fine and penalties.

Pursuant to section 1204(5-a) of the Public Authorities Law, any person committing one or more violations of these rules shall be subject to either:

- (a) criminal prosecution in the criminal court of the City of New York, which court may impose

a fine not to exceed twenty-five dollars or a term of imprisonment for not longer than ten days, or both; or

- (b) civil penalties imposed by the transit adjudication bureau in an amount not to exceed one hundred dollars per violation (exclusive of interest or costs assessed thereon).
- (c) These rules may be amended or added to, from time to time, at the sole discretion of the New York City Transit Authority or Manhattan and Bronx Surface Transit Operating Authority in accordance with law.
 - 1. The schedule of such civil penalties will be set forth in an internal procedure manual of the transit adjudication bureau and may be revised from time to time, including provisions for repeat offenses.
 - 2. In addition to a civil penalty for one or more violations of these rules, an additional penalty, not to exceed fifty dollars, may be imposed upon the failure of a respondent in any proceeding commenced with respect to any such violation to make a timely response to or appearance in connection with a notice of violation or order issued by the Authority in such proceeding.

[⏪ Back to Top](#)

Section 1050.11

Ejection.

Any person who is observed by a New York City police officer to be violating any of these rules and who may receive or has received a notice of violation therefore is subject to ejection from the facilities.

[⏪ Back to Top](#)

Section 1050.12

Persons authorized to issue notices of violation.

Any New York City police officer or other person(s) designated by the president of the Authority shall be empowered to issue a notice of violation for violation of any of these rules.

[⏪ Back to Top](#)

Section 1050.13

Public Notice of the Provisions of New York Penal Law §165.16 (as added by Chapter 57 of the Laws of 2005).

The following notice of the provisions of New York Penal Law §165.16 is provided pursuant to Section 2, part T, Chapter 57 of the Laws of 2005. New York Penal Law §165.16 states:

Unauthorized Sale of Certain Transportation Services

- 1. A person is guilty of unauthorized sale of certain transportation services when, with intent to avoid payment by another person to the Metropolitan Transportation Authority, New York City Transit Authority or a subsidiary or affiliate of either such authority of the lawful charge for transportation services on a railroad, subway, bus or mass transit service operated by either such authority or a subsidiary or affiliate thereof, he or she, in exchange for value, sells access to such transportation services to such person, without authorization, through the use of an unlimited farecard or doctored farecard. This section shall apply only to such sales that occur in a transportation facility, as such term is defined in subdivision two of section 240.00 of this chapter, operated by such Metropolitan Transportation Authority, New York City Transit Authority or subsidiary or affiliate of such authority, when public notice of the prohibitions of its section and the exemptions thereto appears on the face of the farecard or is conspicuously posted in transportation facilities operated by such Metropolitan Transportation Authority, New York City Transit Authority or such subsidiary or affiliate of such authority.
- 2. It shall be a defense to a prosecution under this section that a person, firm, partnership, corporation, or association: (a) selling a farecard containing value, other than a doctored

farecard, relinquished all rights and privileges thereto upon consummation of the sale; or
(b) sold access to transportation services through the use of a farecard, other than a doctored farecard, when such sale was made at the request of the purchaser as an accommodation to the purchaser at a time when a farecard was not immediately available to the purchaser, provided, however, that the seller lawfully acquired the farecard and did not, by means of an unlawful act, contribute to the circumstances that caused the purchaser to make such request.

3. For purposes of this section:
 - (a) "farecard" means a value-based, magnetically encoded card containing stored monetary value from which a specified amount of value is deducted as payment of a fare;
 - (b) "unlimited farecard" means a farecard that is time-based, magnetically encoded and which permits entrance an unlimited number of times into facilities and conveyances for a specified period of time; and
 - (c) "doctored farecard" means a farecard that has been bent or manipulated or altered so as to facilitate a person's access to transportation services without paying the lawful charge.

Unauthorized sale of transportation service is a class B misdemeanor.

 [Back to Top](#)