

105TH CONGRESS
1ST SESSION

S. J. RES. 38

Granting the consent and approval of Congress for the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 1997

Mr. WARNER introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Granting the consent and approval of Congress for the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact.

Whereas the State of Maryland, the Commonwealth of Virginia, and the District of Columbia have adopted amendments to the Washington Metropolitan Area Transit Regulation Compact relating to public hearing requirements and empowering transit police officers to carry weapons issued by the Washington Metropolitan Area Transit Authority while in an off-duty status, consistent with limitations imposed by the applicable political subdivision; and

Whereas the Congress has reviewed such amendments and is willing to consent to such amendments: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*
 3 That consent of Congress is hereby given to the amend-
 4 ments of the State of Maryland (Chapter 489, 1996 Laws
 5 of the Maryland General Assembly and Chapters 91 and
 6 699, 1997 Laws of the Maryland General Assembly), the
 7 amendments of the Commonwealth of Virginia (Chapter
 8 150, 1995 Acts of Assembly of Virginia), and the amend-
 9 ments of the District of Columbia (D.C. Law 11–443) to
 10 sections 62 and 76 of title III of the Washington Metro-
 11 politan Area Transit Regulation Compact. Such amend-
 12 ments are as follows:

13 (1) Section 62(a) is amended to read as follows:

14 “(a) The Board shall not raise any fare or rate, nor
 15 implement a major service reduction, except after holding
 16 a public hearing with respect thereto.”.

17 (2) Section 62(c) is amended to read as follows:

18 “(c) The Board shall give not less than 15 days’ no-
 19 tice for all public hearings. The notice shall be given by
 20 publication in a newspaper of daily circulation throughout
 21 the Transit Zone and such notice shall be published once
 22 a week for 2 successive weeks. The notice period shall
 23 start with the first day of publication. Notices of public

1 hearings shall be posted in accordance with regulations
2 promulgated by the Board.”.

3 (3) Section 76(b) is amended to read as follows:

4 “(b) A member of the Metro Transit Police shall have
5 the same powers, including the power of arrest, and shall
6 be subject to the same limitations, including regulatory
7 limitations, in the performance of his duties as a member
8 of the duly constituted police force of the political subdivi-
9 sion in which the Metro Transit Police member is engaged
10 in the performance of his duties. A member of the Metro
11 Transit Police is authorized to carry and use only such
12 weapons, including handguns, as are issued by the Author-
13 ity. A member of the Metro Transit Police is subject to
14 such additional limitations in the use of weapons as are
15 imposed on the duly constituted police force for the politi-
16 cal subdivision in which the member is engaged in the per-
17 formance of the duties of the member.”.

18 (4) Section 76(e) is amended to read as follows:

19 “(e) The Authority shall have the power to adopt
20 rules and regulations for the safe, convenient, and orderly
21 use of the transit facilities owned, controlled, or operated
22 by the Authority, including the payment and the manner
23 of the payment of fares or charges therefor, the protection
24 of the transit facilities, the control of traffic and parking
25 upon the transit facilities, and the safety and protection

1 of the riding public. In the event that any such rules and
2 regulations contravene the laws, ordinances, rules, or reg-
3 ulations of a signatory or any political subdivision thereof
4 which are existing or subsequently enacted, these laws, or-
5 dinances, rules, or regulations of the signatory or the po-
6 litical subdivision shall apply and the conflicting rule or
7 regulation, or portion thereof, of the Authority shall be
8 void within the jurisdiction of that signatory or political
9 subdivision. In all other respects, the rules and regulations
10 of the Authority shall be uniform throughout the Transit
11 Zone. The rules or regulations established under this sub-
12 section shall be adopted by the Board following public
13 hearings held in accordance with subsections (c) and (d)
14 of section 62 of this Compact. The final regulation shall
15 be published in a newspaper of general circulation within
16 the Zone not less than 15 days before its effective date.
17 Any person violating any rule or regulation of the Author-
18 ity shall be subject to arrest and, upon conviction by a
19 court of competent jurisdiction, shall pay a fine of not
20 more than \$250 and costs. Criminal violations of any rule
21 or regulation of the Authority shall be prosecuted by the
22 signatory or political subdivision in which the violation oc-
23 curred, in the same manner by which violations of law,

- 1 ordinances, rules, and regulations of the signatory or polit-
- 2 ical subdivisions are prosecuted.”.

