

GENERAL ORDER

Metro Transit Police

Subject: Authority and Jurisdiction	Number: 105
	Effective: 06/01/2010

I. Purpose

The purpose of this Order is to delineate the authority and jurisdiction of the Metro Transit Police Department (MTPD) as established by Public Law 94-306, and to provide guidelines for law enforcement by its members.

II. Policy

Law enforcement activity conducted by members of the Metro Transit Police Department will be governed by Public Law 94-306, Section 76(a-h), as amended. Law enforcement services provided by MTPD members will be related to the protection of WMATA customers, personnel, and transit facilities.

III. Definition

Signatory - The Commonwealth of Virginia, The District of Columbia, and The State of Maryland.

Transit Facility - all real and personal property located in the Transit Zone, necessary or useful in rendering transit service between points within the Transit Zone, by means of rail, bus, water or air and any other mode of travel, including without limitation, tracks, rights of way, bridges, tunnels, subways, rolling stock for rail, motor vehicle, marine and air transportation, stations, terminals and ports, areas for parking and all equipment, fixtures, buildings and structures and services incidental to or required in connection with the performance of transit service.

Transit Zone - the District of Columbia, the cities of Alexandria, Falls Church, and Fairfax and the counties of Arlington, Fairfax, and Loudoun and political subdivisions of the Commonwealth of Virginia located within those counties, and the counties of Montgomery and Prince George's in the State of Maryland and political subdivisions of the State of Maryland located in said counties.

IV. Public Law 94-306 Section 76

- A. The Authority is authorized to establish and maintain a regular police force, to be known as the Metro Transit Police, to provide protection for its patrons, personnel, and transit facilities. The Metro Transit Police shall have the power and duties and shall be subject to the limitations set forth in this section. It shall be composed of both uniformed and plainclothes personnel and shall be charged with the duty of enforcing the laws of the signatories, and the laws, ordinances and regulations of the political subdivisions thereof in the Transit Zone, and

the rules and regulations of the Authority. The jurisdiction of the Metro Transit Police shall be limited to all the transit facilities (including bus stops) owned, controlled or operated by the Authority, but this restriction shall not limit the power of the Metro Transit Police to make arrest in the Transit Zone for violations committed upon, to or against such transit facilities committed from within or outside such transit facilities, while in hot or close pursuit or to execute traffic citations and criminal process in accordance with subsection (c) below. The members of the Metro Transit Police shall have concurrent jurisdiction in the performance of their duties with the duly constituted law enforcement agencies of the signatories and of the political subdivisions thereof in which any transit facility of the Authority is located or in which the Authority operates any transit service. Nothing contained in this section shall either relieve any signatory or political subdivision or agency thereof from its duty to provide police, fire and other public safety service and protection, or limit, restrict or interfere with the jurisdiction of or the performance of duties by the existing police, fire and other public safety agencies. For the purposes of this section, "bus stop" means that area within 150 feet of a Metrobus bus stop sign, excluding the interior of any building not owned, controlled or operated by the Washington Metropolitan Area Transit Authority.

- B. A member of the Metro Transit Police shall have the same powers, including the power of arrest, and shall be subject to the same limitations, including regulatory limitations, in the performance of his duties as a member of the duly constituted police force of the political subdivision in which the Metro Transit Police member is engaged in the performance of his duties. A member of the Metro Transit Police is authorized to carry and use only such weapons, including handguns, as are issued by the Authority. A member of the Metro Transit Police is subject to such additional limitations in the use of weapons as are imposed on the duly constituted police force for the political subdivision in which he is engaged in the performance of his duties.
- C. Members of the Metro Transit Police shall have power to execute on the transit facilities owned, controlled, or operated by the Authority any traffic citation or any criminal process issued by any court of any signatory or of any political subdivision of a signatory, for any felony, misdemeanor, or other offense against the laws, ordinances, rules, or regulations specified in subsection (a). However, with respect to offenses committed upon, to, or against the transit facilities owned, controlled, or operated by the Authority, the Metro Transit Police shall have power to execute criminal process within the Transit Zone.
- D. Upon the apprehension or arrest of any person by a member of the Metro Transit Police pursuant to the provisions of subsection (b), the officer, as required by law of the place of apprehension or arrest, shall either issue a summons or a citation against the person, book the person, or deliver the person to the duly constituted police or judicial officer of the signatory or political subdivision where the apprehension or arrest is made, for disposition as required by law.

E. The Authority shall have the power to adopt rules and regulations for the safe, convenient, and orderly use of the transit facilities owned, controlled, or operated by the Authority, including the payment and the manner of the payment of fares or charges there for, the protection of the transit facilities, the control of traffic and parking upon the transit facilities, and the safety and protection of the riding public. In the event that any such rules and regulations contravene the laws, ordinances, rules or regulations of a signatory or any political subdivision thereof which are existing or subsequently enacted, these laws, ordinances, rules, or regulations of the signatory or the political subdivision shall apply and the conflicting rule or regulation, or portion thereof, of the Authority shall be void within the jurisdiction of that signatory or political subdivision. In all other respects the rules and regulations of the Authority shall be uniform throughout the Transit Zone. The rules and regulations established under this subsection shall be adopted and published in accordance with all standards of due process, including, but not limited to, the publishing or otherwise circulating of a notice of the intended action of the Authority and the affording to interested persons the opportunity to submit data or views orally or in writing, and the holding of a public hearing. Any person violating any rule or regulation of the Authority shall, upon conviction by a court of competent jurisdiction, pay a fine or not more than two hundred and fifty dollar (\$250) and costs. Criminal violations of any rule or regulation of the Authority shall be prosecuted by the signatory or political subdivision in which the violation occurred, in the same manner in which violations of law, ordinances, rules and regulations of the signatory or political subdivision are prosecuted.

F. With respect to members of the Metro Transit Police, the Authority shall:

1. establish classifications based on the nature and scope of duties, and fix and provide for their qualifications, appointment, removal, tenure, term, compensation, pension and retirement benefits;
2. provide for their training and for this purpose, the Authority may enter into contracts or agreements with any public or private organization engaged in police training, and this training and the qualifications of the uniformed and plainclothes personnel shall at least equal the requirements of each signatory and of the political subdivisions therein in the Transit Zone for their personnel performing comparable duties; and
3. prescribe distinctive uniforms to be worn.

G. The Authority shall have the power to enter into agreements with the signatories, the political subdivisions thereof in the Transit Zone, and public safety agencies located therein, including those of the Federal Government, for the delineation of the functions and responsibilities of the Metro Transit Police and the duly constituted police, fire and other public safety agencies, and for mutual assistance.

H. Before entering upon the duties of the office, each member of the Metro Transit Police shall take or subscribe to an oath or affirmation, before a person authorized to administer oaths, faithfully to perform the duties of that office.

V. Additional Regulations

A. Credentials

Sworn personnel who are off-duty and armed with their issued firearm must carry their badge and credentials.

B. Enforcement Actions

1. Members are instructed to take enforcement action for violations of law occurring in their presence while on a WMATA transit facility.
2. Criminal violations of law observed off-duty, not on a transit facility, should be reported to the local police for resolution.

C. Off-duty Employment:

Members working approved off-duty employment will inform their employer that their armed status is for personal protection, and not to enforce jurisdictional criminal violations of law associated with their off-duty employment. Members will comply with all requirements as outlined in General Order 245 – *Outside Employment*.

A handwritten signature in black ink, appearing to read 'Michael A. Taborn', with a large, stylized circular flourish above the name.

Michael A. Taborn
Chief