



California Fair Political Practices Commission

June 8, 1988

Michael R. Nave
Meyers, Nave, Riback & West
1220 Howard Avenue, Suite 250
Burlingame, CA 94010-4211

Re: Your Request for Advice
Our File No. G-88-211

Dear Mr. Nave:

You have written for advice concerning application of Article XII, Section 7, of the California Constitution to Bay Area Rapid Transit District directors.

The Fair Political Commission is responsible for interpreting and enforcing the provisions of the Political Reform Act.^{1/} Your concerns are not addressed by the Act. Therefore, we are unable to provide advice on this subject.

We appreciate your interest in the Commission. If we may be of assistance in the future, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Diane M. Griffiths".

Diane M. Griffiths
General Counsel

DMG:plh

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated.

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May 31, 1988

REPLY TO

Peninsula Office

Legal Division
Fair Political Practices Commission
P. O. Box 807
Sacramento, CA 95804

Re: Request for Advice
California Constitution, Article XII, Section 7

Gentlepersons:

Article XII, Section 7 of the California Constitution provides as follows:

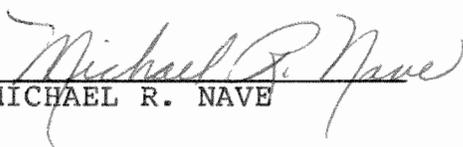
"A transportation company may not grant free passes or discounts to anyone holding an office in this state; and the acceptance of a pass or discount by a public officer, other than a Public Utilities Commissioner, shall work a forfeiture of that office. A Public Utilities Commissioner may not hold an official relation to nor have a financial interest in a person or corporation subject to regulation by the commission."

In view of the foregoing prohibition, may an elected Director of the Bay Area Rapid Transit District (BARTD) accept and/or use a pass or other privilege for free transportation on a bus or train owned and/or operated by BARTD without forfeiting the directorship of BARTD?

Your reply will be appreciated.

Very truly yours,

MEYERS, NAVE, RIBACK & WEST

By 
MICHAEL R. NAVE

MRN/jm