

S A F E T Y F O C U S

Published by The National Campaign to Stop Red Light Running

Volume Two No. 5

May 2003



THE NATIONAL CAMPAIGN TO STOP RED LIGHT RUNNING ADVISORY BOARD

Barbara Harsha

Executive Director
Governors
Highway Safety Association

Brian O'Neill

President
Insurance Institute for Highway Safety

Judith Lee Stone

President and Executive Director
Advocates for Highway and Auto Safety

Harry Teter

President, American Trauma Society

Wendy Hamilton

National President
Mothers Against Drunk Driving (MADD)

Ann Sweet

Founder, Focus on Safety

Bill Wilkinson

Executive Director
National Center for Bicycling and Walking

Bryan Porter, Ph. D

Associate Professor of Psychology
Old Dominion University

Dr. Ricardo Martinez

Clinical Professor of Emergency Medicine
Emory University
Former Administrator of the National
Highway Traffic Safety Administration

Allen Fields

Chief Justice
Republic of the Marshall Islands

Louis Blanas

Sheriff
Sacramento County, CA

Terry Gainer

Chief of Police
U.S. Capitol Police, Washington, D.C.

Earl Sweeney

Director, New Hampshire Police Standards
and Training, Chairman of the Highway Safety
Committee, International Association of
Chiefs of Police

Peter Harkness

Editor and Publisher
Governing Magazine

Photo Enforcement Legislation Advances at the State and Local Level

Virginia Beach City Council approves cameras

On April 22, the Virginia Beach City Council approved the use of ten red light cameras at a minimum of five intersections in Virginia Beach. Under the red light camera program, cameras will photograph vehicles running red lights and citations will be sent by mail to the vehicle's registered owner. The camera locations will be chosen based on red light running violations, crashes and intersection design.



Violators receiving tickets have four options: pay the ticket, appear before a traffic court judge, appeal to the police department or complete a notarized affidavit denying responsibility. The Virginia Beach Police Department is considering a measure by which those denying responsibility would have to identify the driver, however, a final decision on the matter is still pending.

The Virginia Beach City Council vote follows years of hard work by the city's traffic engineering department, police department and traffic safety advocates. Four years ago, the city council considered a red light camera proposal but did not approve. Since that time, advocates stepped up efforts to educate the council on the safety benefits of red light cameras. The Virginia Beach Police Department conducted a study of red light cameras and found that 393 crashes in Virginia Beach in 2001 were related to red light running.

(cont. on pg.2)

The following editorial appeared in *The Charlotte Observer* on April 21, 2003.

Catching speeders- Police should be allowed to spot them with cameras

Public safety in Charlotte-Mecklenburg would be improved by legislation pending in the N.C. General Assembly. Here's hoping lawmakers will put this measure on the books.

(cont. on pg.4)

(cont. from pg. 1)

Photo Enforcement Legislation

“The Virginia Beach City Council has taken an important step in allowing cameras to be used at its intersections,” said Dr. Bryan Porter, associate professor at Old Dominion University and member of the National Campaign to Stop Red Light Running Advisory Board. “The addition of ten red light cameras will greatly increase safety in the city by reducing the incidents of red light running, with reductions in intersection crashes to follow. Cameras are important tools to add to the arsenal targeting red light running.”

Maryland General Assembly authorizes photo radar while Baltimore plans to expand red light camera program

The Maryland General Assembly passed a bill allowing the use of photo radar cameras for speed in neighborhoods and school zones throughout the state. Violators would be subject to a fine of \$100 and no points on the driver’s license. According to NHTSA, speed related crashes in Maryland resulted in 230 fatalities and thousands of injuries in 2001. The National Campaign to Stop Red Light Running is now urging the governor to sign the bill into law.

Also in Maryland, the city of Baltimore is considering adding 60 more red light cameras to those currently in use. This would more than double the amount now in place at city intersections. In the first year cameras were installed, the number of side-impact crashes declined by 43 percent and rear-end crashes declined by 71 percent at the same intersections. The city has requested that the cameras become operational in the next 12 months.

National Campaign supports bill modifying California's red light camera programs

Senate Bill 780 modifies California’s current method of ticketing red light runners caught by automated photo

enforcement. This bill makes red light running a civil violation, similar to enforcement of parking tickets, rather than a criminal one. SB 780 requires replacing cameras that photograph the front of the vehicle and its driver with a rear camera that captures the vehicle, the limit line and the red signal. The ticket is then sent to the vehicle’s registered owner. This provision should serve to alleviate motorists’ privacy concerns along with any doubt that the photographed vehicle was going through the intersection on red.

This system of registered owner liability and civil adjudication has been used in most other states with red light camera programs and ensures much more consistent enforcement. States that mandate civil adjudication achieve a 70 percent prosecution rate – double the current California rate. Insurance industry research indicates that 80 percent of vehicles observed running red lights are driven by their registered owner or residents of the same household. The overwhelming majority of violators are the registered owner of the vehicle. In the cases where this is not so, the bill provides a way by which the registered owner can identify the driver to whom a citation should in fact be charged.

The purpose of photo red light enforcement is to reduce the number of people running red lights and to save lives by reducing the crashes caused by red light runners. Studies have shown that the consistency of punishment has greater deterrent value than the severity of punishment. This bill would enhance California's ability to deter red light running and ensure that violators receive citations. We urge the California legislature to pass SB 780 without delay.

Legislative Update

Below please find highlights from a few of the many photo enforcement bills currently pending in state legislatures. For more information, please see the articles on specific bills in this issue and visit Advocates for Highway and Auto Safety's webpage at www.saferoads.org.

Illinois: S.B. 173 (Sen. Cullerton) provides for statewide authorization of photo enforcement. It passed out of the Senate on April 3 by a vote of 41-17. The bill is now pending in the House. It will likely be assigned to either the House Local Government Committee or the House Transportation Committee. The bill is expected to move in the House this week.

Texas: Statewide red light photo enforcement bills were introduced. H.B. 901 (Rep. King) was passed out of the House Transportation Committee 6-2. The bill died on the House floor early this week.

Washington: H.B. 1324 was referred to the House Transportation Committee. The companion bill, S.B. 5369, is now pending in the Rules Committee. The bills provide for statewide authorization for photo enforcement (red light, radar and railroad crossing) and owner liability. At a minimum, advocates hope to extend the sunset provision on the pilot program and make it possible for all revenues to return to the cities.

Pennsylvania: A Philadelphia city ordinance to enact a photo red light pilot program was authorized by the General Assembly in 2002. The City Council has introduced legislation and a hearing on the bill is scheduled for May 6.

Missouri: S.B. 90 (Sen. Kennedy) was introduced and referred to the Transportation Committee. It would allow ten cities throughout the state to establish red light camera programs, establishes owner liability, sets a \$50 fine limit, provides for a flat fee arrangement with the vendor, and it contains a sunset clause (Aug. 28, 2008). The legislature adjourns on May 14, 2003.

Nevada: S.B. 220 (Senate Judiciary Committee) would repeal the existing prohibition on the use of photo enforcement. It passed out of the Senate Transportation Committee on March 27 and is expected to go to the Senate Floor.

North Carolina: H.B. 562 (Rep. Alexander, Rep. Rhodes) has been introduced and is pending in the House Judiciary I Committee. It would authorize a three year photo radar pilot program in Charlotte.

Additionally, H.B. 68 (Rep. Lucas) passed the House on March 24 and is now pending in the Senate State Government, Local Government and Veterans Affairs Committee. It would allow the use of red light camera enforcement in Spring Lake and Newton.

(cont. from pg.1)

Editorial: Catching Speeders

It would let police use cameras to photograph the license tags of speeders.

Violators would receive in the mail the same kind of ticket now sent to drivers who are photographed running red lights. They are fined \$50, and no insurance or driver's license penalty points are levied.

The proposal has merit on several points, among them improved efficiency for police officers. Experience already shows that using cameras in stepped-up enforcement produces desirable results. The red-light cameras have succeeded in moderating driver behavior and lowering accident rates.

"Police officers will be in the car and they will be using the same discretion they do with a radar gun," says Charlotte-Mecklenburg Police Chief Darrel Stephens. "If we can see reductions in speed, we would see reductions in accidents and injuries."

The legislature has twice rejected similar proposals. Some opponents said cameras invade driver privacy. Others said ticketing speeders is the face-to-face job of sworn officers, not of mechanical devices and the U.S. Postal Service.

Proponents hope lawmakers will be swayed by the provision in this year's version that cameras must be operated by police officers. None would be free-standing and automated. "We're not talking about police just setting an unattended camera out there," Chief Stephens says.

Legislators should also note several safeguards. Warning signs would be conspicuously posted not more than 1,000 feet from a camera site. Cameras would be approved, calibrated and tested according to statewide standards.

Tickets would clearly state how drivers could challenge them. Local government would be required to provide a non-judicial hearing process to review objections to citations.

Speeding is a material problem in Charlotte-Mecklenburg. Last year it played a role in more than half the fatal crashes here. This proposed system is not experimental. It is already employed in at least 16 locales in North America. One California town saw a 50 percent crash reduction over five years, according to the Mecklenburg Traffic Safety Advisory Committee.

Safety on the streets is not a matter of personal philosophy or gamesmanship. Drivers don't have some kind of privacy-protected right to break the law and endanger others. Rather, drivers have an obligation to observe established rules and respect the safety of others.

Lives are at stake here, along with the right of law-abiding people to be safe and to feel safe on the public streets. There is simply no good reason to reject this straightforward measure to curb behavior that is impermissible in the first place.

Reprinted with permission of *The Charlotte Observer*. Copyright owned by *The Charlotte Observer*.

News Summary

Camera's work changes a mind in Long Beach: After seeing video in court, red light violator says technology may have value April 20, 2003 *The Long Beach Press Telegram*

Drivers being ticketed by red light cameras at Long Beach intersections offer many excuses for what really happened. Many argue that the yellow light was too short, or that they were in a hurry or that they would have had to stop suddenly, possibly getting rear-ended. The most popular excuse by far is that the light was still yellow when the violator's vehicle passed the limit line.

Shirell Orobiyi, 50, was one of those drivers who argued that she drove through the light when it was still yellow. She entered the courtroom to contest her ticket, alleging that cameras violated her rights and that cameras were of little value to the community.

After seeing the footage of her car approaching the intersection, the signal light turning red and her vehicle clearly continuing on during the red signal, Shirell Orobiyi realized she had run the light. The camera changed angles and showed that she was clearly the driver.

After the hearing, Orobiyi said she was grateful she had not injured anyone by running the red light and said she had learned the value of cameras.

"Now, seeing it on the big screen," she said, "maybe it is a good thing."

The Letter to the Editor below appeared in Annapolis, Maryland's *The Capital* newspaper on April 16, 2003. Reprinted with permission of *The Capital*.

Speeding, cameras

I was disappointed to see *The Capital* (March 29) siding with speeders and arguing that photo radar technology is untrustworthy and would result in tickets to "innocent" motorists.

Speeding is dangerous and against the law and should not be condoned, especially in our neighborhoods and school zones. "Soccer moms and normally good drivers" driving at excessive speeds put their own children and others at risk.

In other cities and states, photo radar has proven effective in deterring speeding and reliable in citing only lawbreakers. Should an undeserving driver be issued a citation, the proposed law provides a means of appeal.

In Maryland in 2001, 230 people died in speed-related crashes and thousands more were injured, at a cost of \$732 million. The legislation allows the use of speed cameras in the areas where we need safety counter-measures most - in our school zones and neighborhoods. This legislation could help save the lives of our children, friends and neighbors.

As for boosting government revenues: Speeders who let up on the gas a little will make their "contribution" to safety rather than to government - that seems like a fair trade, doesn't it?

Linda Greene
Edgewater

National Campaign Member Advocates for Highway and Auto Safety is seeking **SURVIVOR ADVOCATES**



Advocates for Highway and Auto Safety (Advocates) is building a network of individuals who have either survived a red light running crash or lost a loved one because of a red light running crash. Advocates is an alliance of consumer, health, law enforcement and safety groups and insurance companies and agents working together to make America's roads safer. Since its inception in 1989, Advocates has worked with *survivor advocates* to advance and protect highway safety laws throughout the country. These individuals have suffered the personal consequences of motor vehicle crashes and have decided to work to protect others from the pain they have had to endure.

Survivor advocates can become as involved as they would like in efforts to curtail red light running. No previous advocacy experience is needed. Advocates will work with these individuals to prepare, assist and even coach them for advocacy involvement if desired. Some of the activities in which survivor advocates can choose to participate are: writing letters to legislators; testifying before state legislative committees; speaking to news reporters on the phone; writing letters to the editors of local papers; serving as a spokesperson at media events; and working with other survivor advocates throughout the country.

If you know anyone who has been involved in a red light running crash or who has a family member or friend who was injured or killed in a red light running crash and might be interested in talking with Advocates, please contact:

Advocates for Highway and Auto Safety
750 First Street, NE, Suite 901, Washington, DC 20002
202-408-1711 or 800-659-2247
Fax: 202-408-1699
E-mail: advocates@saferoads.org
Website: www.saferoads.org

All discussions and information will be kept confidential.

Attention Campaign Members!

Do you have friends, family or colleagues who would be interested in receiving our newsletter? Do you regularly forward the newsletter on to others who are interested? Help us increase awareness of the dangers of red light running by asking anyone who is interested to e-mail us at bplevelich@blakey-agnew.com to be added to our mailing list.

SAFETY FOCUS is published monthly, with occasional breaks, by
The National Campaign to Stop Red Light Running
Suite 700, 1501 M Street, NW
Washington, DC 20005
202-828-9100