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D.C. Superior Court Dismisses Red Light Camera Lawsuits

In a resounding victory for traffic safety, the Superior Court of the District of Columbia, on June 12, 2003, held the District's automated enforcement program to be constitutional and not in violation of any due process rights. In doing so, Judge Melvin R. Wright also denied an attempt by plaintiffs to turn the lawsuit into a class action on behalf of automobile owners.

In dismissing the case, entitled *Agomo, et.al. vs. District of Columbia*, Judge Wright stated "the plaintiffs argue, without legal support, that the District of Columbia is using the camera system to achieve a financial windfall for the Government. Nothing could be further from the truth. The fact that there are a high number of persons photographed running traffic signals or operating at excessive speeds is an example of the magnitude of the problem facing city officials trying to correct a growing situation."
(cont. on pg.4)

National Stop on Red Week 2003 August 30-September 5, 2003

National Stop on Red Week - dedicated to educating Americans about the dangers of running red lights - is sponsored by the Federal Highway Administration and the American Trauma Society. The success of the program is contingent on local efforts across the country. For information regarding events in your state, contact your local chapter of the American Trauma Society (www.amtrauma.org) or your state highway safety office. Please contact us if you have any trouble, and we will assist you.

The National Campaign to Stop Red Light Running is planning several *Stop on Red Night at the Ballpark* events to celebrate National Stop on Red Week:

August 27 - Arizona Diamondbacks (Phoenix, AZ)
September 3 - Baltimore Orioles (Baltimore, MD)
September 6 - Anaheim Angels (Anaheim, CA)

More details on these and other events will follow in the next issue of *Safety Focus*.

The article appeared June 18, 2003 and is excerpted with permission from the Associated Press.

Speeding camera bill passes N.C. Senate committee

RALEIGH, N.C. - The state House gave final legislative approval Tuesday to letting Charlotte experiment with using machines to clock and issue tickets to speeders. The city would be the first in North Carolina allowed to use a camera system to catch speeders along 14 high traffic areas under the bill that next moves to Gov. Mike Easley, who must sign it before it becomes law. The bill was approved 71-37 as a House majority agreed with changes made in the Senate.

Unlike the automated red-light cameras springing up at intersections in cities across the state, Charlotte police officers must operate the speed cameras.

Violators would be fined \$50, but would receive no driver's license or insurance points. Officers could pull over motorists to hand out more serious citations that can lead to driver's license points.

The Senate changes included requiring officers to receive state certification in order to operate the cameras. The legislation allows the cameras for a three-year pilot program only in Charlotte.

"To be sure this is an experiment, but it's an experiment that's based on a lot of work" and that has reduced speeding in cities where it's been tried, said Rep. Joe Hackney, D-Orange.

Point/Counterpoint

Each month we will address one misconception of automated enforcement frequently cited by opponents. It is our hope that with more education opponents may begin to recognize the benefits of cameras.

Opponent Point: Research has produced mixed results in terms of safety benefits from camera programs.

Campaign Counterpoint: According to a new study released in April by the Texas Transportation Institute, a review of automated enforcement research shows photo enforcement is an effective deterrent tool and red light camera programs have a positive safety impact. Furthermore, numerous studies have shown it reduces red light running violations and recent research shows it leads to a 25 to 30 percent reduction in injury crashes.

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.

California: S.B. 780 was introduced by Senator Torlakson on 2/21/03. It passed out of the Senate Judiciary Committee on 4/22/03 and the Senate Transportation Committee on 5/7/03. It was scheduled for a hearing on 5/29/03 in the Senate Appropriations Committee but was postponed. The bill is sponsored by the California Peace Officers' Association. It requires automated enforcement system violations to be cited as civil violations, provides for owner liability, sets the fine limit at no more than \$200, and exempts those violations from a traffic violation point count process.

Illinois: S.B. 173 (Sen. Cullerton) provided for statewide authorization of red light camera enforcement. It passed out of the Senate on April 3 by a vote of 41-17. On 5/27/03 it passed out of the House Transportation and Motor Vehicles Committee but unfortunately was defeated in the House on 5/29/03. The City of Chicago is proceeding with plans to implement a photo red light enforcement program under home rule.

Maryland: The General Assembly passed S.B. 455 (Sen. Forehand) on April 7 which would have provided for statewide authorization for the use of photo radar in school zones and residential areas. The bill was vetoed by Gov. Ehrlich on 5/21/03.

Missouri: S.B. 90 (Sen. Kennedy) was introduced and referred to the Transportation Committee. It would have allowed ten cities throughout the state to establish red light camera programs, establish owner liability, set a \$50 fine limit, provide for a flat fee arrangement with the vendor, and it had a sunset clause (Aug. 28, 2008). Senator Kennedy successfully amended this language onto HB 327 on the Senate Floor on 5/15/03. The bill was signed by the Governor on May 21, 2003, however, the photo enforcement language was not retained in the final version of the legislation.

New York: There are five bills that have been introduced. All were referred to the Assembly and Senate Transportation Committees. Only one of them (S.B. 3221) has moved out of committee and has advanced to a 3rd reading as of April 14, 2003.

AB 599 (Hoyt)/S.B. 3221 (Kuhl) would authorize municipalities with populations under one million to enact a local law or ordinance imposing liability for fines on registrants where operators of vehicles have failed to obey traffic-control devices; only applies if municipality has photo-monitoring of traffic-control device; provides affirmative defense; directs commissioner of transportation to promulgate necessary rules and regulations.

(cont. on pg.4)

New Research

British Study Shows Decrease in Casualties at Speed Camera Locations

An independent study commissioned by the Road Safety Division of the British Department for Transport found that cameras contributed to significant reductions in the number of people injured and killed from speeding. The report details a two-year pilot program where eight regions were allowed to reinvest some of the revenue from speeding fines into the installation of more cameras and increased camera use. The pilot program began in April 2000 and lasted until March 2002. The eight regions invested about \$32 million recovered from speeding fines.

The study found that there was a 35 percent reduction in all fatalities and serious injuries and a 56 percent reduction in the number of pedestrians killed and seriously injured at camera sites compared to all sites. There was a 14 percent reduction in other injuries. Additionally, the average speed at all camera sites fell by ten percent and average speed at urban sites fell by 12-13 percent. The number of vehicles speeding at camera sites dropped by 67 percent.

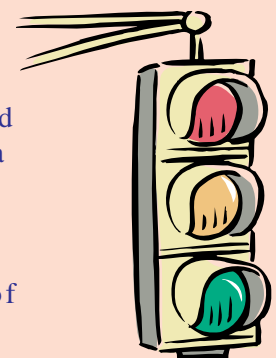
The economic cost savings through the reduction of casualties at camera sites during the pilot project was estimated to be about \$182 million. Most encouragingly, the program enjoyed wide public support. Eighty percent of people surveyed in pilot areas agreed the purpose of cameras was to encourage drivers to obey the speed limit rather than to punish drivers.

Letters

Each month we share actual comments we receive from Campaign members.

I have to say that this topic concerns me deeply. I am seeing more and more red light runners. Soccer moms in mini vans as well as kids in a hurry and everyone in between. A year and a half ago I was t-boned by a older gentleman who told the officer "I have no idea what color the light was". This was not the start of my concern for this growing problem, but it did emphasize that we are all vulnerable to the lack of concern for others by some. I am not a fan of over regulation, but, cameras at intersections would go a long way to deter this abuse.

Thanks,
(disgusted in cincinnati)
Jay



(cont. from pg.1)

Red Light Lawsuits Dismissed

Responding to the judge's conclusion that the Court found no support for the contention that the red light camera and photo enforcement programs are unconstitutional, Kevin Morison, director of corporate communications, Metropolitan Police Department said "This is a good day for all motorists, pedestrians and bicyclists who use the streets of our nation's capital. Automated systems provide consistent enforcement that is extremely effective in deterring red light running and speeding."

From August 1999, when red light cameras were first introduced in Washington, D.C., through May 2003, red light running violations have decreased 64 percent at the 39 intersections where they are located. That translates into 24,000 fewer red light running violations every month.

"The risk of citation focuses motorists on staying within the limits, which translates into greater safety for everyone. Safety is both the justification for and the result of photo enforcement programs," said Leslie Blakey, Executive Director of the National Campaign to Stop Red Light Running.

Legislative Update

(cont. from pg.3)

North Carolina: H.B. 562 (Rep. Alexander, Rep. Rhodes) passed the House on 4/30/03 and the Senate on 6/18/03. The bill now goes to the governor. This bill authorizes a 3-year photo radar pilot program in Charlotte.

Additionally, H.B. 68 (Rep. Lucas) passed the House on 3/24/03 and was passed by the Senate State Government, Local Government and Veterans Affairs Committee on 5/21/03. The bill passed its second and third readings in the Senate on 5/27/03 and was ratified in the House on 5/28/03. It provides for the usage of red light camera enforcement in Spring Lake and Newton and became effective on 5/28/03.

Pennsylvania: A Philadelphia City ordinance to enact a photo red light pilot program authorized by the General Assembly in 2002 was passed on 5/15/03 and shortly thereafter received the Mayor's approval.

Washington: H.B. 1324 was referred to the House Transportation Committee. The companion bill, S.B. 5369, is pending in the Rules Committee. Neither bill is expected to move this year but could carryover to next year. The bills provide for statewide authorization for photo enforcement (red light, radar and railroad crossing) and owner liability. In the meantime, legislation was passed to extend the red light camera sunset provision.

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 khedding@blakey-agnew.com to be added to our mailing list.

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