

SAFETY FOCUS

Published by The National Campaign to Stop Red Light Running



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RED LIGHT RUNNING
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Volume Five No.6

June 2006

This issue focuses on the safety camera bill in Ohio, a preview of National Stop on Red Week activities, the passage of a new Illinois camera law and a review of all red light and speed limit enforcement camera legislation.

Ohio Senators Approve Flawed Camera Bill

After numerous public hearings over the course of eight months and the introduction of nine different substitute versions of the same bill, the Ohio State Senate Committee on Highways and Transportation rushed through a seriously flawed piece of automated enforcement legislation in the final days before the summer recess. The bill will still have to be approved by the full Senate.

By a vote of 5 to 4, the Senate committee unexpectedly approved a revised version of House Bill 561 on May 24th. The revised bill contained several provisions struck from earlier versions of the legislation after objections by committee members, most notably a flat prohibition on the use of traffic cameras for speed limit enforcement.

Additionally, the bill would abet lawbreakers by allowing registered vehicle owners to contest automated enforcement violations by withholding the identity of the driver at the time of the violation. In most states, red light camera violations are accompanied by an affidavit in which registered owners are required to identify the person who was driving the vehicles, if they wish to contest the ticket on the basis that they were not driving.

The bill also requires that any red light camera location that does not record a decrease in crashes every 24 months will have to be removed or a police officer would have to be present to issue violations on the spot. Since the bill provisions do not differentiate between types of crashes, a red light camera could theoretically be taken down even though accidents completely unrelated to red light running occur at the problem intersections.

If this legislation is approved, it would effectively negate all of the legally binding contracts Ohio municipalities have entered into with companies to provide photo enforcement equipment and monitoring services.

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Two New Cities Added for Stop on Red Week

2006 National Stop on Red Week will be an international observance for the first time with the Toronto Blue Jays joining the Washington Nationals as Major League Baseball partner teams with the National Campaign To Stop Red Light Running.

"Stop on Red Night at the Ballpark" events will be held on Aug. 8th at Rogers Centre in Toronto and on Aug. 9th at RFK Stadium in Washington, DC.

"We are very excited to be holding Stop on Red Week events in not only our nation's capital, but also in the largest city in Canada," said Campaign Executive Director Leslie Blakey. "This is an excellent opportunity for these cities share their success in red light running enforcement and crash reduction efforts.

In addition, Bengie Molina, who was featured on the 2005 Anaheim Angels "Get Home Safe" poster, is now a member of the Toronto Blue Jays and he has agreed to be featured on the new 2006 poster.

Media events will be held in each city with law enforcement, elected officials and traffic safety advocates to mark the observance and discuss efforts to combat red light running.

The Outdoor Advertising Association of America will also work with their member companies to provide donated billboard space in our partner cities.



Bengie Molina, who was featured on last year's "Get Home Safe" poster as an Anaheim Angel, has agreed to be the 2006 poster player as a Toronto Blue Jay.



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Red light cameras in Ohio have already shown significant results in reducing red light running crashes.

The City of Dayton has seen a 42 percent reduction in crashes at eight intersections monitored by red light cameras. Toledo has seen traffic crashes drop 36 percent since cameras were installed.

Red light running survivor advocates Paul and Sue Oberhauser were very frustrated at the way the bill was rushed

through at the last minute.

"It just doesn't make any sense to do what they did after months of hearings," Sue said. "What they approved does not reflect the concerns of everyone who have been trying to improve this legislation."

The Campaign has testified against the Senate provisions on four different occasions since early 2005.

The full Senate is expected to take up the legislation in August.

Indiana City Wants To Make Red Light Runners SORE

The Fort Wayne Police Department has started a special enforcement effort to crack down on red light running in Indiana's second-largest city.

The Stop On Red Enforcement (SORE) program deploys police officers to problem intersections at various times of day, several days a week to cite drivers who disregard red signals.

Red light running is a contributing factor in 28 percent of all city crashes.

After only six four-hour enforcement sweeps, over 750 drivers have been cited for red light running and other traffic violations.

The effort will continue through National Stop on Red Week and has been funded by a \$63,000 grant from the Indiana Criminal Justice Institute, the Governor's Council on Impaired and Dangerous Driving and The National Highway Traffic Safety Administration (NHTSA).

Court Ruling Threatens North Carolina Cameras

The future of red light and speed limit automated enforcement cameras in North Carolina is in doubt after a state appeals court ruled that the way one city was distributing the revenue from the program violates an education funding provision in the state constitution.

The City of High Point was sued several years ago by a local attorney and camera opponent who challenged the legality of the red light cameras on a variety of federal and state constitutional issues. A federal district court rejected all of his federal claims, but allowed the charge against the distribution of program revenues to continue in a state court.

A county court and now the state appeals court have both ruled that the city's procedure of using the camera revenue to cover the program operating costs is not allowed because the state constitution requires that all "clear proceeds" from municipal violations be distributed to the local schools.

High Point has announced plans to file an appeal to the state supreme court, but the ruling has prompted several cities, including Charlotte and Fayetteville to suspend their programs to limit their fiscal liability in the event the appeal should fail.

Several cities intend to work with the state legislature to try and approve a legislative fix to satisfy the state education requirement and allow the camera programs to continue.

Newspaper editorials from across the state have lamented the fact that camera enforcement is now in doubt when the statistics showing the public safety benefits from both the red light and speed cameras are so compelling.

As one Charlotte camera supporter said in an e-mail to the Campaign, "This is unfair. The schools should be just as concerned about the safety of the children as they are about the revenue they want from the cities."

NOTABLE QUOTE

"I don't have anything in my head, except that it shouldn't have happened. I hope that people take it as an example not to be preoccupied."

-- Lydia Caron, 16, as quoted in the *Lawrence (KS) Journal World* after police say she ran a red light while talking on her cell phone. Caron's vehicle struck 8-year-old Jayson Railing, causing minor injuries. Caron was cited for running the red light, failure to yield the right-of-way and inattentive driving.

Illinois Camera Expansion Becomes Law

A lifesaving bill for high risk intersections in eight Illinois counties became state law on May 22nd, as Illinois Gov. Rod Blagojevich (D) signed House Bill 4835. The legislation allows communities in Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair and Will counties to use red light cameras to reduce red light running crashes and violations. Previously, only the City of Chicago had been permitted by state law to use red light cameras.

Seventy percent of the 12.7 million people in Illinois live in the eight counties covered by the legislation. Communities that can now pursue the installation of red light cameras include: Aurora, Belleville, East St. Louis, Elgin, Evanston, Joliet, Naperville, Wheaton and Woodstock.

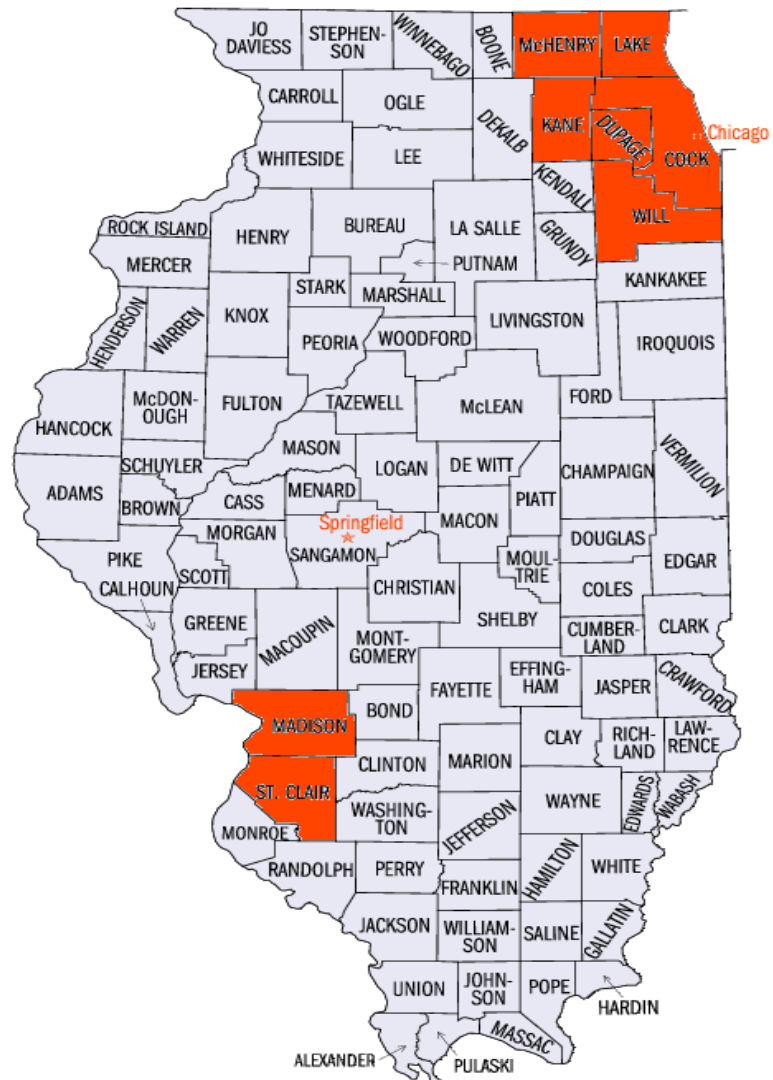
Sen. John Cullerton (D-Chicago) was one of the lawmakers who made the legislation a priority during this legislative session.

“We have seen the success Chicago has had with their program in reducing violations and changing driver behavior, and we wanted other Illinois communities to be able to have the same opportunity to reduce the instance of red light running,” said Sen. Cullerton.

“We applaud the actions of the state leadership in Illinois for making traffic safety a priority,” said Leslie Blakey, Executive Director of the National Campaign to Stop Red Light Running.

“As Chicago has seen, red light cameras provide a strong deterrent against drivers who insist on blatantly breaking the law,” Blakey said.

Red light camera violations are considered petty offenses under Illinois law with a monetary fine of \$250 or 25 hours of community service for first violations.



U.S. Census Bureau graphic

A new Illinois state law will allow communities in eight designated counties to use red light cameras (shown here in red). A full 70 percent of the state's 12.7 million residents reside in the counties included in the legislation.

Legislative Update — June 2006

If there is legislation pending in your state that is not listed here, please contact the Campaign at (202)828-9100 or info@stopredlightrunning.com.

RED LIGHT RUNNING SAFETY CAMERAS

Alabama: HB 35 (Grimes) would enable municipalities to enforce red light offenses using automated detection devices. Referred to the Public Safety Committee on 1/10/06. **Bill died when legislature adjourned on 4/18/06.**

Arizona: HB 2174 (Gorman & Robson) would require that cities using automated enforcement technology display signs alerting drivers to the presence of the technology. The bill was read for the first time on 1/17/06 and referred to the Transportation Committee and the Rules Committee. The second reading took place on 1/18/06. The Transportation Committee approved the legislation on 1/26/06, the Rules Committee approved it on 1/31/06. Approved by the full House by a vote of 44-13. Referred to the Senate Rules Committee and Senate Transportation Committee on 2/15/06. **Retained by the Committee of the Whole on 3/23/06.**

HB 2180 (Biggs) would enact a series of provisions for the use of automated enforcement technology, including a set of conditions for the use of automated enforcement technology on state property. The bill was read first on 1/17/06 and referred to the Transportation Committee and the Rules Committee. Passed the Transportation Committee and the Rules Committee on 2/16/06. **Ordered held by the Majority Caucus on 2/21/06.**

HB 2612 (Biggs) would levy a \$200 processing fee on any state agency requesting a motor vehicle record for the purpose of issuing a photo enforcement citation. The bill was read for the first time 1/23/06 and referred to the Transportation Committee and the Rules Committee. Second reading took place on 1/24/06. **Ordered held by the Transportation Committee on 2/16/06.**

Connecticut: HB 5210 (Judiciary Committee) would enable municipalities to enforce red light and speeding offenses using automated enforcement technology. The bill was referred to the Judiciary Committee on 2/16/06. **Rejected by a vote of 22-16 on 3/13/06.**

Florida: HB 259 (Reagan), known as the Mark Wandall Traffic Safety Act, would enable municipalities to enforce red light offenses using automated enforcement technology. The bill was filed on 10/17/05. It was referred to the Local Governments Council on 12/23/05. No further action.

Hawaii: HB 1812 (Souki) would establish red light camera programs at the county level in Hawaii. Referred to the Finance, Judiciary and Transportation committees and approved with amendments by the Transportation Committee on 2/6/06. Referred to the Judiciary Committee. No further action taken.

Illinois: SB 2405 (Cullerton) would allow communities in eight specific counties to use red light cameras. Introduced on 1/18/06. Referred to the Transportation Committee. Approved by the Committee on 2/15/06. Passed as amended by the Senate 33-22 on 3/2/06. Referred to the House Rules Committee on 3/2/06. Text of bill added as amendment to HB 4835 on 3/2/06. Approved by full House on 3/03/06. Approved by Full Senate on 3/29/06. **Signed into law on 5/22/06.**

Maryland: HB 0083 (Smigiel) would prohibit the use of red light cameras. Referred to the Environmental Matters Committee. Unfavorable report filed by the committee on 3/8/06.

Massachusetts: HB 2023 (Honan) would authorize the cities of Boston and Cambridge to use automated traffic enforcement devices. Referred to the Joint Committee on Transportation.

Missouri: SB 719 (Crowell) would prohibit political subdivisions from adopting ordinances or regulations that authorize the use of photo radar or automated traffic control systems. Referred to Judiciary and Civil & Criminal Jurisprudence Committee. **The bill died when the session ended on 5/12/06.**

Legislative Update — June 2006

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North Carolina: S35 (Hoyle) would clarify the definition of "clear proceeds" to allow NC cities with camera programs to cover red light camera program costs before calculating the share to be given for local school districts. Introduced on 02/1/06 and referred to the Committee on the Judiciary on 5/2/06.

S271 (Boseman) would clarify the definition of "clear proceeds" to allow the city of Wilmington to cover the costs of their red light camera program. Introduced on 3/1/06. Approved by the Local Government Committee on 5/25/06 and approved by the full Senate on 5/26/06. Referred to the House Committee on Local Government on 5/31/06.

Ohio: HB 56 (Raussen) would ban the use of automated enforcement technology. The House Transportation, Public Safety and Homeland Security Committee approved the bill on 4/4/05 by a vote of 8-3. The full House approved the legislation on 5/18/05. It has been referred to the Senate Committee on Highways and Transportation. Hearings have been held on 10/18/05, 11/2/05 and 3/14/06. A ninth substitute version of the legislation was approved on 5/24/06. The legislation has been forwarded to the Senate Rules Committee, which is not scheduled to meet again until after the summer recess.

Pennsylvania: HB1568 (Creighton) would expand the use of red light cameras to communities other than Philadelphia. Introduced on 5/10/05 and referred to the House Transportation Committee.

SPEEDING SAFETY CAMERAS

Arizona: SB 1146 (Verschoor) would prohibit the use of photo radar on controlled access highways. Referred to Senate Transportation Committee. Approved on 1/25/06. Transmitted to Senate Rules Committee on 1/30/06. Approved by the Senate Transportation Committee and sent to the full Senate where it was approved in a vote of 17-11 on 2/16/06. Referred to the House Judiciary and Rules Committees. Approved by the Judiciary Committee on 3/30/06.

SB 1507 (Martin) would prohibit the use of photo radar on controlled-access highways. The bill was read for the first time 1/31/06. Referred to Senate Transportation Committee. **Rejected by The Transportation Committee by a vote of 4-1 on 2/14/06.**

California: SB 466 (Kuehl) would allow the use of photo radar in residential areas. Amended to only allow enforcement in school zones and residential areas with posted speed limits under 30 mph. Referred to Senate Transportation and Housing Committee on 1/4/06. No further action.

Georgia: HB 294 (Miller) would allow the use of photo radar in school zones. The bill was filed on 1/11/06 and referred to the House Roads and Transportation Committee and amended to fully prohibit their use. It was approved by the full House on 2/10/06. Referred to the Senate, where it passed on 3/10/06. **The bill died when the legislative session adjourned on 3/31/06.**

New Jersey: A2064 (Gusciora) would give the authority to use photo radar to police agencies in localities that have passed authorizing ordinances. Automated violations would be treated the same way as traffic violations issued by patrol officers. Drivers would not be identified in the photographs. The bill was introduced on 1/26/06, approved by the Law and Public Safety Committee on 5/11/05 and amended on the Floor of the Assembly on 5/22/06.

Attention Campaign Members!

We are seeking individuals and organizations to help advance our state legislative advocacy efforts. We need to hear from red light running victims, traffic safety advocates, and law enforcement and health care professionals willing to contact legislators, provide testimony and expand our red light running enforcement efforts. Please e-mail us at

info@stopredlightrunning.com or call 202-828-9100.