

# SAFETY FOCUS

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*This issue focuses on a new trend in photo enforcement, a survivor advocate family in Ohio, a new Hurricane Katrina urban legend and a review of all pending state red light and speed limit photo enforcement legislation.*

## Cities Pursue Cameras When States Don't Act

2005 has seen states like Rhode Island and Washington formally approve the use of red light cameras. However, one of the newest trends in photo enforcement has seen cities strike out on their own and install red light cameras where statewide legislation has not been approved.

In several cases, the cities have determined that using red light cameras and issuing civil fines is permissible under "home rule" statutes, and the only legal authority needed is a local ordinance.

The largest example of this new development is the City of Minneapolis, MN. In January, the Minneapolis City Council approved a civil ordinance after a review by the city attorney confirmed that the city had the authority to do so under state statutes.

In 2004, legislators in both the Minnesota House and Senate attempted to pass enabling legislation for red light cameras, but neither bill made it past the initial hearing process.

Minneapolis is in the process of installing 16 cameras to cover a total of 12 intersections that were selected because of their high accident rates. A study of one intersection found that 125 cars ran the red light in eight hours, police said.

On July 6th, violators began receiving \$130 fines. Since the camera program started, police have ticketed over 12,000 violators.

In Missouri, the City of Arnold, outside of St. Louis, has pursued red light safety cameras after a 2004 bill that would have allowed cameras in St. Louis expired in the legislature.

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On May 1st, Albuquerque became the first New Mexico city to use red light cameras to issue citations at two of its busiest intersections, following a pilot project using the technology.

In its first month of operation, more than 750 motorists were sent \$100 citations. Additional tickets will cost motorists up to \$250. The city is looking into the possibility of adding cameras at up to nine additional intersections.

Perhaps the most independent and direct approach to improving local traffic safety is happening in the City of Gulf Breeze, FL.

In August, the city council approved an ordinance to install red light cameras. According to the city, three of the five intersections in the city with traffic signals are immediately adjacent to public schools and see extremely high traffic flows. Nearly 3,000 students are transported through these intersections daily.

The recent events in Gulf Breeze deserve notice because not only would it be the first city in Florida to issue civil citations to red light runners, but the state attorney general has already stated his belief that a new state law would be needed before a city could issue photo citations.

Since Gulf Breeze made its decision, the cities of Pembroke Pines and Orange City have both expressed an interest in setting up similar systems. Orlando, Pensacola and the Manatee and Sarasota county governments are installing cameras, but are only issuing

## Red Light Running Not Limited To Motor Vehicles

An unusual crash occurred on Sept. 11th when an Amish buggy was crushed by an 18-wheeler in Middlefield, Ohio.

Ohio Highway Patrol officials said buggy driver John Miller was airlifted to an Akron hospital with unspecified injuries.

## New Camera Cities

### ***Red light cameras operational*** **Albuquerque, New Mexico**

Population: 448,607

"Home Rule" state: No

### **Minneapolis, Minnesota**

Population: 382,618

"Home Rule" state: Yes

### **Sioux Falls, South Dakota**

Population: 130,491

"Home Rule" state: Yes

### ***Red light cameras approved*** **Gulf Breeze, Florida**

Population: 5,967

"Home Rule" state: Yes

### **Swampscott, Massachusetts**

Population: 14,412

"Home Rule" state: Yes

### **Arnold, Missouri**

Population: 19,962

"Home Rule" state: Yes

warnings to violators. The intention is to obtain reliable violation data that they can then use in their efforts in Tallahassee to urge state legislators to enact enabling legislation for red light cameras.

Police said Miller failed to stop at a red light, which was then struck by the truck. His passenger, Barbara Schmucker, suffered a broken shoulder.

The only reported fatality was Miller's horse, which was killed instantly.

# Family Takes On Camera Prohibition Bill

Paul and Sue Oberhauser don't want any other families to have to endure the pain that they have suffered since the death of their daughter in a 2002 red light running crash.

For this reason, the family is doing all they can to see that a red light camera prohibition bill in the Ohio legislature is defeated.

Rep. Jim Raussen is continuing to push his legislation that would make it all but impossible for Ohio law enforcement agencies to use automated enforcement technology.

Despite the efforts of numerous cities, law enforcement and advocacy groups, the legislation was approved by the House and is now before a Senate committee.

On October 4th, Raussen had an opportunity to present his bill to the committee, but no other witnesses were given the chance to refute his testimony.

Nevertheless, the Oberhausers were able to confront Rep. Raussen after the hearing, and let him know that his legislation would prevent Ohio communities from trying to make their streets safer.

The couple handed the legislator a photograph of their daughter, who was a popular high school chemistry teacher and proud mother of two children when her life was cut short by a red light runner near the town of Oxford, Ohio.

The discussion outside the hearing room was recounted in an Oct. 5th article in the *Cincinnati Enquirer*.

While Raussen was unswayed by their personal appeal, the Oberhausers fully intend to testify against his bill at a future hearing in the state capitol.

“Why are we making laws to protect people who break the law?” Sue commented to the reporter. “I just don’t get it.”



Paul and Sue Oberhauser, survivor advocates from Somers, Ohio, recently presented Rep. Jim Raussen with a copy of this photo of their daughter Sarah, who was killed by a red light runner in 2002. The photo was taken in 1998 at Mt. Rainier. Her daughter Megan is now 12 and her son Drew is 14.



## Ohio House Bill 56

Sponsor: Rep. Jim Raussen

### What it would do:

Prohibit any Ohio

community from using automated red light or speed limit enforcement technology unless a police officer is physically present and the citation is given at the time of the infraction.

**Current status:** The legislation was approved by the House, and has been referred to the Senate Committee on Highways and Transportation.

An initial Senate hearing was held on Oct. 4th. At least one additional public hearing is expected to be held on the legislation in coming weeks.

# Katrina Leads To Speed Camera Urban Legend

If you have seen the image to the right as you sift through your e-mail over the past few weeks, you are not alone.

The image purports to show a Hurricane Katrina - launched sports car being photographed by a New Orleans speed limit enforcement camera.

There are several reasons why this photo is obviously an attempt at humor and not an actual occurrence during the recent hurricane, the most obvious being that New Orleans does not operate speed cameras!

The researchers at the Urban Legends Reference Pages have deduced that the background storm image was taken directly



*The alleged speed camera violation captured during Hurricane Katrina.*

from television video footage of Hurricane Charley striking Florida in 2004.

The source of the e-mail image has been traced back to a UK-based website operated by car enthusiasts.

## Red Light Crash Damages Florida Tailor Shop

According to a news report in the *Tampa Tribune*, a woman who ran a red light on Aug. 13th caused a chain reaction that sent a service van through the front window of a tailoring business.

According to Tampa police, Marta Arce, 19, of Tampa was driving west on Twiggs Street when she drove through a red light. Her 1993

Buick smashed into a southbound Verizon van, sending it crashing through the window of Express Tailors.

The accident caused about \$20,000 worth of damage to the business, police spokesman Joe Durkin said. No one was seriously hurt, mostly because there were only a few people in the building at the time of the crash.

## NOTABLE QUOTE

"More than 100 communities around the country, including at least one in Washington state, already use red light cameras. Seattle should embrace the idea, because it will make reckless drivers think twice before barreling through a red light. That's smart use of technology - for safety's sake."

--Excerpt from a Sept. 24th staff editorial in *The Seattle Times*.

# Legislative Update — October 2005

*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](mailto:info@stopredlightrunning.com).*

## **RED LIGHT RUNNING SAFETY CAMERAS**

**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. An initial hearing was held on 10/4/05 and additional hearings are anticipated.

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

**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.

**Rhode Island:** SB 909 (Goodwin) would authorize statewide use of red light cameras. Referred to the Senate Judiciary Committee. Initial hearing held 3/12/05, subsequent hearing held 6/16/05. No further action taken.

HB 6315 (McCauley) House version of Senate bill. Referred to the House Finance Committee. House approved the bill on 6/29/05, the Senate approved the bill on 6/30/05 and it **became law without the Governor's signature on 7/19/05.**

## **SPEEDING SAFETY CAMERAS**

**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 back to Senate Transportation and Housing Committee.

## **Room For Improvement**

A survey conducted by the Farmers Insurance Group of Companies showed more than 36 percent of motorists admitted to running a red light in the past year — an offense that is the leading cause of crashes in urban areas. The survey's results were gathered from a random written survey of driving habits that Farmers conducted of 1,000 drivers.

## **Attention Campaign Members!**

We are seeking individuals and organizations to help advance our 2006 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](mailto:info@stopredlightrunning.com) or call 202-828-9100.