

Date of Hearing: April 20, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1160 (Harper) – As Amended April 14, 2015

SUBJECT: Vehicles: automated traffic enforcement systems

SUMMARY: Prohibits new red light cameras from being installed by local jurisdictions after January 1, 2016, and requires the removal of existing red light cameras unless certain conditions are met. Specifically, **this bill:**

- 1) Prohibits a local jurisdiction from installing red light cameras, beginning January 1, 2016.
- 2) Authorizes a local jurisdiction that operates an existing red light camera to continue to do so after January 1, 2016 if the agency begins conducting, on or before February 28, 2016, a traffic safety study at each red light camera-controlled intersection to determine if the system has resulted in a statistically significant reduction in red light running accidents.
- 3) Requires the studies conducted at existing red light camera-controlled intersections to:
 - a) Make a determination as to whether there has been an increase in rear-end collisions within 100 feet of the intersection;
 - b) Account for specified factors, other than red light camera enforcement, that could have caused any reduction in red light running collisions;
 - c) Use a minimum of three years of "before" data and the entire period of automated enforcement as the "after" data period and provide an "adjustment" for any differences between these two periods;
 - d) Be conducted in accordance with federal National Highway Traffic Administration-approved (NHTSA-approved) data analysis methodology for automated traffic enforcement systems; and,
 - e) Clearly list all raw and referenced data for peer review purposes.
- 4) Requires, if the required study does not show a statistically significant reduction in the number of accidents caused by red light running or if the study shows there was an increase in rear end collisions, that the local jurisdiction to remove a red light camera by January 1, 2018, and provides that no violations captured on the system will be valid after that date.
- 5) Requires local jurisdictions who use red light cameras to cite motorists for right turn violations at red light camera-controlled intersections to include in the required study an

analysis of collisions caused by a motorists' failure to stop before turning right on a red indication.

- 6) Requires, if the study does not definitively show that the use of a red light camera system reduced the number of traffic accidents caused by a motorists' failure to stop before turning right, by a statistically significant margin, that red-light camera use be terminated at that intersection no later than January 1, 2018, and that no violations captured on the system after that date be valid for prosecution.
- 7) Makes related clarifying and conforming amendments.

EXISTING LAW:

- 1) Authorizes the limit line, intersection, or other places where a driver is required to stop, to be equipped with a red light camera, if certain requirements are met.
- 2) Generally authorizes a local jurisdiction to contract out the operation of red-light camera systems.
- 3) Requires a local jurisdiction to develop, by January 1, 2014, uniform guidelines for screening and issued red light camera violations and for processing and storing confidential information.
- 4) Requires a local jurisdiction to make a public announcement that the red light camera will be in use at least 30 days prior to commencement of use.
- 5) Requires a local jurisdiction to issue only warning notices for the first 30 days that the red light camera system is in effect.
- 6) Requires a city council or county board of supervisors to conduct a public hearing on the proposed use of an automated enforcement system authorized prior to authorizing the city or county to enter into a contract for the use of the system

FISCAL EFFECT: Unknown

COMMENTS: According to the author, red light cameras have failed to increase safety and have instead resulted in increased collisions and staggering costs for Californians. The author notes that red light cameras have increased driver anxiety to such an extent that drivers are now reacting by slamming on their brakes when they see a yellow light at a camera-controlled intersections and that this results in increased collisions. To illustrate his point, he notes that at an intersection in Murrieta, California there was a reported 325% increase in collisions after a red light camera was installed. The author also points out that red light cameras can be costly to install, operate, and maintain. He contends that these costs were generally "covered" by the increased tickets that were issued, but now that more of these tickets are being successfully challenged in court, the costs of operating red light cameras has begun to outweigh the revenue that is generated, causing cities and counties in California to remove their red light cameras.

To address this issue, the author has introduced this bill which would prohibit the installation of new red light cameras, beginning in January 1, 2016, and require that local jurisdictions evaluate, through studies, whether their existing systems are decreasing (or increasing) accidents. For those intersections where accidents have increased the bill would require the local jurisdiction to remove the camera.

Automated enforcement systems were originally authorized in California by SB 1802 (Rosenthal) Chapter 1216, Statutes of 1994, to enforce rail crossings. Two years later, SB 833 (Kopp), Chapter 922, Statutes of 1995, authorized a three-year demonstration period to test the use and effectiveness of similar systems in reducing the incidence of drivers running red lights at roadway intersections and in identifying the drivers committing such violations and the vehicles involved. The installation of these systems was considered justified primarily because red light running is considered a serious traffic problem that can result in deadly accidents. After reviewing the operations and effectiveness of the pilot program, the Legislature enacted SB 1136 (Kopp), Chapter 54, Statutes of 1998, to indefinitely authorize the use of red light cameras at intersections.

Since being widely deployed, the use of red light cameras has been, at best, controversial. To help ensure fairness the law requires that before a red light camera can be installed, a local jurisdiction must demonstrate the need for the system and that prior to entering into a contract with a red light camera system vendor, the legislative body of the local government (*e.g.*, city council or county board of supervisors) must conduct a public hearing on the proposed use of the system. Once the system is installed, the local jurisdiction must operate the system in accordance with specific requirements which include, among other things, the prohibition that the local jurisdiction base vendor payment on the number of citations that are issued or the amount of revenue that is generated.

Despite increased regulation of red light camera operations, many continued to argue that local jurisdictions and vendors directly benefit from costly citations that are issued (typically amounting to \$500 or more per violation). This belief is exacerbated by the fact that many of the violations being cited included "inadvertent" red light violations such as failing to completely cross the intersection before the light turned red, stopping just past the limit line, or performing a "rolling" right turn.

To address this concern, SB 667 (Peace), Chapter 491, Statutes of 2001, required that at red light camera-controlled intersections, the minimum yellow light signal change interval must be set in accordance with the California Manual of Uniform Traffic Control Devices (CA MUTCD). Later, following the introduction of AB 612 (Nazarian), the CA MUTCD was revised to increase yellow light signal times at various red-light camera-controlled intersections in accordance with a National Cooperative Highway Research Program Report entitled *Guidelines for Timing Yellow and All-Red Intervals at Signalized Intersections*. Data collected at red light camera-controlled intersection after the CA MUTCD revisions took effect showed a substantial decrease in red light camera violations. Specifically, at an intersection in Santa Clarita, California (after the yellow light signal times were increased by 0.5 second), there was a 71% decrease in all red light violations at the intersection.

Proponents of photo enforcement at intersections point to studies that demonstrate red light camera do reduce intersection accidents. Specifically, a 2011 study conducted by the Insurance Institute for Highway Safety showed a 24% reduction in fatalities at intersections in 14 cities that

utilized red light cameras from 2004 to 2008. Specifically, the report showed that the presence of red light cameras led to a 62% reduction in fatal crashes in San Diego, a 53% reduction in Sacramento, and a 44% reduction in Santa Ana, California. The report concluded that red light cameras provide a proven deterrent that changes behavior and leads to safer driving habits.

Some, including the California Construction Trucking Association (CCTA), believe that red light cameras have resulted in an increase, rather than a decrease in intersection collisions and claim that the cameras endanger, rather than protect the motoring public. Specifically, they cite studies showing that red light camera installation is associated with a 27% increase in rear-end crashes and a 12% increase in total intersection crashes, which they believe occurs when drivers slam on their brakes in an effort to avoid a costly citation when confronted with a yellow light.

Opponents of AB 1160, including the Association for Los Angeles Deputy Sheriffs, the California Association of Code Enforcement Officers, the California College and University Police Chiefs Association, the California Narcotic Officers Association, the Los Angeles Police Protective League and the Riverside Sheriffs Association, all point out that automated traffic enforcement systems promote traffic safety and are an important technology in fostering officer safety in the context of traffic enforcement. They point out that red light cameras have a long-established utility as a traffic safety technology that significantly reduce red light violations and has saved countless lives.

Clearly there is data on both sides of the argument with regard to the effectiveness or ineffectiveness of red light camera systems. It is hoped that the recent changes in the CA MUTCD with regard to yellow light signal timing will end the problem of rear-end accidents and excessive ticketing of inadvertent red light violators. Given this potential, it would be unwise at this time react to a problem that may, in fact, resolve itself by eliminating the ability of local governments and law enforcement to use an effective tool that improves public safety.

Related legislation: SB 218 (Huff), among other things, would prohibit a governmental agency or local authority from utilizing an automated enforcement system at any place where traffic is regulated by a stop sign. SB 218 is set for hearing in the Senate Transportation and Housing Committee on April 21, 2015.

Previous legislation: AB 612 (Nazarian) of 2013, would have required that yellow light signal change intervals be increased by one second at intersections with automated traffic enforcement systems. AB 612, which was later amended to deal with charter party carriers, failed passage in the Senate Transportation and Housing Committee.

AB 2128 (Cook) of 2012, would have lengthened the yellow light signal times and required "rolling-right-on-red" traffic light violations to be subject to a base fine of \$35. AB 2128 was held in the Assembly Appropriations Committee on the suspense file.

SB 1303 (Simitian), Chapter 735, Statutes of 2012, changed the laws governing automated traffic enforcement systems to ensure that red light camera programs maximize traffic safety and are implemented in a lawful and transparent manner.

SB 29 (Simitian), of 2011, made several changes to the laws regarding automated traffic enforcement systems to ensure that red light camera programs are designed to maximize traffic safety and are implemented in a lawful and transparent manner. SB 29 was vetoed by the

Governor Brown on the grounds that the issues addressed in the bill should be overseen by local elected officials.

AB 1022 (Oropeza), Chapter 511, Statutes of 2003, added conditions and restrictions to the use of automated traffic enforcement systems.

SB 667 (Peace), Chapter 491, Statutes of 2002, required yellow light change intervals at intersections at which there is an automated enforcement system. The change intervals would be established in accordance with the Traffic Manual of the Department of Transportation.

SB 1136 (Kopp), Chapter 54, Statutes of 1998, repealed the January 1, 1999, sunset date, and extended indefinitely provisions that allow the use of automated traffic enforcement systems at official traffic control signals.

SB 833 (Kopp), Chapter 922, Statutes of 1995, authorized a three-year demonstration period to test the use and effectiveness of automated traffic enforcement systems in reducing the incidence of drivers running red lights at roadway intersections.

SB 1216 (Rosenthal), Chapter 1216, Statutes of 1994, originally authorized automated enforcement at rail crossings.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Highway Patrolmen
California Construction Trucking Association
National Motorists Association
Safer Streets LA

Opposition

Association for Los Angeles Deputy Sheriffs
California Association of Code Enforcement Officers,
California College and University Police Chiefs Association
California Narcotic Officers Association
League of California Cities
Los Angeles Police Protective League
Redflex Traffic Systems, Inc.
Riverside Sheriffs Association
Traffic Safety Coalition

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