

Office of the City Manager

ACTION CALENDAR
December 16, 2003

To: Honorable Mayor and
Members of the City Council

From: Phil Kamlarz, Acting City Manager *PK*

Subject: Automated Red-Light Photo Enforcement System

RECOMMENDATION

Conduct a public hearing and upon conclusion, adopt a Resolution authorizing the City Manager to implement an automated traffic enforcement program and to execute an agreement with Transol USA to install a red light enforcement system at certain intersections in the City for the period December 20, 2003 to December 31, 2008.

FISCAL IMPACTS OF RECOMMENDATION

There are significant benefits to the City to have the vendor agreement signed prior to December 31, 2003. Senate Bill 1022, which takes effect on January 1, 2004, reduces the options available to cities for financing and operating photo traffic enforcement by removing the vendor's "per paid citation payment" option. The City would then be required to either buy or lease the equipment from the vendor and be responsible for all administrative and operational functions. The latter option would make it difficult for the City to administer such a program in these times of fiscal restraint due to lack of resources in the affected departments.

Under the Transol USA contract, the vendor will administer the program and install and maintain all necessary equipment. The City will opt for a payment plan based on a fee per paid violation which includes processing costs, and will not incur any upfront or ongoing expenses. Revenue from the proceeds, i.e., the amount of paid citation minus the processing costs, will be deposited in the General Fund (budget code 010-7303-351-3005, project code 04AT10.) The CMS# is WKKM8.

According to the Alameda County Uniform Bail and Penalty Schedule, the current bail for running a red light is \$321, of which amount the City receives \$161. Transol USA will be reimbursed \$48 from this amount for each paid citation. Transol USA will install, maintain, service and administer the system for these fees. In addition, approximately \$50 per ticket may have to be absorbed by the City for police officer time required to review contested citations and for court time. Based on data from the cities of Whittier, California and Northglenn, Colorado, monthly red light citations per intersection are in the range of 90-100 tickets. Also, based on data from these municipalities, on average, uncontested citations comprise about 98% of all citations issued.

At the present time the Traffic Unit attends traffic court approximately 10 hours per week. This project may require the Traffic Unit to add an additional 2 hours per week to testify. The cost

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per hour for an officer is approximately \$57 per hour, including benefits. The projected hours the Traffic Unit will dedicate to the project is 5-20 hours per week for the review of tapes, downloading images and testifying. The estimated cost may range from \$285 for 5 hours to \$1,140 for a total of 20 hours per week. The annual costs would range from \$14,820/year based on 5 hours a week to \$59,280/year based on 20 hours a week. (See Background below for an analysis of these costs.) These costs will be offset by revenue from red light violation fines, generated by this program.

CURRENT SITUATION AND ITS EFFECTS

Due to its current workload, the Police Department's traffic enforcement division is focused primarily on speeding and pedestrian right-of-way activities. Red light enforcement can only be performed when violations are observed by patrol or traffic units during the regular course of their duty, not through dedicated enforcement. Additionally, the enforcement of red light violations has inherent risks in that officers would often have to follow violators through a red light to stop violators and issue citations.

BACKGROUND

The use of cameras for the enforcement of red light running violations at signalized intersections is becoming increasingly widespread in the United States. State and local agencies have found that the use of red light cameras can reduce red light running by motorists and, more importantly, helps to reduce the number of crashes attributable to red light running. The reduction in the number of crashes is especially important as crashes caused by motorists running red lights are, on the average, more deadly and damaging than other types of crashes at signalized intersections. There have been significantly high levels of public support for these types of safety enforcement systems in cities where these systems have been installed. According to a 2001 survey sponsored by the Insurance Institute for Highway Safety, support is strongest in communities with red light photo enforcement in operation, such as Oxnard, California and San Francisco, where around 80% of residents surveyed were in favor.

The criteria for site selection for red light camera system are based on collision history at intersections. Evaluation of collision data resulted in selecting the following three intersections of major city streets where it is anticipated that the greatest safety impact can be achieved. The intersections are Shattuck/University, University/Sixth, and Adeline/Martin Luther King, Jr. Way. Staff is currently evaluating the logistics of installation at these intersections. Additional intersections may be added into the vendor agreement at any time during the contract term as long as the additional site has at least one full year of operation.

Section 21455.5 of the Vehicle Code requires the City to issue only warning notices for 30 days prior to issuing actual citations. We are also required to make a public announcement of the automated system at least 30 days prior to beginning enforcement. The system must be identified by signs which clearly indicate the system's presence and are visible to all vehicles approaching from all directions. Transol USA will also cooperate with the City on a public relations campaign in order to fully inform our citizens of the benefits of their enforcement system.

There will be a demand on Police Department staff time to handle various aspects of the citation process. An officer will have to review the violations on video, and authorize the processing of

citations for those violations. People who receive notices of violation in the mail will have the opportunity to pay the bail and not contest the citation, or to review the video images of the violation at the Police Department before deciding to either pay the bail, or request a Court date to contest the citation. When a citation is contested in Court, an officer will have to appear in Court and testify to the violation that was recorded on video. It is unknown how much staff time these three functions will take. The time will undoubtedly depend upon the number of citations that are processed, reviewed, and require testimony. This could be done by either an officer on light-duty or by a traffic officer, and could take anywhere from 5 to 20 hours per week. The financial impact of these extra hours was addressed under the Financial Impacts section.

The Office of Transportation has informed Traffic Commissioner Rantzman of its intent to proceed with this program. Commissioner Rantzman has been asked to review documents which demonstrate how this system works, and has been presented with the types of documents used by courts in other municipalities using this system.

RATIONALE FOR RECOMMENDATION

Data cited in various publications show that red light cameras do help to reduce injury and death in those cities where they are installed. In San Francisco, violations dropped 42% in the first six months of a pilot program. Significant results were also reported for Oxnard, California, and Fairfax, Virginia. Other cities currently using cameras include Mesa, Arizona, and New York City.

Of the three vendors evaluated for providing a red light enforcement program, Transol USA offers the most economical yet advanced solution. Transol USA will charge \$48 for each \$321 bail; the other two vendors would charge nearly double this amount. As mentioned earlier, Transol USA will install, maintain, service and administer the system at as many intersections as determined by the City.

ALTERNATIVE ACTIONS CONSIDERED

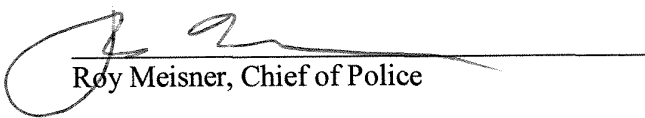
Any alternative action would require diverting police resources from other duties and assigning officers to red light enforcement. This would not be practical cost-wise, and may pose an operational risk as mentioned earlier. Further, the results would likely not be as successful as those expected from the automated system.

CONTACT PERSON

Peter Hillier, Assistant City Manager for Transportation, 981-7010
Roy Meisner, Chief of Police, 981-5900

Approved:


Peter Hillier, Assistant City Manager for Transportation


Roy Meisner, Chief of Police

RESOLUTION NO.

IMPLEMENTING AN AUTOMATED TRAFFIC ENFORCEMENT PROGRAM AND
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH
TRANSOL USA TO INSTALL A RED LIGHT ENFORCEMENT SYSTEM AT CERTAIN
INTERSECTIONS IN THE CITY OF BERKELEY FOR THE PERIOD DECEMBER 20, 2003
TO DECEMBER 31, 2008

WHEREAS, State and local agencies have found that the use of red light cameras can reduce red light running by motorists, and that this type of enforcement helps to increase traffic safety by reducing the number of crashes attributable to red light running; and

WHEREAS, the City Council of the City of Berkeley held a public hearing on December 16, 2003, to hear public comment on the implementation of an automated red light enforcement system at certain intersections in the City; and

WHEREAS, the Police Department lacks sufficient resources to dedicate traffic officers to provide special enforcement of red light regulations; and

WHEREAS, there are now a number of firms who specialize in services covering all requirements of photographic enforcement; and

WHEREAS, out of three vendors Transol USA was found to offer the most technologically convenient enforcement system with the most advantageous financial arrangement for the City; which agreement requires no front-end City expenses as the revenue from the proceeds (i.e., the amount of paid citations minus Transol USA's processing costs) will go directly into the General Fund (010-7303-351-3005, project code 04AT10); CMS# WKKM8; and

WHEREAS, City staff in the Office of Transportation, working with Transol USA, are prepared to meet the requirements of Vehicle Code section 21455.5 to issue warning only notices for 30 days prior to issuing actual citations; and to make a public announcement of the automated system at least 30 days prior to beginning enforcement.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an agreement and any amendments with Transol USA to install a red light enforcement system at certain intersections in the City for the period December 20, 2003 to December 31, 2008, which agreement will be on a per paid violation fee basis with any accrued revenue to be deposited to the General Fund (budget code 010-7303-351-3005; project code 04AT10; CMS Number WKKM8). A record signature copy of this agreement to be on file in the Office of the City Clerk.